

Conflict Resolution Graduate Program
University of Denver
CRES 4971: Basic Mediation Practicum
Spring Quarter 2015

Instructor & Class Information

Instructor: Fonda Hamilton
Email: CSmediator@gmail.com
Phone: (303) 956-7468

Class Time: Wednesdays; 9:00-11:50am
Class Location: Mary Reed 1
Office Hours: By appointment

Course Overview

1. The practicum course is designed to provide Conflict Resolution Masters students with the opportunity to learn mediation knowledge and skills in the field.
2. Students will provide mediation services through Jefferson County Mediation Services (JCMS), Court Mediation Services (CMS), Boulder Mediation Services, and private mediators selected by the instructor.
3. All students will be mediating cases as co-mediations with experienced mediators.
4. Full participation by the student will aid in the reinforcement, enhancement of practical learning experiences, and other practical aspects of mediation or ADR.
5. The practicum is divided between the basic and advanced practicum. The basic practicum classes will begin on March 25th and end on May 13th. The advanced practicum classes will begin the week of May 18th and end approximately the week of June 28th.
6. Interpersonal/Organizational Advanced Practicum students will spend the last 3 weeks of the Advanced Practicum in their mentorships. Arrangements for mentorships should begin early in the Advanced Practicum through discussions with Prof. d'Estree, who supervises all practicum tracks. There is some flexibility in scheduling, as this mentorship may need to be scheduled at a time that is convenient for both the mentor and the student. If no mentorship is arranged, one will be assigned.

Course Learning Objectives

1. Students will acquire and/or improve conflict resolution and communication skills.
2. Students will gain practical experience designing conflict resolution processes and interventions, planning for implementation, and execution of processes and interventions.
3. Students will demonstrate process for reflecting on and evaluating conflict resolution integration.
4. Students will increase their marketability after graduation by gaining practical experience, developing connections with practitioners and programs, and establishing ADR business practices.

Course Description/Overview

- The practicum will take place during the Spring Quarter. The basic practicum classes will begin on March 25th and end on May 13th. The advanced practicum, where students will

be separated into their desired tracks, will begin the week of May 18th and end approximately the week of June 28th.

- The practicum consists of mediation practice, co-mediating with experienced mediators (minimum 4 mediations); weekly classes (up to 3 hours per week) plus one to two orientations, and preparation time including researching and preparing class presentations, video recorded simulated mediations, and consultations with experienced mediators.

Required & Optional/Suggested Reading

Required Books:

- Simon, Peter N., (2010) *The Anatomy of a Lawsuit*. LexisNexis
- Lang, M.D. and Taylor. (2000) *The Making of a Mediator*. Jossey-Bass

Optional/Suggested Reading;

- Folger, Joseph P. and Poole, Marshall and Scott, Stutman, Randall K. (2005) *Working through Conflict, Strategies for Relationships, Groups, and Organizations* 5th Edition, Pearson Education

Course Structure – class & field experience

- a. Weekly Class Meeting: Class will meet for up to 3 hours on Wednesdays from 9:00-11:50am in the Mary Reed Building, Classroom 1
- b. Video Role-play & Self-Assessment: The video mediations will take place the first week of class (March 27th through March 30th), students should contact Jonathan McAtee to schedule and complete the video assignment. This is a one-hour roleplay recorded at DU Law School. Video Self Reflective paper is due by the April 15th class date.
- c. Mediations: Co-mediations with experienced mediators will begin as soon as possible after student attends the JCMS, CMS or other orientations and continue throughout the practicum as necessary to meet the course requirements. Preferably the student has completed these orientations before entering Practicum, so he/she can begin co-mediating cases immediately as they become available.
- d. Case Presentations: Each student is required to co-mediate 4-6 cases. Each student will present two to three cases for a class discussion. The number of cases presented will be determined by the class time allotted. Please consult the Reflective Practice Memo guidelines for format.
- e. Issue Presentations: Each student will discuss the problematic issues that arose during the case they mediated. The class will discuss these issues and decide what issue they would like the case presenter to research and provide additional information about during the next class time. The student will provide a brief (one page) summary of the information on the topic discussed (power balancing, mediator bias, etc.) to be distributed to the students at the next class meeting.
- f. Assignments – See below

Make-up Work/Late Work/Religious Accomodations

You are responsible for keeping up with the work, the reading, any assignments, and completing your required number of mediation cases. If you miss a class, you should contact the instructor for any assignment and a classmate to obtain notes. Students will be responsible

for completing reading assignments prior to that assignment's scheduled review as outlined on the schedule.

University policy grants students excused absences from class or other organized activities for observance of religious holy days, unless the accommodation would create an undue hardship. Students are responsible for completing assignments given during their absence. Once a student has registered for a class, the student is expected to examine the course syllabus for potential conflicts with holy days and to notify the instructor by the end of the first week of classes of any conflicts that may require an absence.

All assignments are due on the date listed. If you have a problem submitting the assignment according to the schedule, you MUST notify me at least 24 hours prior to the due date. I may accept assignments late if the student has a VALID reason. An assignment that is over 5 days late will not be graded unless another arrangement has been made between the student and instructor.

