

Family Mediation

Code: 44689
ECTS Credits: 10

| Degree | Type | Year | Semester |
|--|------|------|----------|
| 4317933 Mediation in Families and in Private Law | OB | 0 | A |

Contact

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Use of Languages

Principal working language: catalan (cat)

Teachers

José María Sanahuja Gavalda
Ingrid Agud Morell

External teachers

Mercè Alaball
Sònia Miguel

Prerequisites

There are no prerequisites

Objectives and Contextualisation

The objective of module 3 is to learn about the different mediation contexts (family sphere), their legal regulations and the specific actions that are required, as well as to analyze situations of inequality in family relationships and coexistence. Likewise, it is also intended to acquire skills to know how to carry out and develop a mediation process applied to the field of family mediation.

Competences

- Communicate clearly, persuasively and unambiguously to both expert and non-expert audiences.
- Identify and apply the basic and general principles of the legal system in different socio-educational mediation actions.
- Manage and adequately write up the administrative factors and the content of an act of family mediation and/or one in the area of private law.
- Recognise and conserve a permanent situation of symmetry of the parties in the act 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.
- Students should know how to communicate their conclusions, knowledge and final reasoning that they hold in front of specialist and non-specialist audiences clearly and unambiguously.

Learning Outcomes

1. Adequately document and write up the content and main agreements from any mediating act or action.
2. Anticipate the demand for information in the area in question.
3. Apply strategies to carry out an adequate administrative procedure in an act of family mediation and/or in the area of private law.
4. Apply strategies to ensure equality of condition for both parties.
5. Apply the current regulations concerning mediation to the different mediation actions.
6. Carry out documentary research before making decisions.
7. Demonstrate a good knowledge of verbal and non-verbal language (gestures, tone of voice, facial expressions, etc.) and adapt them in each situation.
8. Demonstrate a positive and respectful attitude towards the rest of the team and /or clients.
9. Identify the options for mediation in complex contexts.
10. Identify the regulatory and legal context of different areas of mediation.
11. Make adequate use of the resources, methods, channels and media for effective communication with different audiences.
12. Make decision in complex situations, evaluating the possible consequences.
13. Recognise and express opinions assertively and respectfully.
14. Respect the opinions, values and cultures of the rest of the team and/or clients.

Content

- The family and coexistence situations.
- The regulation of the family.
- Family conflicts as a starting point for family mediation.
- Typology of conflicts that can be generated in the family environment: broken marital bond or couple relationship, generational conflicts, conflicts between siblings, in the grandparents/parents/grandchildren relationship, in adoption and foster care, property disputes, conflict in the of successions, etc.
- Mediation as a process of intervention and conflict management in the context of the family. Conjugation of legal, psychological and social aspects.
- Inheritance law and mediation in that context.
- Specific mediation strategies and tools in the field of the family as a system

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
- Face-to-face practical seminars
- Problem-based learning.

- 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 | 75 | 3 | 2, 5, 3, 4, 7, 10, 9, 12, 13 |
| Type: Supervised | | | |
| Supervised activities | 37.5 | 1.5 | 5, 3, 4, 7, 10, 6, 11, 9, 13, 1 |
| Type: Autonomous | | | |
| Autonomous activities | 137.5 | 5.5 | 2, 8, 10, 6, 11, 9, 13, 1, 14 |

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.
 - Conceptual and methodological development tests

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

The copy or plagiarism, in any type of evaluative test, constitute a crime, penalizing with a 0 as a mark of the subject, losing the possibility of recovering it. It will be considered that a work or activity is "copied" when it reproduces all or a significant part of the work of another colleague. It will be considered that a work or activity is plagiarized when a part of an author's text is presented as its 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 communicative competence, both orally and in writing, and a good command of the vehicular language or languages that appear in the teaching guide. In all activities, linguistic correctness, writing and formal aspects of presentation will be taken

into account. Students must be able to express themselves fluently and correctly and show a high degree of understanding of academic texts.

Assessment Activities

| Title | Weighting | Hours | ECTS | Learning Outcomes |
|--|-----------|-------|------|------------------------------------|
| Attendance and active participation | 10% | 0 | 0 | 7, 8, 13, 14 |
| Attendance at conferences and complementary activities (critical reflection, writing with contributions from the conference to the professional practice of mediation, etc.) | 10% | 0 | 0 | 7, 6, 9, 13, 14 |
| Conceptual and methodological development tests | 20% | 0 | 0 | 5, 7, 11, 12, 13, 1 |
| Delivery of exercises/ resolution of cases /written test | 30% | 0 | 0 | 5, 3, 4, 7, 10, 6, 11, 12, 13, 1 |
| Submit reports and assignments | 30% | 0 | 0 | 2, 5, 3, 4, 7, 6, 11, 9, 12, 13, 1 |

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.

Alés, J.; Mata, J.D. (2016). *Manual práctico para mediadores. El misterio de la mediación*. Barcelona: Editorial Atelier.

Bordalí, A. (2014). Justicia privada. *Revista de Derecho*, Vol. 16, 1, 165-186.

Casanovas, P., Magre, J. y Lauroba, M.E. (dirs.) (2010). *Llibre blanc de la mediació a Catalunya*, Barcelona: Huygens editorial.

De Diego, R. y Vallejo, C. (2013). *Mediación: proceso, tácticas y técnicas*. Barcelona: Pirámide.

Haybes, J. (2012). *Fundamentos de la mediación familiar*. Madrid: Gaia.

Ortuño, J.P. (1018). *Justicia sin jueces*. Barcelona: Ariel.

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

No specific programs are required.