

MEDIATION THEORY & PRACTICE

CONF 398 SECTION 2
AQUIA BUILDING, ROOM 219
FRIDAY 1:30P-4:30P
SPRING 2015

INSTRUCTOR:

Professor: Pamela Struss, Ph.D

Phone: 703-996-4165 or Cell: 703-216-1933 9A-9P

Email: pstruss@gmu.edu

Office Hours: Friday 12:30-1:30P or by appointment

Office Hours Location: Johnson Basement Coffee Shop or Northeast Module, Room 130

ASSISTANTS TO INSTRUCTOR

LJ Pendlebury- Alexandria Mediation Service

Lisa Zandel- Alexandria Mediation Service

Course Description

CONF 398 is designed to complete the training requirements for the initial Introduction to Mediation Skills, Process and Practice Certification and Introduction to the Virginia Judiciary through the Commonwealth of Virginia Supreme Court. “Mediators with GDC certification are qualified to mediate civil cases arising in the General District Court such as contracts, personal injury, employment disputes, small claims, or landlord-tenant disputes” (Virginia Court Services, 2013). Additionally international mediation techniques will be explored too.

Course Objectives

As a conflict resolution student and CONF 398 you will:

- Understand and use mediation techniques in court referred mediation
- Complete the required training for General District Court Mediation and Virginia Judicial System training and 2 observations for state mediation certification (3 required co-mediators to be completed after class completion)
- Practiced different types of mediation as both a mediator and party
- Understand the different types of mediation and when they are appropriate
- Be able to introduce and explain the mediation process to the parties referred from court to mediation
- Be able to write agreements acceptable to the court

Required for VA Supreme Court Mediator Certification

- 20 Hour Introduction to Mediation General District Court
- 4 Hour Judicial Overview
- 2 Court Observations with Mentor
- 3 Co-mediations with Mentor or 5 Hours Total
- Write one agreement
- Bachelors Degree

Course Reading Materials

Books

Struss, P., Pais, A. 2014. *Practice of Mediation in the Commonwealth of Virginia Courts Introduction to Mediation, Process, Skills and Problem Solving*. GMU Print Services, Fairfax.

Struss, P., Pais, A., Maher, A. 2014. *Overview of the Virginia Judicial System Highlights of the Federal Judiciary*. GMU Print Services, Fairfax.

Electronic/Blackboard

TBA

Course Requirements

Attendance & Participation (20 hour Intro + 4 Hour Judicial) Mandatory

20 hour Introduction to Mediation - February 20, 21 & 22

4 hour Judicial Overview – March 20

Assignments

Two Tracks

Both Tracks

| | |
|----------------------------------------------------|-----|
| Attendance and participation in the 20 hour course | 10% |
| 4 hour course | 10% |
| are mandatory and there is no way to make them up. | |
| Court Document Packet | 5% |
| 2 Observations | 20% |
| Final Paper-Role Play | 10% |
| Portfolio | 15% |

VA Supreme Court Mediator Certification

Court Observations & Co-mediations
(to be completed on any Thursday AM
during semester)

3 Co-mediations 30%

Mediation Advocate

Court Observations **only** (to be completed on
any Thursday AM during semester)

Literature Review 10%
Paper 20%

Observation Forms- your mentor will fill out a form confirming your observing court mediation. You must stay for the entire observation to receive credit.

Co-mediations- your mentor will fill out a form including feedback confirming your participation in court mediation. You must stay for the entire co-mediation to receive credit.

Literature Review- conduct a literature review regarding your selected topic about mediation. It can be about a mediation that happened or about a particular type of mediation: facilitative, evaluative, transformative or directive. A minimum of 10 references required.

Paper- 7-10 page paper introducing your topic including the lit review and expanding topic into a full descriptive paper. *For additional information see Paper Rubric Handout on Blackboard*

Final Paper-Design a role play/simulation. It can be interpersonal, consumer, landlord/tenant, loan, home repair, and service. *For additional information see Paper Rubric Handout on Blackboard*

As you noticed there are two assignment tracks. You must choose one and send an email to me informing me which track you chose.

Extra Credit 1-2 pages; attend an authorized CAR events. (1-2 points) or attend a GMU Film & Media Studies film (2 points) A one page reflection is to be turned in summarizing the event and what was discussed. *For additional information see Paper Rubric Handout on Blackboard*

Grading Scale

| <u>Points Accumulated</u> | <u>Letter Grade</u> |
|---------------------------|---------------------|
| 98-100 | A+ |
| 93-97.5 | A |
| 90-92.5 | A- |
| 87-89.5 | B+ |
| 83-86.5 | B |
| 80-82.5 | B- |
| 78-79.5 | C+ |
| 73-77.5 | C |
| 70-72.5 | C- |
| 68-69.5 | D+ |
| 63-67.5 | D |
| 60-62.5 | D- |
| 0-59.5 | F |

Class Rubric

Class will meet in a compressed schedule over one weekend and one additional 4-hour period to be determined. Class will be held over a weekend to be determined by class. The choices are to hold the first four hours of the total of 24 hour training on the schedule class day followed by the next Saturday and Sunday; then one additional 4-hour period. OR, the first 4 hours will begin on Friday afternoon, then on Saturday and Sunday; then one additional 4-hour period. Your suggestions will be welcome and considered.

