

MEDIATION THEORY & PRACTICE

CONF 398 SECTION
Robinson A 206
Thursday 10:30A- 1:10P
Spring 2016

INSTRUCTOR:

Professor: Pamela Struss, PhD

Phone: [703-996-4165](tel:703-996-4165) or Cell: 703-216-1933 9A-9P

Email: pstruss@gmu.edu

Office Hours: Thursday 1:30-2:30P or by appointment

Office Hours Location: Northeast Module II or TBD, Room

Course Description

CONF 398 is designed to complete the Supreme Court General District training course requirements: Introduction to Mediation Skills, Process and Practice Certification and Introduction to the Virginia Judiciary through the Commonwealth of Virginia Supreme Court. It also offers experiential learning through observation and and/or participation in a variety of settings where mediation is used. If a student elects to complete the required observations and co-mediations in a court setting then it leads to state certification. "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.

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
- Observe and/or participate in a mediation session or field process at least twice
- 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 and Supplies 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. *

Bowling, D., Hoffman D. 2003. *Bringing Peace into the Room*, Jossey-Bass, San Francisco.

** Manuals available through instructor at costs.*

Electronic/Blackboard

TBA

Supplies

1-3 Ring Binder 2"

1-3 Ring Binder 1"

Dividers-1 with 27 sections and 1 with 9 sections

Folder with brads and pockets

Course Requirements

Attendance & Participation (20 hour Intro + 4 Hour Judicial)	Mandatory
20 hour Introduction to Mediation – Februar 25, 28 & 29th	
4 hour Judicial Overview – TBD	

Assignments

Two Tracks

Both Tracks

Attendance and participation in the 20 hour course 10%

4 hour course 10%

BOTH are mandatory and there is no way to make them up.

Court/Field Document Packet 5%

1 Court Observation 10%

Role Play 10%

Video Group Assignment 10%

Portfolio 5%

VA Supreme Court Mediator Certification **OR**

Mediation Advocate

In addition to the above:

Court Observation (1) additional 10%

Court Co-mediation (1) 20%

Field Observations (1) 10%

(Reflection Paper)

Field Observations (3) 30%

may observe court case

w/non mentor

(Reflection Paper for each)

Literature Review 10%

TOTAL 100%

100%

Court Observation and Field Experience

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

Field Observation Forms-have leader of field experience event sign form to verify attendance and participation.

A list of court sites and field experience opportunities will be posted on Blackboard along with their dates, times and contact information.

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

NOTE: Alexandria Mediation Services (AMS) does not charge mentees/observers to observe court mediation sessions. For co-mediations: AMS leaves it to the discretion of the mentor to charge or waive fee for mentee/mentor co-mediations.

Northern Virginia Mediation Service (NVMS) does charge 1/2 of normal fee for all court mediation observations and co-mediations.

Piedmont Dispute Resolution Services does charge \$75 for an observation with a mentor and \$150 for co-mediations with a mentor.

Paper Guidelines

Reflection of Field Experience – write a 1-2 page reflection of event you observed and/or participated in .

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.

Role Play- write a role play including background information, issues to be addressed, amount of claim. A rubric is available on Blackboard.

Class Video- this is a whole class process, you will divide up into groups, script writers, producers and actors. A rubric is available on Blackboard.

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 not meet every week to allow for compressed weekend schedule. and one additional 4-hour period. Class time may be for less than 3 hours to allow for observation/field work.

Class will be held over the last weekend of September and extended by an hour on Friday followed by all day Saturday and Sunday (9A-5P) We will take breaks and have lunch on Saturday and Sunday. Refer to Weekly Schedule for class cancelations. The additional 4 hour class' date is to be determined.

Thursday Class Process

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

Weekend Class Process- 20 Hours, February 25, 27 & 28

Feb. 25th- Thursday Afternoon	10:30A - 1:30P
Feb. 27th- Saturday	9A – 5:30P
Feb. 28th- Sunday	9A – 5:30P

Extended Friday- 4 Hours

Oct. TBA, Thursday Afternoon	10:30A - 2:30P
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Observations/Field Work-3 hours

Alexandria General District Court-Thursdays 9:15A-Noon
Fairfax General District Court-Fridays 9:15A-Noon
Loudon General District Court-Tuesdays 9:15A-Noon
Northern Virginia Mediation Service-TBD
Piedmont Dispute Resolution Center-Prince William County or Manassas Courts-TBD
Other opportunities-TBD

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.

Class will not meet every Friday in order to give time for court and/or field experience. Please refer to the weekly schedule to see what Fridays the class meets.

