

Mediation Training with International Focus

Course Syllabus



Course Description

Alternative Dispute Resolution and Mediation is a comprehensive course designed for professionals who work in the international legal and business environment. This course seeks to demonstrate the importance of mediation as an alternative way to resolve conflicts with the particular angle of the importance of cross-cultural communication and the benefits of being sensitive and mindful of cultural differences in international business. Concepts of mediation, internationally and nationally, cultural differences and etiquettes, and conflict analysis will be discussed at length. Students will also have the opportunity to practice these skills and concepts in class through mock negotiations, and also analyze case studies.

Goals and Objectives

This course will provide an opportunity for an in-depth study and analysis of the roots of mediation alternative dispute resolution methods with the focus on the international and national aspects, cross-cultural negotiation theories in international business, and the importance of shared cultural values in businesses on a practical level. Finally, we will look at case studies on various successful and well-known companies, organizations, and businesses that incorporate mediation, ADR and cross-cultural communication to prevent, manage, and resolve conflicts in the work that they do internationally.

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FIRST SESSION CONFLICT Analysis

- I. ANALYZE AND RESOLVE CONFLICTS
 - a. Introduction of the personality
 - b. Concept and Analysis of the disputes and causes
- II. CONCEPT AND ANALYSIS OF THE DISPUTES AND CAUSES
 - a. Miscommunication
 - b. What is Conflicts?
 - c. How conflicts arise?
 - d. How to reestablish the communication in the conflicts
 - e. Communication techniques (including body language) and miscommunication

SECOND SESSION

ALTERNATIVE DISPUTE RESOLUTION MEDIATION TO RESOLVE DISPUTES

- I. DISPUTE RESOLUTION METHODS –
Alternative Dispute Resolution Overview
 - a. Neutral Fact Finding
 - b. Settlement Conference
 - c. Arbitration
 - d. Mediation
 - e. Ombudsman
- I. BENEFITS:
 - a. Business
 - b. Individuals
- III. FOCUSING ON MEDIATION: *what it is and how it works*
- IV. BENEFITS/ADVANTAGES OF MEDIATION vs LITIGATION and ARBITRATION
- V. THE MEDIATION PROCESS
- VI. THE ROLE OF THE MEDIATOR, LAWYERS AND PARTIES IN MEDIATION
- VII. MEDIATION TECHNIQUES: what they are and how to apply in real life
- VIII. THE COMMUNICATION SKILLS USED IN MEDIATION and: how to apply it in the business relationship
- IX. THE MEDIATION'S INT'L DEVELOPMENT
- X. DIFFICULT DISPUTEANT AND DIFFICULT SITUATIONS IN MEDIATION
- XI. MEDIATION AS A PROFESSION
- XII. EFFECTIVE NEGOTIATION TECHNIQUES
- XIII. CULTURE: how it affects the way of negotiating

THIRD SESSION WORKSHEET

- I. MEDIATION PROCESS
 - a. Opening Statement
 - b. Joint Meeting – Setting the Agenda
 - c. Caucusing – Building the Agreement
 - d. Closing
- II. MEDIATION TECHNIQUES
 - a. Setting the Agenda
 - b. Open-Ended Questions
 - c. Neutral Reframing
 - d. Brainstorming
 - e. Summarize
 - f. Reality Check
- III. GENERAL SENTENCE
- IV. DIFFICULT DISPUTANT

