

Professor Barbara McAdoo
Hamline University School of Law
Law School Course - 3 credits (42 hours)

Goal /Description: To introduce methods of dispute resolution with a focus on the lawyer's role as an advocate for his/her client, and as a mediator or arbitrator. Examines the limitations of the traditional adversary system and provides the skills needed to utilize alternative processes.

ALTERNATIVE DISPUTE RESOLUTION

Professor McAdoo-641-2068; bmcadoo@seq.hamline.edu (e-mail for discussion only)
Spring Semester 1997

The purpose of this course is to familiarize you with a wide range of dispute resolution processes, both in theory and in practice. We will utilize lectures, many simulations (requiring active student participation), some outside speakers, and video presentations. We might initiate an e-mail discussion group for communications between class. The class should be fun...but also a serious exploration of an important subject for lawyers who intend to practice in the next century. By the end of the course, you will: be prepared to discuss alternatives to litigation with a client, including the reasons to select a particular dispute resolution process; understand your role as a lawyer for each process; have specific skills to use as a negotiator and/or mediator; and understand some of the difficult policy issues needing research and evaluation in the dispute resolution field.

Class Requirements—I suggest a notebook to keep handouts for the course organized.

Attendance is mandatory and especially necessary to the success of the simulations. Furthermore, because the value of the simulation exercises depends upon the extent to which all participants in the exercise are fully prepared, I reserve the right to impose a grade penalty on any student who I conclude was not prepared for the exercise. Any student who fails to participate in an assigned exercise, without good cause and advance notice to me, will receive a grade penalty.

A written journal which chronicles your synthesis of readings, lectures and exercises is required. The journal is your opportunity: to reflect on how or whether anything from this class will affect the way you practice law; to tell me whether the readings accurately describe what you observe in the exercises (or in your real life); and to critique the ideas and actions of yourself and others, both to emphasize what was done well and to note what might have been improved. After each class, a journal entry should be completed—one (1) page, double-spaced, and TYPED. These must be turned in by 4 o'clock on March 6, and 4 o'clock on April 24.

There will be three writing assignments during the semester: 1) individual completion of negotiation preparation documents for a simulation we will do in class (due February 11); 2) the development of a mediation simulation, which will be done in groups (due March 11); and 3) the development of a problem for

choosing an ADR process, which also will be done in groups (due April 15). For the group work, an individual critique by each of you will be required and due on the same day as the group work.

A take home final exam will complete course requirements.

Grade:

20% Journals

60% Other work in class

3 writing assignments--15% for each; the group parts about 5% of the 15%

Participation--15%

20% Exam