



Course Outline



Course Outline

General Course Information

- Course is designed and learning outcomes are mapped to the European Qualifications Framework Level – 9
- Method of delivery – Online (self-directed) plus on-site skills week.
- Online learning will be a combination of interactive asynchronous learning and forum discussion. The online portion of the course addresses topics and concept traditionally addressed in face to face lectures and tutorials. The online Modules have a “content” focus, so as to allow maximum hands on practice opportunities during the skills week.
- The skills week will consist predominantly of role-play and other practice exercises, together with coaching and mentoring and the practical skills assessment.
- Course duration – 60 hours minimum (estimated self-directed learning effort 20 hours but some students may spend longer on this).
- Includes formative and summative academic and practical assessment.
- Learning outcomes address a balance of theoretical and process knowledge, and skills and practice.
- Entry requirements – English to IELTS level 7.
- Student numbers – 30 per class. Student:tutor ratio of 1:10 for skills week.

Learning activities and resources:

- Programme Handbook plus orientation and instructional videos.
- Asynchronous interactive learning including expert faculty video, pedagogically designed skills and practice simulation videos, assessment and reflection activities and learning portfolios. Adaptive learning design and methodologies individualise the learning path.
- Discussion forum and asynchronous group activities.
- Relevant materials, handouts and links to additional resources, including peer reviewed articles, legal documents, internet resources and infographics.
- Skills week includes practical workshops, role-play sessions, simulations, coaching and mentoring and a variety of networking and knowledge-building events, together with practical assessment. (See sample timetable overleaf)

** Additional Information re Online Modules

Each online Module takes approximately 6 hours to complete, plus 2 x one hour live sessions. The reason there is not an exact time for completing the online Modules is that some students take longer than others to work through them, for example on reading the resources and completing the multiple-choice (MCQ) tests.



Each Module contains ten lessons. A lesson will contain a variety of learning resources and activities as detailed above. A typical lesson will look like this:

- Topic summary
- Overview of key points
- Faculty video
- Interaction such as text entry or multiple choice question
- Simulation video (episode of one of our mediation simulations, professionally produced using actors, scripted in alignment with learning outcomes)
- Commentary of faculty on simulation video
- Reading – article or report
- Question on reading
- Faculty video
- Summary of lesson

As lessons are designed using adaptive learning, if students do not answer questions and interactions correctly they are re-directed to additional faculty explanation or materials, if they move through lessons with ease, they can choose to access additional videos, reading and resources.

Each Module culminates in a multiple choice test that is automatically graded. All interactions and questions in lessons are automatically graded and students get their results – and formative feedback – instantly.

Live Tutorials

The live tutorials (two per online Module) are intended to embed the learning from the online Modules, give students the opportunity to practice and ask questions. Small group activities (using zoom breakout rooms) and large group feedback is used.

As an example, students might have tutorial on different types of questions. After an introduction to the topic, students are asked to practice a questioning exercise in pairs in breakout rooms. They then return to the group, present on their experience and engage in a reflective discussion. Time is always set aside to address any questions or concerns students have about the material they have been studying.



Online Schedule

*Note – as online learning is designed as asynchronous, adaptive learning, there are no set times for learning, other than the two live tutorials per Module. The Schedule is therefore presented as Modules. Each Module will take students a minimum of 8 hours to complete, sometimes longer, depending on how much additional reading is undertaken.

*Students have two weeks to complete each Module.

Module 1 – Mediation Principles

1. Conflict Analysis
2. Dispute Resolution Strategies and Processes
3. Defining Mediation
4. Core Principles of Mediation
5. The Role of the Mediator and Ethical Practice
6. Mediation Styles and Approaches
7. Assessing Suitability for Mediation
8. The Debate on Mandatory Mediation
9. Mediation in Irish Law
10. The Future of Mediation
Tutorial 1 – Mediator goals and styles and how these influence the process
Tutorial 2 – Ethical Dilemma Exercise
Module Assessment

Module 2 – Mediation Processes

1. Mediation Contexts
2. Process Models – Commercial, workplace, family mediation and other models
3. Online and Technology Assisted Mediation
4. Preparing for Mediation
5. Opening the Process
6. Information Gathering and Exploration
7. Process Options – Caucus, Cross Caucus etc.
8. Negotiation within Mediation
9. Working with Lawyers and Advisers in Mediation
10. Documentation and Agreements
Tutorial 1 – Designing a process to fit the dispute
Tutorial 2 – Drafting exercise

Module Assessment

Module 3 – Mediation Practice

1. Developments in Mediation Practice – the Online Pivot
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2. Negotiation Theory in Practice

3. Listening Skills

4. Working with Information – Summarising, reflecting, reframing
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5. Visual aids – flipcharts, whiteboards etc.

