

LAWS 7044 ALTERNATIVE DISPUTE RESOLUTION

Credit Points 10

Legacy Code 201052

Coordinator Beatriz Garcia De Oliveira ([https://directory.westernsydney.edu.au/search/name/Beatriz Garcia De Oliveira/](https://directory.westernsydney.edu.au/search/name/Beatriz%20Garcia%20De%20Oliveira/))

Description Alternative Dispute Resolution (ADR) processes are no longer 'alternative' but a major part of the contemporary justice system. Modern legal practice requires lawyers to negotiate settlements on behalf of clients and advise clients how to resolve disputes without litigation. Non-adversarial processes offer many benefits to parties, professionals and the community. This unit introduces students to the theory and practices of alternative dispute resolution processes and provide students with the opportunity to develop key ADR practice. Students will employ cultural awareness and appropriate communication strategies required for professional practice in dispute resolution, particularly in relation to Aboriginal and Torres Strait Islander peoples.

School Law

Discipline Legal Practice

Student Contribution Band HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Postgraduate Coursework Level 7 subject

Co-requisite(s) LAWS 7056 Fundamentals of Australian Law

Incompatible Subjects LAWS 2001 Alternative Dispute Resolution

Restrictions

Students must be enrolled in a postgraduate program.

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Evaluate principles, theoretical models and key processes in Australian dispute resolution systems;
2. Propose appropriate and effective processes for attempting dispute resolution;
3. Employ cultural awareness and appropriate communication strategies required for professional practice in dispute resolution, particularly in relation to Aboriginal and Torres Strait Islander peoples;
4. Reflect on ethical and legal issues surrounding dispute resolution models and practice to enhance personal and professional development.

Subject Content

- introduction to The course & Understanding Dispute Resolution
- shaping Australia Dispute Resolution
- Negotiation
- mediation
- Conciliation
- expert determination & Arbitration

- Litigation & alternative Dispute Resolution
- competence & ethics in Dispute Resolution
- international Dispute Resolution
- Dispute Resolution in The workplace
- family Dispute Resolution
- culture and Dispute Resolution: Aboriginal and Torres Strait Islander peoples

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Item	Length	Percent	Threshold	Individual/ Group Task
Quiz	10 minutes	S/U	N	Individual
Quiz	20 minutes	15	N	Individual
Professional Task ADR Role Play	40 minutes	40	N	Individual
Essay	3,000 words	45	N	Individual

Prescribed Texts

- Field, Rachael, Australian Dispute Resolution (LexisNexis Butterworths, 2nd ed, 2021)

Teaching Periods

Spring

Parramatta - Victoria Rd

Day

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View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS7044_22-SPR_PS_D#subjects)

Evening

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