

COUN 5113 Mediation & Conflict Resolution

Midwestern State University
Gordon T. & Ellen West College of Education

Instructor/Contact Information:

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Required Text:

Barsky, A.E. *Conflict Resolution for the Helping Profession. 3rd edition.*
Oxford University Press, 2017.

Catalog/Course Description:

An introduction to alternative dispute resolution methods. Skill development in mediating disputes both formally and informally.

CACREP Common Core Area Standards Addressed in this Course:

1. a. history and development of dispute resolution
b. theories and models of dispute cases.
c. principles, methods for case conceptualization and protocols for managing client's movement toward an agreement.
2. i. legislation and government policy relevant to the practice of conflict resolution.
k. professional organizations, preparation standards. And credentials relevant to practice of mediation.
l. legal and ethical considerations applied to mediation.
3. a. intake interview and determination of conflict issues and personalities of parties.
b. techniques and interventions used by mediators.
c. strategies for interfacing with legal system regarding court referred parties.
d. strategies to advocate for a group in conflict or two or more groups.

Learning Objectives:

- LO 1. Learn terms and approaches for conflict resolution, negotiation, advocacy, and meditation.
- LO 2. Practice skills used for facilitating conflict resolution (CR) between/among parties and receive feedback for improvement.
- LO 3. Determine the variety of settings and methods for utilizing CR methods.
- LO. 4. Practice reflective techniques to prepare for and improve CR interventions.
- LO.5. Establish ability to establish neutrality and different roles during conflict.
- LO 6. Practice communication skills to frame issues in nonthreatening ways.
- LO 7. Demonstrate ability to generate creative solutions to problems.
- LO 8. Calmness during conflict.
- LO 9. Recognize the need for sensitivity to individual and cultural differences.

Focus of the Course:

This course will review mediation attitudes, values, and techniques for a variety of settings and using several approaches. Practice of formal interest based mediation process will be emphasized.

Course Calendar and Activities:

Semester Weeks	CACREP Standards	Topics	Materials	Activities/ Assignments
Week 1 Aug. 22	2a	Advantages of ADR (Alternative Dispute Resolution) Mediation Social Constructs	Handouts Module I	Read: Handouts 1, 2 Post: Intro.'s Questions Course Expectations

Semester Weeks	CACREP Standards	Topics	Materials	Activities/ Assignments
Week 2 Aug 29	2k 2i 2l	Values, Ethics Conflict Style	Chapter 1	Read: Model 1 Chapter 1 Handouts 3, 4, Post: What values mentioned reflect who you are? What's your usual conflict style?
Week 3 Sept 5	1b	Theories	Chapter 2	Read: Chapter 2 Post: How do your counseling theoretical orientation and your concept of mediation relate to each other?
Week 4. Sept 12	2a	Restorative Justice	Chapter 3	Read: Chapter 3 Post: How are counseling, mediation and restorative justice related? What is difference between impartiality and neutrality?

Semester Weeks	CACREP Standards	Topics	Materials	Activities/ Assignments
Week 5. Sept 19	1a 2a	Types of Negotiation -Power -Rights Based -Interest Based -Transformative Power Based Negotiations	Module II Chapter 4	Read: Module II, Handout 5 Chapter 4 Post: Can you see situations where you would use power based methods? How comfortable would you be?
Week 6. Sept 26	1a 2a	Rights Based Negotiations	Chapter 5	Read: Chapter 5 Choose conflict Situation Post: Are a client's best interests always represented by rights based reasoning? Do precedents offer best current outcomes?
Week 7 Oct. 2	1a 2a	Interest Based Mediation (IBN)	Chapter 6	Read: Chapter 6 Handouts 6, 7,8 10 Post: Describe your chosen conflict situation. Questions, Describe IBN

Semester Weeks	CACREP Standards	Topics	Materials	Activities/ Assignments
Week 8. Oct. 9	1a 3b	Midterm	Chapter 1-6 Handouts	
Week 9 Oct. 17		Write out Opening Statement & submit Transformative Mediation	Handouts 11, 12 Chapter 7	Record Opening Statement & submit Read Ch 7 Post: When would you use a transformative approach vs. an interest based? Use examples to make your point.
Week 10 Oct. 31		Advocacy	Chapter 10	Read Chapter 10 Post: You are a counselor for a public agency or a school. How would you advocate for more publicly funded counseling services including conflict resolution?
Week 11. Nov. 7		Recording Tapes: Caucus 1		Submit tape
Week 12 Nov. 14		Recording Tapes: Caucus 2		Submit tape

Semester Weeks	CACREP Standards	Topics	Materials	Activities/ Assignments
Week 13. Nov 21	3e	Recording Tapes: Caucus 3		Submit tape
Week 14 Nov. 28		Final Agreement		Read: Handout 13 Post: Description of your CR
Week 15 Dec. 5		Paper re CR Due Final		Read: Handouts 14, 15, 16

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Assessment and Assignments:

Student performance of knowledge and skills will be formally assessed through ****

1. **Exam: Multiple choice and T/F questions covering readings and discussions. Terminology emphasized**
2. **Demonstration of steps of IBN mediation conflict**
 - a. **Opening Statement—written as a Post**
 - b. **Caucus—3 tapes: 1'st party; 2'nd party; 1'st party**
 - c. **Final Meeting & Agreement—written as a Post**
3. **Paper: Analysis of conflict suggesting specific improvements that could be made and demonstrating the process that led to an agreement.**

Grading Procedures:

Exam.....25%

Tapes/Posts.....50%; 10% each

Paper.....25%

Counseling Expectations

The Clinical Mental Health Counseling Program, its faculty, and its students adhere to the University Code of Conduct, State of Texas licensure laws and regulations, and the American Counseling Association's Code of Ethics (2014). The program has a professional responsibility to ensure that all students display ethical, professional, and personal behaviors that comply with these guidelines. Students are strongly encouraged to review, understand, and consult the [American Counseling Association website](#) for details related to these guidelines.

Attendance Policy:

Students are expected to attend every class discussion. Not sharing reduces the quality of discussions and is disrespectful of classmates and instructor.

Academic Honesty:

MSU students demand of themselves the highest level of academic honesty as delineated in their honor creed. Academic honesty involves the submission of work that is wholly the student's own work, except in the case of assigned group work. Additionally, academic honesty involves the proper citation of other author's works.

Limited Right to Intellectual Property:

By enrolling in this course, the student expressly grants MSU a "limited right" in all intellectual property created by the student for the purpose of this course. The "limited right" shall include but shall not be limited to the right to reproduce the student's work product in order to verify originality and authenticity, and for educational purposes.

Disability Services:

Disability Support Services (DSS) provides services to students with disabilities to insure accessibility to university programs. DSS offers information about accommodations and disability, evaluation referral, adaptive technology training and equipment, and interpreter services for academically related purposes.

The Disability Support Services office is located in Room 168 of the Clark Student Center. If you need assistance, you can also contact them at (940) 397-4140.

References: Journals

Conflict Resolution Quarterly

Family Courts Review

Negotiation Journal

Journal of Dispute Resolution

Journal of Peace Education

Syllabus created by Patricia Andersen, July 2021