

Mediation Clinic
Spring Semester 2015 Syllabus

Date	Subject	Assignment
January 13	<p>Welcome Back!</p> <p>Logistical overview of semester</p> <p>Be prepared to discuss the following questions: What does it mean to be a professional? What have you learned about professionalism from your clinic experience so far?</p> <p>Skills practice and mediation simulation to get our juices flowing again</p>	<p>Watch at the co-mediation simulation segments by Lorig Charkoudian and Erricka Bridgeford (community “inclusive mediation”) and the mediation simulation segment by John Bickerman (“eclectic style”) on the MACRO website (click on Publications/Media link and scroll down to Videos – there are three different mediation simulation videos of the same dispute. Watch Charkoudian and Bickerman; you may watch the roleplay by Martin Kranitz if you have the time and want an extra clinic hour but it is not required): http://www.marylandmacro.org/</p> <p>NOTE: Each mediation is about an hour long, so set aside plenty of time and keep track of your hours!</p> <p>ASSIGNMENT – DUE AS PART OF YOUR FIRST REFLECTION MEMO ON JANUARY 23, 2015: Write a 1-2 page summary of the differences you notice about each mediator’s style of mediation and post it to the Discussion Board on Blackboard about “Mediator’s Styles.”</p> <p>Reflect on: Which mediator techniques did you find to be most effective (or ineffective) and why? Did you notice any techniques that you’d like to try in your next mediation?</p>
January 20	Generating and Facilitating Discussion of Options: Refresher and Practice	Review training materials and readings from last semester
January 27	<p>School Conflict Resolution: Barbara Grochal will join us for additional instruction about applying your conflict resolution and mediation skills with our schools</p> <p>Attendance Mediation: Stacy Smith</p>	Check Blackboard for readings

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February 3	Representing Clients in Mediation: Client Interviewing and Collaborative Problem-Solving; Choosing the Appropriate Dispute Resolution Process; Selecting the Forum and/or Neutral	Frankel & Stark - Read Chapter 13 and watch the accompanying DVD tracks Additional readings posted on Blackboard
February 10	Representing Clients in Mediation: Planning Mediation Strategy; Preparing the Client; Drafting the Mediation Statement	Readings posted on Blackboard
February 17	Advocacy During the Mediation: In Class Simulation for Teams 1 and 2	
February 24	Advocacy During the Mediation: In Class Simulation for Teams 3 and 4	
March 3	Advocacy During the Mediation: In Class Simulation for Teams 5 and 6	
March 10	Debrief Advocacy in Mediation Simulations ADR and the Justice System	Readings posted on Blackboard: Deborah R. Hensler, <i>Suppose It's Not True: Challenging Mediation Ideology</i> and Baruch Bush, <i>Mediation and Adjudication, Dispute Resolution and Ideology: An Imaginary Conversation</i> Discussion Questions: <ul style="list-style-type: none"> - What did the simulation teach you about being an advocate in mediation? - What did the simulation teach you about being a mediator? What role should mediation and other dispute resolution processes play in our justice system?
March 17	SPRING BREAK – NO CLASS	
March 24	What Works in Mediation? Overview of Maryland ADR Research; Panel discussion with mediators	
March 31	Mindfulness in Mediation:	Readings posted on Blackboard

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	Guest Teacher: Rachel Wohl, Executive Director of the Maryland Mediation and Conflict Resolution Office (MACRO)	
April 7	ADR Essay Presentations	
April 14	LAST CLASS! Celebration with Mediation Clinic Partners; Presentation of Mediator Certificates	

Class

Our class will meet this semester on Tuesdays from 1:05-4:10 pm in Room 205.

Court Schedule

The weekly district court schedule will be posted on our Google calendar page. The Mediation Clinic will be covering district court day-of-trial mediations on 23 different Mondays and Fridays during this semester, starting Jan. 12 and ending April 17. **Each of you should sign up for at least 8 court dates**, spread throughout the semester.

Appearing in court, on time and prepared to mediate, on the dates that you sign up is a professional obligation. You should not cancel it unless you have an emergency reason, like illness. If you cannot attend court on one of your scheduled days, you are responsible for finding a mediator from the clinic to take your place. You should also notify all faculty that you will not be attending court, the reason for the cancellation, and the mediator who will be replacing you.

If one of your court dates is cancelled for reasons such as inclement weather or a cancellation by the court, you will not be required to make up that day.

Pre-trial Cases

With one semester of practice behind you, we expect that you understand your pre-trial case management obligations and know how to navigate Time Matters. If you have any questions or feel like you need a refresher, please reach out to Stacy Smith early in the semester.

School Conflict Resolution Work

You should restart your work with your school(s) during the first week of the semester. You should plan to spend about 1-4 hours per week on work relating to schools. We understand that your work may fluctuate each week based on the needs of your particular school and your own schedule. When you are visiting a school, be sure to check on whether the school is closed (for inclement weather or holidays) or if the school is having standardized testing that prevents outside visitors.

Team Meetings

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Professor Eisenberg will bring a new Team Meeting schedule to our first class. Team meetings will start the week of January 19. The last week of Team Meetings for the semester will be the week of March 30.

ADR Essays

This semester, you will write a short (5-6 pages, double-spaced) essay on any ADR topic that you would like. The essay should make a concise, persuasive argument about how a type of dispute resolution option should, or should not, be used to accomplish a particular goal. You can choose any type of dispute resolution that interests you (e.g., mediation, arbitration, litigation, restorative practices, circle processes, neutral case evaluation, collaborative law, etc.). For example, you could make the case that mediation should be used to lower truancy in schools; that mediation or some other ADR process should be used in schools, workplaces, prisons, the military, etc.; that ADR should be used for environmental, health, international or other types of issues; that a government agency should a certain process for particular types of disputes . We can brainstorm ideas for your essay during our weekly Team Meetings.

For the written essay, you are expected to state a clear thesis, back up your argument with evidence, explain the process you are proposing and the reasons it would be desirable and/or effective, and persuade the reader that your proposal should be adopted.

You should start thinking about an essay topic now and decide on an essay topic select your essay topic no later than March 10. You should inform Professor Eisenberg of your essay topic during Team Meetings the week of March 10. Essays should be posted to a Discussion Board that will be created on Blackboard on or before March 30.

During class on April 7, each of you will have ten minutes to “make the case” for your ADR proposal to the class.

Final Mediation Simulation and End-of –Semester Deadlines

March 13	Video Simulation Project posted on Blackboard
April 10	Video Simulation Project Reflection Memo Due Nomination of Video Clips for Mediation Clinic Oscars Due
April 13	End-of-Semester Self-Evaluation, Schools Report, and Class Evaluation Due by 10:00 am
April 14-20	End-of-semester meetings with Faculty
April 24	Deadline for closing and submitting cases to Stacy Smith for review
May 1	Final Case Closing Deadline; Final Time Report Due