**PLAN 3250/5250         MEDIATION THEORY & SKILLS[[1]](#footnote-1)**

Spring 2014 (One Credit, Pass/Fail)

Dept. of Urban & Environmental Planning

Instructor:  E. Franklin Dukes, PhD, 434-924-2041, ed7k@virginia.edu, www.virginia.edu/ien/

Class Dates:  **Saturday** **January 17** and **Monday January 19**, 2014, **9 am – 5 pm**

Location:**Room 400, 4th floor Dynamics Building, 2015 Ivy Road**

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No Prerequisites.

Many of our experiences with conflict are not positive. Conflict can destroy relationships. But conflict can be studied and understood, and it need not always proceed in destructive ways. This highly engaging one-credit, pass-fail course will introduce students to the principles and practices of mediation, with an emphasis on inter-personal conflict. Through readings, role plays, and a variety of exercises, students will develop competency in mediating a variety of issues, such as neighborhood or roommate disputes. Students will also examine the theoretical basis of mediation and develop a capacity to assess the strengths and weaknesses of different models of mediation.

**Course Objectives:**

1. To develop understanding of the sources and dynamics of conflict;
2. To develop awareness of one’s own and others’ personal conflict styles, and when they are and are not appropriate and effective;
3. To develop listening and other communication skills;
4. To understand the role of emotions in conflict and to develop strategies for dealing effectively with intense emotions;
5. To develop sensitivity to cross-cultural differences and their role in disputes;
6. To develop problem-solving skills;
7. To develop a capacity for mediating interpersonal disputes;
8. To understand ethical and legal issues involved in mediation.

**Readings:**

F. Dukes, *Manual of Facilitative Mediation,* 2015.

This manual will be provided in class and other readings will be available online.

**General:**

 - Attendance and participation in class is very important. Please show up on time, but if you are late don't let that stop you from participating once you arrive! And please *let me know in advance* if you will miss any portion of the class. In order to get credit, you will need to make appropriate makeup arrangements.

 - The *Manual of Facilitative Mediation* and additional readings will be distributed to the class.

 - Grading is on a **pass/fail** basis. Attendance at all sessions, or appropriate makeup work as agreed to by the instructor, is required for passing. There are no examinations; however, completion of all assignments is required for passing. An evaluation of your performance, which may be used by those interested in volunteering with University Mediation Services, may be offered.

**Instructor Biography:**

 Frank Dukes is Director of the Institute for Environmental Negotiation in the Department of Urban and Environmental Planning at the University of Virginia. His duties include designing dispute resolution and public participation processes, mediation and facilitation, and teaching and training. He has worked at local, state, and federal levels, on projects involving environmental, land use, health, and educational issues.

 He has written and edited a number of books and articles about conflict resolution. A particular interest is how public negotiation and conflict resolution can assist in vitalizing democracy, by engaging citizens in civic and community affairs, by aiding public agencies in developing a governance responsive to individual and community needs, and by enhancing society's capacity to resolve difficult public problems in ways that are just and productive.

 Dr. Dukes received a B.A. from the University of Virginia and an M.S. and a Ph.D. in Conflict Analysis and Resolution from George Mason University. He was previously owner of a private business for over 10 years in Albemarle County. He was a founding member of the Board of Directors of the Community Mediation Center of Charlottesville-Albemarle. He is also a member of the Association for Conflict Resolution.

**Office Hours:**

 My office is at the Institute for Environmental Negotiation at 2015 Ivy Road. Because of the nature of my work regular hours are not possible; however, students are invited and urged to drop by for discussion (you may wish to call ahead to make sure I am there), or you may set an appointment.