Grades/Evaluation of Students

- Basic Practicum grade will be 50% of the final practicum grade (the Advanced Practicum grade will be the remaining 50% of the final practicum grade).
- Basic Practicum grades will be determined as follows:
 1. Video Self-Assessment – 20%
 2. Class Participation: Case Presentations and Case Issues – 40% (25% case presentation; 5% issues presentation, 10% Class Assignments – including conflict journal)
 3. Reflective Practice Memo Assignments (two) – 20% (10% each)
 4. Elevator Speech and Agreement to Mediate Assignments– 5%
 5. Final Basic Practicum Reflective Paper – 15%

Class Schedule & Outline

March 25th

Go over syllabus, Discuss co-mediating cases, Types of cases, Courts, and judges, Conflict Journal as an on-going exercise; Elevator Speech

Assignment: Complete Video Mediations; Elevator Speech (mini assignment) – Due April 1st class; Conflict Journal (on-going)

Reading for next class: Anatomy of a Lawsuit; Video Role-play Scripts (emailed to you)

April 1st

Discuss Video Mediations; Anatomy of a Lawsuit; the legal process, terminology, Unauthorized Practice of Law; Discuss Elevator Speeches (due today)

Assignment: Conflict Journal (on-going), Video Self Reflective paper due April 15th

April 8th

Discuss Communication Skills – verbal and non-verbal, the Art of Questions; Case presentation and discussion; Discussion of problematic case complications

Assignment: Conflict Journal (on-going),

Reading for next class: The Making of a Mediator – Part 1

April 15th

Complications in Mediation/Facilitation; Difficult People; “Parking Lots”; Case presentation and discussion; Discussion of problematic case complications

Assignment: Video Self-reflective paper Due today; Conflict Journal (on-going),

Reading for next class: The Making of a Mediator – Part 2

April 22nd

Negotiation Insight: Empowering parties/stakeholders; Case presentation and discussion; Discussion of problematic case complications;

Assignment: Conflict Journal (on-going)

Reading for next class: The Making of a Mediator – Part 2 (cont.)

April 29th

Christopher Moore’s Circle of Conflict Discussion; Discussion about Agreement to Mediation; Case presentation and discussion; Discussion of problematic case complications

Assignment: Agreement to Mediation (mini assignment) – due May 6th; Conflict Journal (on-going)

Reading for next class: The Making of a Mediator – Part 3

May 6th

Discussion of multi-party facilitations, Discuss getting started in your area of practice; Forms for you’re your business; How to market yourself; Case presentation and discussion; Discussion of problematic case complications

Assignment: Final Basic Practicum Reflection Paper (including Conflict Journal info) due; Reflective Practice Memo’s (2) – both due May 13th

Reading for next class: The Making of a Mediator – Part 3 (cont.)

May 13th

Discuss ethical issues in mediation; Open Forum for Questions; Case presentation and discussion; Discussion of problematic case complications

Assignment: **Due Today:** Final Basic Practicum Reflection Paper (including Conflict Journal info) due; Reflective Practice Memo’s (2)

Reading for next class: None

ASSIGNMENTS

1) Conflict Journal

In order for you to become a better conflict resolver you must practice the skills we are discussing in this course. This means you are going to have to analyze the conflict you are involved in on a daily/weekly basis. You are to write about a conflict you are personally involved in this week. It doesn’t have to be a huge conflict. We deal with or personally witness even small conflicts every day. Briefly describe the conflict. Please describe the parties in a general manner, such as my boss, co-worker, or neighbor rather than telling me their names. I want you “name” the issue(s) involved, how it was resolved, how you used the skills and information you are learning in this course to resolve the conflict or negotiation and how you might have used these skills to achieve a better resolution. I will ask for someone each week to share a conflict of the week” with the class.

At the end of the Practicum, students will submit a reflection paper with their journal detailing their experience tracking conflict each week. This should include how keeping this journal made him/her more aware of how conflict is handled by them, how they applied mediation skills and

techniques, his/her strengths and weaknesses, how emotions affected his/her ability to resolve conflicts, and how his/her expectations, skills and experiences have changed since beginning this journal. The journal and reflection paper is due on May 13th

2) Video Tape Recording and Reflection Paper

Each student will complete a one-hour video mediation – following the role-play scripts that have been emailed to each student. The student can choose one of the three role-play scripts to mediate. Once the video is completed, the student should review their “performance” and submit a paper detailing observations from his/her video mediation; his/her current knowledge and skills, strengths & weaknesses, and what they expect to learn during the practicum.

3) Reflective Practice Memos

Prepare a memo from 2 of the mediations you co-mediated according to the Reflective Practice Memo Guide. After each mediation, students should create a draft of what took place during the mediation so he/she will not forget details for the memos to be submitted. Be sure to address all of the questions or topics in the guide. If there is a topic that does not pertain to your case, state this also.

MINI ASSIGNMENTS (These should not take you much time to do)

1) Brief Problematic Issues Paper

This is a brief paper regarding information about an issue from the student’s case presented in class. This is an issue that will be decided by the students in order for them to gain a better understanding of this topic.

2) Elevator Speech:

This is your opportunity (and maybe your only one when speaking with someone) to create a brief "speech" that covers ALL aspects of mediation in a short paragraph - no more than 4-5 sentences. The idea is to make sure the person listening knows everything about mediation in one very brief, detailed statement.

You are to keep it simple and easily understood. You need to include the specifics elements pertaining to mediation - confidentiality, self-determination (who makes the decisions), voluntary process, and the mediation process (determining the issues, brainstorming, evaluating issues, and arriving at an agreement, if there is one). These are the aspects of mediation that need to be clear to someone who knows nothing about mediation or the mediation process.

Imagine that you got on an elevator at the ground floor and someone asks you to describe what mediation is. You have to cover everything quickly and concisely. They should understand what mediation is when they exit the elevator.

3) Agreement to Mediate

Create an Agreement to Mediate/Facilitate from the information in the “Agreement to Mediate Bullet Points” document. This should be written in a style that reflects who you are. Do not find an Agreement to Mediate from the Internet and tweak it. This should be uniquely yours. If you intend to facilitate multiparty conflicts rather than court or personal cases, this agreement should reflect this.