6. Manage intense emotions

7. Encouraging and communicating offers and counter offers
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8. Managing Impasse

9. Maintaining Impartiality

10. Dealing with Practice Dilemmas

Tutorial 1 – Theory in Practice – A Skills Case Study

Tutorial 2 – Managing practice dilemmas – problem based learning
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Module Assessment



Draft Skills Week Schedule

Day 1 9.30am – 5.30pm	
Session 1	Introduction to Practical Mediation and Experiential Training
Session 2	Practical Conflict Analysis – group work
Session 3	Conflict Styles – group work
Session 4	Conflict Conversations – pairs coaching

Day 2 9.30am – 5.30pm	
Session 1	Mediation Skills – Suitability for Mediation – role-play
Session 2	Mediation Skills – Preparing for Mediation - role-play
Session 3	Mediation Practice – Opening Statements - role-play
Session 4	Mediation Practice – Managing the Exchange - role-play

Day 3 9.30am – 5.30pm	
Session 1	Mediation Skills – Listening and gathering information - role-play
Session 2	Mediation Skills – Questions - role-play
Session 3	Mediation Practice – Using joint and single sessions - role-play
Session 4	Mediation Practice – Working with emotions and unpredictability - role-play

Day 4 9.30am – 5.30pm	
Session 1	Mediation Skills – Generating Options - role-play
Session 2	Mediation Skills – Facilitating Negotiation - role-play
Session 3	Mediation Practice – Managing Impasse - role-play
Session 4	Mediation Practice – Visual Tools - role-play

Day 5 9.30am – 5.30pm	
Session 1	Working with Lawyers and Other Advisers - role-play
Session 2	Agreement Drafting – group work
Session 3	Managing Ethical Challenges – group work
Session 4	Managing Ethical Challenges – group work

Day 6 9.30am – 5.30pm	
Session 1	Reflective Practice – Case Study - presentation
Session 2	Working as a Mediator and Next Steps – group work
Session 3	Assessment Preparation - role-play
Session 4	Assessment Preparation - role-play

Notes:

- Each session will be about 1.5 hours with coffee / lunch breaks in between
- All training will be delivered using a variety of experiential strategies such as role-play, group and partner work, interactive exercises and individual, group and class coaching and feedback. Students are also welcome to record their performances in role-plays for learning purposes, subject to obtaining consent from other class members. Passive delivery of learning will account for no more than 10% of learning time.
- Each participant will have the opportunity for a “dress rehearsal”, that is, full run through of a practical assessment on Day 6.
- Role-plays and exercises will feature dispute scenarios on a variety of areas including commercial, workplace and community / neighbourhood.
- Students will be strongly encouraged to use the discussion forum in between workshops to develop reflective practice and engage in further learning and development between sessions.
- Evening events and lunches will give an opportunity to meet with experienced practitioners and network with these and with tutors and peers.



Course Materials

The online lessons consist of expert videos, exercises and some key reading, delivered within the lessons for reading and download.

In addition to this, students are provided with a list of recommended reading. This is reproduced here:

Katz, L (2018) *Critical Thinking and Persuasive Writing for Postgraduates (Palgrave Study Skills)* •

Bowling, D. & Hoffman, D. (eds.) (2003). *Bringing Peace into the Room: How the Personal Qualities of the Mediator Impact the Process of Conflict Resolution*. San Francisco: Jossey Bass. •

Hicks, T. (2018) *Embodied Conflict*, Routledge •

Coleman, P. T., Deutsch, M., & Marcus, E. C. (2014). *The Handbook of Conflict Resolution: Theory and Practice (3 edition.)*. Jossey-Bass., Part 1 •

Mayer, B. (2012). *The Dynamics of Conflict: A Guide to Engagement and Intervention*. Second Edition. San Francisco: John Wiley & Sons Ltd. •

Moon, J. A. (2006). *Learning Journals: A Handbook for Reflective Practice and Professional Development (2 edition.)*. New York, NY: Routledge. Chapter 7.7. •