**PLAN 325/525, Spring 2015**

##### Mediation Theory and Skills

**January 17 and 19 9 a.m. - 5:00 p.m.**

**Agenda**

Saturday, JANUARY 17

* **INTRODUCTION**

**9:00 – Icebreaker: “People Scavenger Hunt”**

**9:05 – Introductions and Student Expectations**

**9:15 – Course Objectives**

**9:20 – Agenda**

**9:25 – Instructor Expectations of the Course**

* **FACILITATIVE MEDIATION AS CONFLICT TRANSFORMATION**

**9:30 - Mediation Demonstration: Video**

**10:00 - Philosophies and Forms of Mediation**

*Manual: Conflict Transformation p. 3; Facilitative Mediation: An Overview p. 4; Potential Benefits of Mediation p. 7; Mediation Concerns p. 8.*

* **THE FACILITATIVE MEDIATION PROCESS**

**10:10 – The Facilitative Mediation Process**

*Manual: Mediation Process p. 11; Caucusing p. 25; Co-mediation p. 26.*

**10:20 – Phase One: Introduction**

*Manual: Introduction; Role Plays p. 41.*

\* Role Play: dyadic introductions.

* **10:40 – BREAK DURING ROLE PLAY**
* **MEDIATION SKILL ONE: THE ART OF AUTHENTIC INQUIRY**

**11:00 - Basic Communication Skills**

*Manual: Keys to Effective Communication, p. 35.*

\* Exercise: Not listening/Effective listening

\* Exercise: Summarizing (in *Manual p. 36*)

**12:00 - Ethical and Legal Context**

*Manual: Virginia Mediation Forms p. 47; Mediator Role p. 5*

* **12:15 LUNCH** (NOTE: *take* *Conflict Styles Inventory* p. 55, assess later in the day)
* **MEDIATION SKILL TWO: UNDERSTANDING CONFLICT**

**1:15 - Individual Conflict Styles**

\* Exercise: Where I Stand in Relation to Conflict

\* Exercise: *Manual*: *Conflict Styles Inventory p. 55.*

*Debrief* Kraybill Conflict Styles Inventory.

**1:45 Dealing With Strong Emotions**

*Manual: Responding to Intense Emotions p. 39.*

\* Exercise: Responding to Intense Emotions simulation

* **THE FACILITATIVE MEDIATION PROCESS (CONTINUED)**

**2:00 – Phase Two: Explanation and Understanding**

*Manual: Explanation and Understanding*

Role Plays.

* **3:00 WORKING BREAK**

**3:15 – De-Brief Role Play**

* **MEDIATION SKILL THREE: THE ART OF PRINCIPLED NEGOTIATION**

**3:30 - The Problems With Hard and Soft Bargaining**

\*Exercise: Arm-wrestling

*Manual: Problems With Adversarial Procedures p. 33*

**3:45 – Introduction to Principled Negotiation**

# Manual: Building Sustainable Relationships: From Power to Relatedness; Principled Negotiation

\* Exercise: Uses of a Newspaper

\* Exercise: “Race to Soleil”

**Homework for Tuesday:**

PDF Articles on Collab

Manual: Personal Basis for Mediation; Problem Definition and Exploration; Resolution; Building Sustainable Relationships: From Power to Relatedness; Principled Negotiation.

***Monday, JANUARY 19***

**9:00 – Icebreaker**

**9:10 – Review**

**9:15 – Mediation History and Social and Political Context**

**Video.**

* **THE FACILITATIVE MEDIATION PROCESS (CONTINUED)**

**9:30 – Phase Three: Problem Definition and Problem Solving**

*Manual: Problem Definition and Problem Solving*

Role Play

**10:45 BREAK**

**11:00 – Phase Three Role Play 2**

**12:15 LUNCH**

**1:00 - Phase Four: Resolution**

*Manual: Resolution*

Role Play.

**2:30 BREAK**

**2:45 - Final Exercise: Role Play**

Role Play

**4:15 -** Review readings and questions

**4:30 -** UMS Procedures

**4:45 - Conclusion**

Beyond School

Evaluation

Graduation

1. This course satisfies the basic mediation training requirement for University Mediation Services [↑](#footnote-ref-1)