

General Aspects of Mediation

Code: 44687
ECTS Credits: 15

Degree	Type	Year	Semester
4317933 Mediation in Families and in Private Law	OB	0	1

Contact

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Use of Languages

Principal working language: catalan (cat)

Other comments on languages

The language of communication can be in Catalan or Spanish in function of the personal situation of each one

Teachers

Pedro Jurado de los Santos

Susana Navas Navarro

Josep Maria Sanahuja Bonfill

Patricia Olmos Rueda

External teachers

Mercè Alaball

Sònia Miguel

Prerequisites

There are no prerequisites

Objectives and Contextualisation

This module aims to learn the general foundations of mediation and the fundamental concepts of family mediation and private law. Likewise, it is intended to establish the conceptual differences between mediation, negotiation and arbitration and present different schools or models of mediation. The concept of conflict will also be worked on, as well as management techniques and its resolution.

Competences

- Identify the mediating base of the act of negotiation.
- Plan and carry out research and disseminate the culture of mediation.
- Show a commitment to ethics and gender in mediation.
- Solve problems effectively in a contextualised manner and with social responsibility.

- Solve problems in new or little-known situations within broader (or multidisciplinary) contexts related to the field of study.
- Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.

Learning Outcomes

1. Analyse and interpret information systematically.
2. Carry out documentary research before making decisions.
3. Compare ideas and arguments in working teams to generate creative ideas.
4. Demonstrate a positive and respectful attitude towards the rest of the team and /or clients.
5. Identify different way of managing conflict.
6. Identify the options for mediation in complex contexts.
7. Localise sources of information and data bases specific to the area in question.
8. Make decision in complex situations, evaluating the possible consequences.
9. Recognise and identify the different principles, focusses and strategies of mediation and the design and practice of mediation.
10. Respect the opinions, values and cultures of the rest of the team and/or clients.

Content

- People and their environment. Development and interaction:
 - o Psychological and psychosocial processes of development
 - o The conflict, typology and levels
 - o Analysis, management, and resolution of conflicts.
- Mediation, principles, process design and practice of mediation:
 - o The alternative resolution of legal conflicts
 - o Mediation and the legislation surrounding mediation
 - o The development of mediation. Care for vulnerable people
- Schools and mediation models
- Differences between conciliation, mediation and arbitration
- The transaction contract and its legal regulation
- Specific strategies and tools to understand and analyze the dynamics of conflict and mediation

Methodology

This module is developed through directed, supervised and autonomous activities characterized by the combination of:

- Lectures with invited experts.
- Resolution of cases, exercises and practical problems in person and virtually.
- Simulation of problems and role playing
- Discussion forum.
- Tutorials.

- Personal study.
- Reading articles and reports.

Note: 15 minutes of a class will be reserved within the calendar established by the center or by the degree for the students to fill in the surveys to evaluate the performance of the teaching staff and to evaluate the subject or module.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Directed activities	112.5	4.5	1, 3, 4, 5, 6, 8, 9
Type: Supervised			
Supervised activities	56.2	2.25	1, 2, 5, 6, 7, 8
Type: Autonomous			
Autonomous activities	206.3	8.25	1, 2, 6, 7

Assessment

This module will be evaluated according to the following evidence:

- Attendance and active participation in the forums.
- Attendance at conferences and complementary activities (critical reflection, writing with contributions from the conference to the professional practice of mediation, etc.).
- Delivery of case resolution exercises.
- Delivery of reports/work.

The module grade will be established following the proportions detailed in the evaluation activities table.

Copying or plagiarism, in any type of assessment test, constitutes a crime, and will be penalized with a 0 as a grade for the subject, losing the possibility of recovering it. A work or activity will be considered "copied" when it reproduces all or a significant part of the work of another colleague. A work or activity will be considered "plagiarized" when a part of an author's text is presented as one's own without citing the sources, regardless of whether the original sources are on paper or in digital format.

https://wuster.uab.es/web_argumenta_obert/unit_20/sot_2_01.html

Likewise, to pass this module, it is also necessary to demonstrate good general communication skills, both orally and in writing, and a good command of the language or languages listed in the teaching guide. In all activities, linguistic correction, writing and formal aspects of presentation will be taken into account. Students must be able to express themselves fluently and correctly and must show a high degree of understanding of academic texts.

The TFM mark will be established following the proportions detailed in the table of assessment activities.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Attendance and active participation	10%	0	0	3, 4, 5, 6, 10
Delivery of exercises/ resolution of cases	40%	0	0	1, 4, 2, 5, 6, 7, 8, 9
Submit reports and assignments	40%	0	0	1, 4, 2, 5, 6, 7, 8, 9

Bibliography

The general bibliography is specified, which does not exclude the specific one that may be provided by the teaching staff involved in the training.

Barona Vilar, Silvia y otros autores; (2022); *Meditaciones sobre mediación (MED+)*. Valencia: Tirant lo Blanch.

Blanco; M. (2018). *Mediación y sistemas alternativos de resolución de conflictos. Una visión jurídica*. Madrid: Editorial Reus.

Cabrera, R y Quesada, P.M. (2018). *La mediación como método para la resolución de conflictos*. Madrid: Dykinson.

Farré, S. (2006, 2ª). *Gestión de conflictos: taller de mediación. Un enfoque socioafectivo*. Barcelona: Ariel

Madrid; S. (2017). *Mediación motivacional. Hacia una relación de acompañamiento en los conflictos*. Madrid: Editorial Reus.

Moreno, F.J. (Coord.) (2014). *Bases de Mediación*. Barcelona: Servei de publicacions de la UAB

Munné Catarina, Frederic y Vidal Teixidó, Antoni; (2013); *La mediación. Resolución Pacífica de conflicto. Régimen jurídico y eficacia procesal*. Barcelona: La Ley.

Ortuño Muñoz, Pascual; (2018); *Justicia sin jueces*. Barcelona: Ariel.

Pérez-Ugena, M (2017). *El uso on-line de la mediación, servicio de solución de conflictos*. Madrid: Dykinson.

Suares, M. (2005). *Mediación. Conducción de disputas, comunicación y técnicas*. Barcelona: Paidós.

Ury, W. (2012). *Supere el No. Como negociar con personas que adoptan posiciones inflexibles*. Madrid: Gestión 2000.

Vega; Y. y otros (2015). *Gestión de conflictos y procesos de mediación*. Madrid: Paraninfo.

Access to the databases of the Humanities and Social Sciences libraries. Online academic resources (<https://www.uab.cat/web/servei-de-biblioteques-1345703209400.html>)

Software

It does not require specific software