

Law 498.3 (s. 79) ADVANCED NEGOTIATION AND DISPUTE RESOLUTION IN FAMILY LAW

(2019-2020 Term 2 Charmaine Panko)

(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 and out-of-class simulations as well as written reflective assignments and in-class debriefings of what took place in the exercises. The emphasis is on formative assessment (development of skills over time) and collaborative learning. There is no exam. The course is *not eligible* for either the major or minor paper credit. Class size is limited to 24.