

# SYLLABUS

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**Alternative Dispute Resolution**  
**Loyola University of Chicago School of Law**  
**Fall Term, 2008**  
**Sandra M. Rosenbloom, Attorney at Law**  
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## **August 28, 2008 - November 20, 2008 4:00pm to 7:00pm**

This is a skills-based seminar course on the understanding and application of various forms of alternative dispute resolution with a particular emphasis on mediation and the newly emerging concept of Collaborative Law. The first two-thirds of the semester will concentrate on mediation, while the final third of the semester will be directed toward the emerging field of Collaborative practice. Students will be required to participate in role-playing sessions which will include presentation and critiques to apply the skills learned in class. Each class will consist of approximately one hour of lecture, including members of the judiciary as well as mediators and Collaborative practitioners as occasional guest lecturers; the remainder of the class time will consist of a practicum relating to the subject covered in that class. Final grades will be determined by assessment of class participation and final project. Class attendance is mandatory. This class will meet for ten (10) sessions. The final session and review shall be on the ninth class, October 30, 2008. A final project worth one third (1/3) of the grade will be assigned as an out of class project.

The complete reading list for this class includes material that is not required reading. Assigned reading for each class is listed below. The assigned reading list is subject to change as the semester progresses.

### **Class 1: August 28, 2008**

**Reading Assignment for Class 1:** Ellison, S. (1998). *Taking the War Out of Our Words: The Art of Powerful Non-Defensive Communication*. Berkeley: Bay Tree Publishing. Paperback  
Introduction to ADR

- Arbitration
- Mediation
- Collaborative Law

First class will introduce the various ADR concepts concentrating on interest-based negotiations contrasted with the positional bargaining of traditional litigation. In this class we also will cover setting the stage for effective ADR, including paradigm shifts in language and setting.

### **Class 2: September 4, 2008**

Introduction to negotiation techniques and application to ADR

**Reading Assignment for Class 2:**

Ury, W. (1991). *Getting Past No: Negotiating your Way from Confrontation to Cooperation*. New York: Bantam. Paperback

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## **Class 3: September 11, 2008**

**Reading Assignment for Class 3:** Chapters 1-3 of *Mediation Skills and Techniques*, Boulle, Colatrella, and Picchioni, (2008). (MST). Exercises 1 and 3, page 59. Prepare for class discussion.

Introduction to Mediation: Guest speaker Mediator Marjorie Carey Jacobs, Esq. on process and practice of mediation, including interactive demonstration on mediation

## **Class 4 September 18, 2008**

**Reading Assignment Class 4:** Chapters 4-5 of *Mediation Skills and Techniques*, Boulle, Colatrella, and Picchioni, (2008). (MST)

Mediation Exercises: Students will begin work in groups of 3 to prepare and present mediation role-playing exercises.

Classes 5: February 13, 2008

## **Class 5: September 25, 2008**

**Reading Assignment Class 5:** Chapters 6-7 of *Mediation Skills and Techniques*, Boulle, Colatrella, and Picchioni, (2008). (MST), Exercise 1, page 227 (fact pattern to be distributed in Class 4).

Mediation Exercises: Students will prepare and present mediation role-playing exercises.

## **Class 6: October 2, 2008**

**Reading Assignment Class 6:** Chapters 8-10 of *Mediation Skills and Techniques*, Boulle, Colatrella, and Picchioni, (2008). (MST), Exercises TBA in Class 5.

## **October 9, 2008: NO CLASS**

## **Class 7: October 16, 2008**

**Reading Assignment Class 7:** Tesler, Pauline H. and Thompson, Peggy. (2007) *Collaborative Divorce: The Revolutionary New Way to Restructure Your Family, Resolve Legal Issues, and Move on with Your Life* .

## **Class 8: October 23, 2008: Guest Speakers/Collaborative Law Demonstration and Q& A Session**

**Assignment for Class 8:** Preparation in advance of questions regarding Collaborative Practice.

## **Class 9: October 30, 2008: Review ADR and Assignment of Final Project**

## **Class 10: November 20, 2008: Submission of Final Project at 5:00 p.m.**