

Law 498.3 (s.79) ADVANCED NEGOTIATION AND DISPUTE RESOLUTION IN FAMILY LAW
(2020-2021 – Term 2 Charmaine Panko)

*** Adjustments for online course delivery: In the past few months, the practice of law has adapted to new communication forums. This course is adapted to teach students particularly about negotiation and dispute resolution in family law, conducted online (through video and text, etc.) – as well as concepts and skills which transfer to a face-to-face setting*

(This is an application-based course)

Calendar Description: This is an advanced DR course which builds on the basic skills introduced in Negotiation 430, and focuses on the area of family conflict. The course will allow students to study emerging DR models in family law, and will focus on advanced skill development. Topics will include inter-disciplinary approaches and adaptive processes that allow lawyers to better understand and address the dynamics of family conflict.

Applications: Students will apply to participate in this course. Applications will be accepted on a first-come, first-served basis, and students will be accepted into the course as long as they have completed the prerequisites. To apply, please email the instructor at cpanko@commonsenselawyer.com.

Prerequisite: At a minimum, students will have taken Negotiation 430 AND one family law course such as Family Law I 372. For a complete understanding of family law issues, before taking this course, students will have also taken Family Law II 471 or would be registered in 471 at the same time.

Purpose and Orientation: The landscape of practicing family law is changing quickly, with a growing emphasis on dispute resolution processes outside of court. The Negotiation course prepares students for problem-solving processes with general skills, but many unique challenges (and opportunities) arise when working with families in conflict. This course will delve into those challenges (taking issues like mental health, coercive relationships and cultural backdrop into account). It will also explore DR processes, some long-standing and others emerging, such as: mediation, interdisciplinary collaborative process, arbitration and parent coordinator roles, judicial settlement conferences, self-representation and coaching.

Texts: Materials will be distributed.

Teaching and Assessment: Course work includes in-class participation exercises and out-of-class experiences as well as written reflective assignments and in-class debriefings of exercises and out-of-class experiences. The emphasis is on formative assessment (development of skills over time) and collaborative learning. There are weekly quizzes but no exam. The course is *not eligible* for either the major or minor paper credit. Class size is limited to 20.