Friday Class Process

Current Event/Announcements
Lecture
Break
Lecture/Group Meeting/Simulation
Questions

Weekend Class Process- 20 Hours

| | |
|------------------------------------------|---------------|
| Feb. 20 th - Friday Afternoon | 1:30P - 5:30P |
| Feb. 21 st - Saturday | 9A - 5P |
| Feb. 22 nd - Sunday | 9A - 5P |

Extended Friday- 4 Hours

| | |
|-----------------------------|---------------|
| Mar. 20th, Friday Afternoon | 1:30P - 5:30P |
|-----------------------------|---------------|

Course Expectations

Attendance/Participation

Because this is a “hands-on”, experiential class, attendance is imperative. Additionally, the Commonwealth of Virginia requires full attendance to be certified. There is no way to simulate the class experience through reading the literature or by reading notes from classmates.

Preparation

By completing the readings for the class, you will be able to contribute to the class discussion and ask pertinent questions. Being prepared for class is a great stress reducer as well.

Dress for Court

Please wear business attire; jeans are discouraged.

Etiquette

Be respectful of your classmates; turn all **cell phones to vibrate**, and **no** texting. Please raise your hand to be recognized and do not talk over when other students are speaking. I want to hear what each of you has to say. Above all be respectful.

Course completion

Providing you attend class and turn in the assignments, you should have no problem completing the course and be eligible for certification. If you have challenges, please speak with me sooner rather than later.

My Teaching Philosophy

As your Teacher, I believe

- All students have the ability to learn, each has individual strengths and weakness; and it is my responsibility to design the course in such a way that the student's needs are met.
Students all learn differently whether it's visual, auditory or kinetic. The class will incorporate each learning style.
- Students learn best when they can construct their own knowledge by applying the course content to their world of understanding.
When students are able to assimilate in the information into their life experiences then it becomes real and usable.
- Student learning is enhanced through role plays, individual research and presentations.
Using alternatives to lecturing, students will discover and deepen their knowledge in an area of individual interest, experience what being in a role is like, and be given an opportunity to explore their teaching methodology.
- Optimism and encouragement are powerful.
Displaying a love and passion for the material presented can ignite passion in others. Validating a student's contributions fosters their sense of self-worth.
- A teacher will forever be a student.
Continuing to research, explore and experience the subject areas of interest fosters and models lifelong learning. May I always be teachable.

Academic Policies and Information

Honor Code-Academic Integrity

GMU is an Honor Code university; please see the University Catalog for a full description of the code and the honor committee process. The principle of academic integrity is taken very seriously and violations are treated gravely. What does academic integrity mean in this course? Essentially this: when you are responsible for a task, you will perform that task. When you rely on someone else's work in an aspect of the performance of that task, you will give full credit in the proper, accepted form. Another aspect of academic integrity is the free play of ideas. Vigorous discussion and debate are encouraged in this course, with the firm expectation that all aspects of the class will be conducted with civility and respect for differing ideas, perspectives, and traditions. When in doubt (of any kind) please ask for guidance and clarification.

"All George Mason University students have agreed to abide by the letter and the spirit of the Honor Code. You can find a copy of the Honor Code at academicintegrity.gmu.edu. All violations of the Honor Code will be reported to the Honor Committee for review. With specific regards to plagiarism, three fundamental and rather simple principles to follow at all times are that: (1) all work submitted be your own; (2) when using the work or ideas of others, including fellow students, give full credit through accurate citations; and (3) if you are uncertain about the ground rules on a particular assignment, ask for clarification. If you have questions about when the contributions of others to your work must be acknowledged and appropriate ways to cite those contributions, please talk with the professor.

S-CAR requires that all written work submitted in partial fulfillment of course or degree requirements must be available in electronic form so that it can be compared with electronic databases, as well as submitted to commercial services to which the School subscribes. Faculty may at any time submit a student's work without prior permission from the student. Individual instructors may require that written work be submitted in electronic as well as printed form. S-CAR's policy on plagiarism is supplementary to the George Mason University Honor Code; it is not intended to replace or substitute for it."

Student Resources

GMU Email Accounts

Students must use their Mason email accounts—either the existing “MEMO” system or a new “MASONLIVE” account to receive important University information, including messages related to this class. See <http://masonlive.gmu.edu> for more information.

