

LAW C152: CONFLICT ANALYSIS AND RESOLUTION

Item	Value
Top Code	140200 - Paralegal
Units	3 Total Units
Hours	54 Total Hours (Lecture Hours 54)
Total Outside of Class Hours	0
Course Credit Status	Credit: Degree Applicable (D)
Material Fee	No
Basic Skills	Not Basic Skills (N)
Repeatable	No
Grading Policy	Standard Letter (S), • Pass/No Pass (B)

Course Description

This course introduces the student to the basic skills needed to begin evaluating client needs regarding the use of alternative solutions to resolving conflicts and explore the changing climate of litigation-oriented practices, including ethical considerations. ADVISORY: LAW C100. Transfer Credit: CSU.

Course Level Student Learning Outcome(s)

1. Recognize the methods and procedures of conflict resolution and be able to apply the methods and procedures to given factual situations.
2. Distinguish between the different non-adjudicative solutions available in conflict resolution.
3. Apply and evaluate the factors used to determine appropriate conflict resolution methods and analyze and diagnose the basis of conflict in a given factual situation.
4. Prepare a mediation or arbitration brief based on specific facts.

Course Objectives

- 1. define the nature of conflict.
- 2. identify sources of conflict.
- 3. describe the concept of power as it relates to conflict.
- 4. describe the advantages and disadvantages of litigation as a resolution process.
- 5. describe the types of legal negotiations.
- 6. compare and contrast distributive negotiation and problem solving.
- 7. explain the negotiation process.
- 8. describe the advantages and disadvantages of the mediation process.
- 9. describe the mediation process including the role of the participants.
- 10. compare the advantages and disadvantages of arbitration with the litigation process.
- 11. explain the arbitration process.
- 12. explain the process for judicial enforcement of arbitration awards.
- 13. explain online dispute resolution methods and processes.
- 14. describe restorative justice including advantages and disadvantages.
- 15. explain court dispute resolution alternatives.

- 16. explain the role of the paralegal in the ADR process.
- 17. explain the importance of ethics in the ADR process.

Lecture Content

Introduction to Conflict Resolution Theory of conflict Defining conflict Exploring conflict diagnosis Recurrent themes Ethical considerations Steps in Resolving Conflicts Identifying the sources of conflict Performing an analysis Assessing conflict as constructive or destructive Impediments to resolving conflict Diversity issues in resolving conflict Developing trust Ethical considerations Alternative Dispute Resolution processes Mediation process and skills Arbitration process and skills Nonbinding evaluation Hybrid processes Negotiation skills Online ADR Court Alternatives Ethical considerations Statutes and court rules, federal and state Putting it all together Paralegal Role Preparing briefs Employment opportunities Formal presentations

Method(s) of Instruction

- Lecture (02)
- DE Live Online Lecture (02S)
- DE Online Lecture (02X)

Instructional Techniques

Multiple methods of instruction will be used to enhance student understanding of the paralegal profession. Lectures, discussions, forums, interactive activities, and group projects will be utilized to facilitate the learning process. This class requires the use of various methods of audio visuals such as PowerPoint presentations, audio, and video

Reading Assignments

Students will read from the course textbook as well as any other primary and/or secondary readings assigned by the instructor.

Writing Assignments

Students will be required to complete written homework assignments, prepare a mediation or arbitration brief, analyze a mediation or arbitration fact pattern, write essays on the exams, and/or prepare a project discussing a topic related to conflict resolution as assigned by the instructor.

Out-of-class Assignments

Outside of the classroom students will complete the required readings; work on assigned papers, reports, and projects; study for tests; conduct research; and communicate with the instructor and/or fellow students through telephone, email, discussion boards, or virtual chat.

Demonstration of Critical Thinking

Critical thinking will be demonstrated through written assignments, essays on exams, papers, and projects.

Required Writing, Problem Solving, Skills Demonstration

Analysis of conflict resolution as it relates to specific fact situations in oral and written assignments.

Textbooks Resources

1. Required Barry, W. J. Appropriate Dispute Resolution, ed. Wolters Kluwer, 2017

Other Resources

1. or comparable text selected by the Instructor and approved by the paralegal department. 2. Coastline Library