

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2011-12 COURSE REGISTRATION - PRELIMINARY COURSE INFORMATION¹

COURSE	Law 337 Dispute Resolution: Theory and Practice
UNIT VALUE	1.5 Units (3 hours of instruction per week)
INSTRUCTOR	Andrew Pirie
TERM OFFERED	Fall 2011
CLASS TIMES	See schedule
PREREQUISITES/CO-REQUISITES	Law 337 Dispute Resolution is a required pre-requisite for Law 338 Mediation and Lawyers (offered in spring term 2012)

OBJECTIVES

This course will examine the forms and functions of the major disputing processes - mediation, negotiation and adjudication-that fall under the term Alternative Dispute Resolution or ADR. These are the processes which are critical to lawyers and other persons concerned with preventing or resolving disputes. These processes will be studied from theoretical, critical and practical perspectives. The course will also examine and develop selected skills used in various dispute resolution procedures. At the end of the course students should be able to:

- analyze a dispute using dispute resolution terms and concepts
- identify key characteristics of disputes that influence their form and future course
- be familiar with and be able to critically evaluate fundamental dispute resolution terms and concepts
- identify the practical applications of ADR principles and processes to legal problems

SUMMARY OF SUBJECT MATTER

This course will provide students with opportunities to examine and learn about :

- the modern history and meaning of ADR developments
- key concepts and principles of ADR
- negotiation strategies, practices and skills
- approaches to mediation and associated practices and skills
- uses of arbitration and the relationship of arbitration to ADR
- the practice of ADR in selected areas of law such as environmental, commercial and criminal
- the relationship between the concept of culture and ADR
- the institutionalization of ADR in legislation
- use of ADR in the civil justice system
- the future development of ADR in and outside law

METHODOLOGY

The subject matter in the course will be taught and examined through engaging lectures, class participation, guest speakers and practical exercises

EXPECTED EVALUATION METHODOLOGY

There will be three major evaluation components to assess student learning in the course:

- In class Test on the lecture materials - 40%
- Analysis and Application Assignment on a practical and realistic dispute problem - 40%
- Class participation on an ADR file - 20%

April 12, 2011

¹ The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaass@uvic.ca).