SCAR Graduate Advising

Nathanael Lash (nlash@gmu.edu) and Jane Walker (jwalkerq@gmu.edu)

GMU Writing Center

A114 Robinson Hall; (703) 993-1200; <http://writingcenter.gmu.edu>

Office of Disability Services

If you are a student with a disability and you need academic accommodations, please see me and contact the Office of Disability Services (ODS) at 993-2474. All academic accommodations must be arranged through the ODS. <http://ods.gmu.edu>

English Language Institute

<http://eli.gmu.edu/>

Library Services

“Ask a Librarian” <http://library.gmu.edu/mudge/IM/IMRef.html>

Counseling

Counseling And Psychological Services (CAPS): (703) 993-2380;
<http://caps.gmu.edu>

University Policies

The University Catalog, <http://catalog.gmu.edu>, is the central resource for university policies affecting student, faculty, and staff conduct in university academic affairs. Other

policies are available at <http://universitypolicy.gmu.edu/>. All members of the university community are responsible for knowing and following established policies.

Direction to all Campus' and Campus' Maps

<http://www.gmu.edu/resources/welcome/Directions-to-GMU.html>

WEEKLY SCHEDULE

| WEEK | DATE | TOPIC TO BE COVERED | READING DUE/ TIMES | ASSIGNMENT DUE |
|---------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------------|
| WEEK 1 | 23-Jan | Introductions/Syllabus Review Mediation Overview | | |
| WEEK 2 | 30-Jan 29-Jan | Types of Mediation <i>SMALL CLAIMS</i> <i>COURT</i> | Reader I 9:15A-NOON | Conflict Management Style Inventory |
| WEEK 3 | 6-Feb 5-Feb 5-Feb | NO CLASS <i>SMALL CLAIMS</i> <i>COURT</i> GMU Film & Media Studies | Reader I 9:15A-NOON "Dear White People" | 8P at JC Cinema |
| WEEK 4 | 13-Feb 12-Feb 11-Feb 11-Feb | Court Process <i>SMALL CLAIMS</i> <i>COURT</i> <i>BROWN BAG</i> <i>LECTURE</i> <i>SCAR CAREER FAIR</i> | Reader I 9:15A-NOON Noon 12-1:15P 4:30-8P | Opening Draft Johnson Ctr, Mtg Rm A Founders Hall, Rm 126-Arlington |
| WEEK 5 | 20-Feb 21-Feb 22-Feb 19-Feb | Introduction to Mediation (20 hours) <i>SMALL CLAIMS</i> <i>COURT</i> | 1:30-5:30P 9A-5P 9A-5P 9:15A-NOON | |

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|----------------|-----------------|------------------------------------------------|-------------------------|-------------------------------------------------------------------|
| | 19-Feb | DIALOGUE & DIFFERENCE | 7-9 PM | RESEARCH I, ROOM 163 |
| WEEK 6 | 27-Feb | Court Mediation Review SMALL CLAIMS | | Court Form Packet |
| WEEK 7 | 26-Feb 6-Mar | COURT NO CLASS SMALL CLAIMS | 9:15A-NOON Reader II | |
| WEEK 8 | 5-Mar 13-Mar | COURT SPRING BREAK SMALL CLAIMS | 9:15A-NOON | |
| | 12-Mar | COURT | 9:15A-NOON | |
| WEEK 9 | 20-Mar | Judicial Overview (4 Hours) SMALL CLAIMS | 1:30-5:30P | |
| | 19-Mar | COURT BROWN BAG | 9:15A-NOON Noon 12- | Johnson Ctr, Mtg Rm A |
| | 17-Mar | LECTURE | 1:15P | |
| | 18-Mar | DIALOGUE & DIFFERENCE | 7-9 PM | RESEARCH I, ROOM 163 |
| WEEK 10 | 27-Mar | NO CLASS SMALL CLAIMS | | Literature Review (only for Med Adv. Students) |
| | 26-Mar | COURT | 9:15A-NOON | |
| WEEK 11 | 3-Apr | NO CLASS SMALL CLAIMS | | |
| | 2-Apr | COURT | 9:15A-NOON | |
| WEEK 12 | 10-Apr | Role Plays SMALL CLAIMS | | |
| | 9-Apr | COURT | | 9:15A-NOON |
| WEEK 13 | 17-Apr | NO CLASS SMALL CLAIMS | | |
| | 16-Apr | COURT BROWN BAG | 9:15A-NOON | 9:15A-NOON Johnson Ctr, Mtg Rm A |
| | 14-Apr | LECTURE | Noon 12- 1:15P | |

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| WEEK 14 | 24-Apr | NO CLASS SMALL CLAIMS | | Role Play Packet |
| | 23-Apr | COURT | | 9:15A-NOON |
| | 21-Apr | DIALOGUE & DIFFERENCE | 7-9 PM | RESEARCH I, ROOM 163 |
| | 22-Apr | Annual Celebration of Achievements and Research Conference | 5-8PM | Metropolitan Building |
| WEEK 15 | 1-May | Wrap Up SMALL CLAIMS | | Paper (only for Med Adv. Students) |
| | 29-Apr | COURT | 9:15A-NOON | |
| WEEK 16 | 8-May | FINAL- NO CLASS SMALL CLAIMS | | Portfolio |
| | 7-May | COURT | 9:15A-NOON | |

Congratulations to Graduates, have a great summer!