

# 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 fees via the Fees ([https://www.westernsydney.edu.au/currentstudents/current\\_students/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

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

Teaching Periods

## Autumn (2024)

**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/even/timetable/?subject\\_code=JUST2013\\_24-AUT\\_PC\\_1#subjects](https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=JUST2013_24-AUT_PC_1#subjects))