Mediation Skills Syllabus
Fall 2016

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Office hours: By appointment (talk with professor to arrange).

Meeting Place & Time: Thursdays, 6:00 p.m. to 7:40 p.m., Room 206

Course Description and Learning Objectives:
This is a skills-based course that will cover theories and techniques used in mediation from the mediator’s perspective, using readings, discussions and simulation exercises designed to illustrate theories and techniques of mediation. Skills developed will include passive and active listening, questioning, problem solving, maintaining neutrality, negotiation techniques, and exercising professional judgment. There will also be writing assignments, opportunities to observe mediations, and discussion about the ethical issues faced by mediators.

This class focuses on theory, skills, rules and laws related to mediation, the dynamics of different types of mediation, and practical situations that occur during mediations. In teaching this course, my goal is to help you understand theories of mediation and develop and improve basic skills to mediate in an ethical and effective manner.

Course Materials:
Required: Mediation: Principles & Practice, 3d Ed. Kimberlee Kovach
Illinois Rules of Professional Conduct
Other materials handed out or posted on TWEN during the semester.

Strongly suggested: Getting to Yes, (3d Ed), Roger Fisher & William Ury

Evaluation:
This is a Pass/Fail course. To receive a passing grade, you must read and be ready to discuss all assigned materials before each class, satisfactorily complete homework in a timely manner, actively participate in class exercises, including providing feedback to other students, and satisfactorily complete all projects and assignments. Although you will not receive a final numerical grade, you will receive points for class participation and assignments. You must receive at least 60% of the available points to pass.

Because this class is meant to help you develop practical skills, it will involve participation in class discussions and simulations. Your level of classroom participation
(as participant and provider of feedback) will be significant factors in determining whether you receive a passing grade.

Class Attendance:
Absent extraordinary circumstances, students who miss more than three (3) classes will not receive a passing grade.

Sometimes students have to miss class for Law School activities, such as moot court. In light of the limited number of class meetings in this course, and in the interests of fairness to all students, if you miss class for such an activity, you will receive a regular absence. Therefore, as will be necessary in practice, you should plan accordingly in advance to the extent possible.

Assignments:
You are expected to read all assigned materials before each class and to complete written assignment in a timely manner.

To receive full credit, each written assignment must be turned in on time, typed, grammatically correct, and in compliance with the assignment’s requirements. Unless stated otherwise, to be considered “on time,” each assignment must be turned in to me, by e-mail, by hand-delivery or in my faculty mailbox, before the start of class in order to receive credit for the assignment, regardless of whether you attend that class or not. Each assignment will be worth five (5) points unless stated otherwise.

In addition to regular assignments, there will be a “Writing Across the Curriculum” assignment and a final writing assignment and you will be assigned to play roles in mediations during class. Your active participation in activities and completion of assignments will be factors in determining whether you receive a passing grade.

Absent exceptional circumstances, you will not receive credit for assignments, evaluations or other projects that are turned in late.

Classroom Etiquette:
Please be courteous to others by keeping distractions to a minimum, turning off electronic devices, and giving the class your full attention. Due to the participatory nature of this class, use of laptops will not be permitted. You should bring a notepad and writing utensil to class. If you need to leave the room during class, please do not disrupt the class when leaving or returning to the room.

Class Recordings:
Classes will not be recorded by the Law School except for ADA compatibility reasons with prior notice to the professor. Otherwise, classes will not be recorded except in extraordinary circumstances, such as if a make-up class must be scheduled on a day
that is not a regular class meeting day. Except with my prior approval, no other recording of class is allowed.

**TWEN (The West Education Network):**
You should register for this course on TWEN before the first week of classes. This syllabus and a reading assignment schedule are posted on TWEN, as well as other relevant information. You will be expected to check TWEN before every class and are responsible for reading materials posted on TWEN or e-mailed to you. Please be sure your e-mail address on TWEN is correct.

**Students with Disabilities:**
Disability Support Services provides the required academic and programmatic support services to students with permanent and temporary disabilities. DSS provides centralized coordination and referral services. To utilize DSS services, students must come to the DSS to open cases. The process involves interviews, reviews of student-supplied documentation, and completion of Disability Accommodation Agreements. [http://disabilityservices.siu.edu/](http://disabilityservices.siu.edu/). Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreement to the School of Law Registrar’s Office to ensure the School of Law provides the proper classroom and examination accommodations.

**Emergency Procedures:**
Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available in posters in buildings on campus, on BERT’s website at [www.bert.siu.edu](http://www.bert.siu.edu), Department of Safety’s website [www.dps.siu.edu](http://www.dps.siu.edu) (disaster drop down) and in Emergency Response Guideline pamphlet. Know how to respond to each type of emergency.

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. **It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency.** The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.

**Saluki Cares:**
The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki
Cares: (618) 453-5714, or siucares@siu.edu, http://salukicares.siu.edu/index.html. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is judiray@siu.edu and her phone number is 618-453-3135.

**Expected Time Requirements for Course:**
The American Bar Association standards for accrediting law schools contain a formula for calculating the amount of work that constitutes on credit hour. According to ABA Standard 310(b)(1), “a credit hour is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time.”

This is a two credit hour course, meaning that we will spend one 100-minute block of time together each week. The amount of assigned reading and out of class preparation should take you about four hours for each class session. All told, applying the ABA standard to the number of credits offered in this class, you should plan on spending a total of six hours (two in class and four preparing for class) on course-related work.

**Schedule of Reading Assignments:**
A tentative schedule of reading assignments will be posted on TWEN and may be adjusted throughout the course. If so, an updated schedule will be posted.

**Have a good semester!**