

Mgr Paweł Kłos

Module name	Mediation in Practice
Studies cycle	1
Semester	1
ECTS	4
ECTS points hour equivalents	Contact hours (work with an academic teacher): 15 Total number of hours with an academic teacher: 15 Total number of ECTS points for the module: 4
Website	
Language of instruction	English
Short description	The module contains basic knowledge about mediation as the best-known method of dispute resolution. How to solve disputes between two or more parties, with the participation of a third party mediator. Disputes can be mediated in various areas such as commercial, civil, labour, social and family matters. The course focuses on practical mediation (basic values, mediation principles, types of mediation and communication methods) as a consequence of legal regulations in different legal systems.
Full description	<p>Topics:</p> <ol style="list-style-type: none"> 1. Communication as a basis for mediation; 2. Mediation - definitions, principles of mediation (voluntary, confidentiality, impartiality); 3. The possibility of mediation in national, transnational and international disputes; 4. Civil, economic, labour, family and criminal disputes in mediation process; 5. The Mediator's profile (requirements imposed by law and requirements of mediation organisations); 6. Mediation in practice (mediation strategies); 7. Enforceability of a mediation agreement in the light of the law (what is a mediation agreement?); 8. The legal responsibility of the mediator.
Reading list	<ol style="list-style-type: none"> 1. Christopher W. Moore, <i>The Mediation process. Practical strategies for resolving Conflict</i>, Jossey Bass Wiley, 2014; 2. G. De Palo, M. B. Trevor, <i>EU Mediation Law and Practice</i>, 2012; 3. M. Araszkievicz, J. Czapska, M. Pękala, K. Pleszka, <i>Mediation in Poland. Theory & practice</i>, 2015; 4. R. Fisher, W. Ury, <i>Getting to yes. Negotiating an agreement without giving in.</i>, Random House, 2012; 5. Klaus J. Hopt, Felix Steffek, <i>Mediation: Principles and Regulation in Comparative Perspective</i>, Oxford, Oxford University Press, 2013. <p>Website:</p> <ol style="list-style-type: none"> 1. https://e-justice.europa.eu; (European e-Justice Portal – Mediation)

Educational out-comes	<p>KNOWLEDGE: W1. Knowledge on the basic information about conflict, communication and ADR (alternative dispute resolution) methods; (K_W_05) W2. Economic, social and ethical conditions for the activities of a lawyer in ADR; (K_W_10) W3. Knowledge of practical aspects of mediation in various court and out-of-court proceedings; (K_W_09, K_W_11)</p> <p>SKILLS: U1. Student can do analyze properly basic regulations regarding mediation and determine right and obligations of parties; (K_U_02, K_U_03, K_U_06, K_U_08) U2. Student is capable of drawing adequate conclusions from the conducted analysis of social phenomenon; (K_U_02, K_U_10)</p> <p>ATTITUDES: K1. Student is aware of the necessity of enhancing the level of his/her knowledge and skills; (K_K_01) K2. Student is ready for supplement, improve and update gained knowledge and skills, also in the interdisciplinary aspects; (K_K_02) K3. The student is ready for influence the thinking, actions and shaping the behaviour of other people in an entrepreneurial way within the limits set by law; (K_K_03)</p>
Assessment methods and criteria	Frequency of attendance; Effort in class; Final paper.
Teaching methods	Lecture, optional with Powerpoint presentation; Case study; Legal and comparative analysis; Legal acts study; Active learning methods (Learning-by-doing); Group discussion.
Educational out-comes verification methods	K_W_05, class – final paper; K_W_09, class – final paper; K_W_10, class – final paper; K_W_11, class – final paper; K_U_02, class – final paper; K_U_03, class – final paper; K_U_06, class – final paper; K_U_08, class – final paper; K_U_10, class – final paper; K_K_01, class – final paper; K_K_02, class – final paper; K_K_03, class – final paper.
Prerequisites	None
Comments	None