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.

When observing court mediations, take all forms and paperwork needed.

Dress for Court

Business attire is required, no jeans or t-shirts.

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.

Registration for Court Observations/Fieldwork

Alexandria Mediation Service-register on their website to observe court cases of Alexandria General District Court. web address: www.alexandriamediates.org. Click on GMU Student Observations and follow directions.

Northern Virginia Mediation Service (NVMS)- for Fairfax and Loudon County Courts, contact Izabela Solosi at Phone: (703) 865-7261, Email: training@nvms.us to be placed on Mentee List

Piedmont Dispute Resolution Center- for Prince William County and City of Manassas, contact Lawrie Parker at Phone 540-347-6650, email: lawrie.pdrc@verizon.net

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 Undergraduate 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	21-Jan	Introductions/Syllabus Review Mediation Overview		Conflict Management Style Inventory
WEEK 2	28-Jan	Types/Approaches to Mediation	Reader I	Personal Reflection
		Personal Qualities of a Mediator	Bowling, Chp. 1 & 2	
	29-Jan	<i>Small Claims Court-Alexandria</i> <i>Small Claims Court-Fairfax</i>	9:15A-NOON 9A-NOON	
WEEK 3	4-Feb	Mediation Process	Reader I Bowling, Chp. 6 & 10	
		Emotional Intelligence	Bowling, Chp. 6 & 10	
	5-Feb	<i>Small Claims Court-Alexandria</i> <i>Small Claims Court-Fairfax</i>	9:15A-NOON 9A-NOON	
WEEK 4	11-Feb	Mediation Process Tricksters in Mediation	Reader I Bowling, Chp. 4 & 5	
		<i>Small Claims Court-Alexandria</i> <i>Small Claims Court-Fairfax</i>	9:15A-NOON 9A-NOON	
	12-Feb			
WEEK 5	18-Feb	NO CLASS		
	19-Feb	<i>Small Claims Court-Fairfax</i>	9A-NOON	
WEEK 6	25-Feb	Introduction to Mediation (20 hours)	10:30A-1:10P	

	27-Feb	Intro cont'd	9A-5:30P	
	28-Feb	Intro cont'd	9A-5:30P	
	25-Feb	<i>Small Claims Court- Alexandria</i>	9:15A- NOON	
	26-Feb	<i>Small Claims Court- Fairfax</i>	9A-NOON	
WEEK 7	3-Mar	Healing & Sacred Space <i>Small Claims Court- Alexandria</i>	Bowling, Chp. 8 &9 9:15A- NOON	Court Form Packet
	4-Mar	<i>Small Claims Court- Fairfax</i>	9A-NOON	
WEEK 8	10-Mar	SPRING BREAK <i>Small Claims Court- Alexandria</i>	9:15A- NOON	
	11-Mar	<i>Small Claims Court- Fairfax</i>	9A-NOON	
WEEK 9	17-Mar	Exploration of Mastery <i>Small Claims Court- Alexandria</i>	Bowling, Chp. 3 & 7 9:15A- NOON	Role Play Packet
	18-Mar	<i>Small Claims Court- Fairfax</i>	9A-NOON	
WEEK 10	24-Mar	NO CLASS International Mediation <i>Small Claims Court- Alexandria</i>	9:15A- NOON	
	25-Mar	<i>Small Claims Court- Fairfax</i>	9A-NOON	
WEEK 11	31-Mar	Video Planning <i>Small Claims Court- Alexandria</i>	9:15A- NOON	
	1-Apr	<i>Small Claims Court- Fairfax</i>	9A-NOON	

WEEK 12	7-Apr	NO CLASS <i>Small Claims Court-Alexandria</i> <i>Small Claims Court-Fairfax</i>	9:15A- NOON 9A-NOON	
WEEK 13	14-Apr	FILMING <i>Small Claims Court-Alexandria</i> <i>Small Claims Court-Fairfax</i>	9:15A- NOON 9A-NOON	
WEEK 14	21-Apr	Review Video <i>Small Claims Court-Alexandria</i> <i>Small Claims Court-Fairfax</i>	9:15A- NOON 9A-NOON	Video
	22-Apr	<i>FALL SYMPOSIUM</i>	1:00P-4:30P	<i>Merton Hall, RM 1201</i>
WEEK 15	28-Apr	NO CLASS <i>Small Claims Court-Alexandria</i> <i>Small Claims Court-Fairfax</i>	9:15A- NOON 9A-NOON	LIT REVIEW Paper (only for Med Adv. Students)
WEEK 16	2-May	NO CLASS		Portfolio