

JUST 2013 MEDIATION

Credit Points 10

Legacy Code 200294

Coordinator Miriam Ziegler ([https://directory.westernsydney.edu.au/search/name/Miriam Ziegler/](https://directory.westernsydney.edu.au/search/name/Miriam%20Ziegler/))

Description This subject will focus on the fundamental skills and theory of mediation, specifically in the context of the Australian legal system. It builds upon the more general introduction given in the subject Alternative Dispute Resolution (which is a prerequisite for this subject). This subject is experientially based, and students will be expected to participate in discussions, exercises and role-plays. The theory and practice of mediation will be critically considered, as will the social and legal contexts within which mediation is practised. The subject is presented with a multi-disciplinary, analytical and practical approach, including the perspectives of First Nations peoples. It will focus on mediation in different legal contexts such as commercial litigation, employment law and family law. Issues of culture, power, mediator neutrality and ethical dilemmas for the mediator will be considered. This subject is intended to be an introduction to the practice of mediation.

School Law

Discipline Legal Studies

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 Undergraduate Level 2 subject

Pre-requisite(s) LAWS 2001

Learning Outcomes

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

1. Discuss contemporary issues in mediation, including the perspectives of First Nations peoples
2. Effectively prepare for mediation by conducting pre-mediation processes
3. Conduct mediation, including an evaluation of the practical, procedural, ethical and legal issues
4. Write clearly and persuasively, referencing according to the Australian Guide to Legal Citation
5. Demonstrate sound oral communication skills

Subject Content

1. Introduction to Mediation and Conflict Resolution
2. Negotiation and Mediation Advocacy Skills
3. Mediation Process
4. Mediator Skills
5. Assessment and Preparation for Mediation
6. Legal and Ethical Issues in Mediation
7. Current Trends in Mediation
8. Mediation and First Nations 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.

Type	Length	Percent	Threshold	Individual/Group Task
Participation	Ongoing	10	N	Individual
Reflection	1,500 words in total	45	N	Individual
Professional Task	45 minutes	45	N	Individual

Prescribed Texts

- Boule L & Alexander N, *Mediation Skills and Techniques* (LexisNexis Butterworths, 3rd ed, 2019)

Teaching Periods

Autumn (2023)

Parramatta City - Macquarie St

On-site

Subject Contact Miriam Ziegler ([https://directory.westernsydney.edu.au/search/name/Miriam Ziegler/](https://directory.westernsydney.edu.au/search/name/Miriam%20Ziegler/))

View timetable (https://classregistration.westernsydney.edu.au/odd/timetable/?subject_code=JUST2013_23-AUT_PC_1#subjects)