Furlong, G. T. (2006). *The Conflict Resolution Toolbox: Models and Maps for Analyzing, Diagnosing, and Resolving Conflict (1 edition.)*. Mississauga, Ont: John Wiley & Sons. •

Fisher, R., & Ury, W. (2012). *Getting to Yes: Negotiating an agreement without giving in*. Cornerstone Digital. •

Lang, M.D., (2000). *Becoming Reflective Practitioner*

Mayer, B. (2015). *The Conflict Paradox: Seven Dilemmas at the Core of Disputes* Jossey-Bass. •

Kraybill, R. *Conflict Styles Inventory* Rivershouse ePress www.stylematters.com •

Menkel-Meadow, C. (2000). *Mothers and fathers of invention: The intellectual founders of ADR*. *Ohio St. J. Disp. Resol.*, 16, 1. •

Hansen, T. (2008). *Critical conflict resolution theory and practice*. *Conflict Resolution Quarterly*, 25(4), 403–427. doi:10.1002/crq.215 •



Acland, A. F. (2014). *The Choreography of Resolution: Conflict, Movement, and Neuroscience*. Chicago, Illinois: American Bar Association., Chapter 4. •

Cloke, K., 2013. *The Dance of Opposites: Explorations in Mediation, Dialogue and Conflict Resolution Systems*, 1st edition. ed. GoodMedia Press. Chapter 13. • NOT IN LIBRARY

Friedman, R. A., Tidd, S. T., Currall, S. C., & Tsai, J. C. (2000). What goes around comes around: The impact of personal conflict style on work conflict and stress. *International Journal of Conflict Management*, 11(1), 32–55.

Mediation Act, 2017

Dingle, J. and Sephton, J. (2017) *Practical Mediation: A Guide for Mediators, Advocates, Advisers, Lawyers and Students in Civil, Commercial, Business, Property, Workplace, and Employment Cases* Law Brief Publishing •

Moore, C. W. (2014). *The Mediation Process: Practical Strategies for Resolving Conflict* (4th Edition edition.). San Francisco: John Wiley & Sons. •

Moffitt, M.L., Bordone, R.C., 2007. *The Handbook of Dispute Resolution*, (1st edition.). Jossey-Bass., Chapter 19. •

Coleman, P. T., Deutsch, M., & Marcus, E. C. (2014). *The Handbook of Conflict Resolution: Theory and Practice* (3 edition.). Jossey-Bass., Chapter 32 •

Alexander, N. (2008). The mediation metamodel: Understanding practice. *Conflict Resolution Quarterly*, 26(1), 97–123. doi:10.1002/crq.225 •

Riskin, L. (1996). Understanding mediators' orientations, strategies, and techniques: A grid for the perplexed. *Harvard Negotiation Law Review*, 1, 7–51

Supplementary Reading • Walsh, S. Various blogs on the Mediation Bill 2017

Irvine, C. (2007). *Mediation's Values: A Study of the Values Behind Five Mediation Texts*. Birbeck College, University of London, London. Retrieved from http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1686195 •

Kressel, K., 2007. The Strategic Style in Mediation. *Conflict Resolution Quarterly* 24, 251–283. •

Kolb, D. M. (1997). *When Talk Works: Profiles of Mediators* (Reprint edition.). San Francisco: John Wiley & Sons. •

Monk, G. (2012). *When Stories Clash: Addressing Conflict with Narrative Mediation*. Taos Institute Publications. •



Bush, R. A. B. (2004). *Promise of Mediation: The Transformative Approach to Conflict* (Revised Edition edition.). San Francisco: John Wiley & Sons.

Beer, & Packard. (2012). *Mediator's Handbook* (4 Rev Exp edition.). Gabriola, B.C.: New Society Publishers. •

Moore, C. W. (2014). *The Mediation Process: Practical Strategies for Resolving Conflict* (4th Edition edition.). San Francisco: John Wiley & Sons., Parts 2 & 3. •

Raines, S. S., Kumar Pokhrel, S., & Poitras, J. (2013). Mediation as a Profession: Challenges That Professional Mediators Face: Mediation as a Profession. *Conflict Resolution Quarterly*, 31(1), 79–97. doi:10.1002/crq.21080 •

Lang, M. D. (2000). *The Making of a Mediator: Developing Artistry in Practice* (1 edition.). San Francisco: John Wiley & Sons, Chapter 6. •

Randolph, P., (2016) *The Psychology of Conflict: Mediating in a Diverse World*