



UNSW Course Outline

JURD7610 International Commercial Mediation Competition - 2024

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General Course Information

Course Code : JURD7610

Year : 2024

Term : Term 2

Teaching Period : T2

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Private and Commercial Law

Delivery Mode : In Person

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Postgraduate

Units of Credit : 6

Useful Links

[Handbook Class Timetable](#)

Course Details & Outcomes

Course Description

Students who have been selected for this course will engage in an intensive training program

designed to build skills in the preparation for, conduct of and review of an effective mediation. This will form the basis of their preparation for and participation in an international competition.

Students will be selected in Term 2 on the basis of academic merit, research and analytical skills, and communication skills. For some competitions, a further selection process conducted by the external competition organiser will be involved. Depending on the competition, the intensive work programme will be spread across Term 3 and/or Summer, and, for some of the competitions, also the following Terms 1 and/or 2.

Course Aims

Students who have been selected for this course will engage in an intensive negotiation training program designed to build skills in the preparation for, conduct of and review of an effective negotiation. This will form the basis of their preparation for and participation in the competition.

Course Learning Outcomes

Course Learning Outcomes
CLO1 : Familiarity with the central principles of principled negotiation and mediation practice: This is a paramount element to master when preparing or and participating effectively in a mediation process (PLOs 1, 5, 6, 8, 9).
CLO2 : Ability to apply the principles in a facilitated environment and in concert with other parties. It is the ability to apply the principles which test and enhance an understanding of them. The mediation competition provides a challenging, time sensitive environment which provides rigorous testing of the ability to apply the principles effectively in a situation which closely mirrors real-life mediation practice. (PLOs 5, 9, 10, 11, 12)
CLO3 : Intellectual skills, including: Cultural and environmental analysis: experimenting and becoming proficient in recognising when and how to apply the mediation and negotiation tools according to the cultural environment of the set problem and of the opposing mediation parties. Other environmental and social science implications are also relevant in conducting a successful mediation. Students develop skills in scanning the mediation environment and producing appropriate negotiation responses while the process is in play (PLOs 1, 9, 10, 11) Facility with theory: examining, comparing and evaluating the different theoretical models that exist about mediation (PLOs 1, 5, 6, 8) Discretionary decision-making through training in mediation skills, mediation practice and exposure to other mediation teams in a competitive environment students are challenged to make, and constantly refine and implement, decisions about the conduct of mediation, the likely outcome and relationship building with all parties. This offers the opportunity to sharpen their ability to make informed judgments about identifying interests, brainstorming options and strengthening their alternatives away from the table. These skills have direct application to representing the interests of clients in a range of dispute resolution processes. (PLOS 5, 8, 9, 12)
CLO4 : Professional skills, including: reflective practice engaging in ongoing professional reflective practice and completing a reflective journal (PLOs 9, 12) oral skills making persuasive presentations which are enhanced through regular practice and evaluation; contributing to collegial discussions and debates with other team members (PLOs 9, 10, 11) written skills through writing for different purposes and different audiences - preparation of mediation memoranda, preparation of case study analyses and research (PLOs 5, 6, 9, 12)

Course Learning Outcomes	Assessment Item
CLO1 : Familiarity with the central principles of principled negotiation and mediation practice: This is a paramount element to master when preparing or and participating effectively in a mediation process (PLOs 1, 5, 6, 8, 9).	<ul style="list-style-type: none"> • Preparation & training sessions • Mediation plans • Written materials for competition • Performance at competition
CLO2 : Ability to apply the principles in a facilitated environment and in concert with other parties. It is the ability to apply the principles which test and enhance an understanding of them. The mediation competition provides a challenging, time sensitive environment which provides rigorous testing of the ability to apply the principles effectively in a situation which closely mirrors real-life mediation practice. (PLOs 5, 9, 10, 11, 12)	<ul style="list-style-type: none"> • Mediation plans • Written materials for competition • Performance at competition
CLO3 : Intellectual skills, including: Cultural and environmental analysis: experimenting and becoming proficient in recognising when and how to apply the mediation and negotiation tools according to the cultural environment of the set problem and of the opposing mediation parties. Other environmental and social science implications are also relevant in conducting a successful mediation. Students develop skills in scanning the mediation environment and producing appropriate negotiation responses while the process is in play (PLOs 1, 9, 10, 11) Facility with theory: examining, comparing and evaluating the different theoretical models that exist about mediation (PLOs 1, 5, 6, 8) Discretionary decision-making through training in mediation skills, mediation practice and exposure to other mediation teams in a competitive environment students are challenged to make, and constantly refine and implement, decisions about the conduct of mediation, the likely outcome and relationship building with all parties. This offers the opportunity to sharpen their ability to make informed judgments about identifying interests, brainstorming options and strengthening their alternatives away from the table. These skills have direct application to representing the interests of clients in a range of dispute resolution processes. (PLOS 5, 8, 9, 12)	<ul style="list-style-type: none"> • Mediation plans • Written materials for competition • Performance at competition

<p>CL04 : Professional skills, including: reflective practice engaging in ongoing professional reflective practice and completing a reflective journal (PLOs 9, 12) oral skills making persuasive presentations which are enhanced through regular practice and evaluation; contributing to collegial discussions and debates with other team members (PLOs 9, 10, 11) written skills through writing for different purposes and different audiences - preparation of mediation memoranda, preparation of case study analyses and research (PLOs 5, 6, 9, 12)</p>	<ul style="list-style-type: none"> • Preparation & training sessions • Written materials for competition • Performance at competition
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Learning and Teaching Technologies

Moodle - Learning Management System

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Preparation & training sessions Assessment Format: Individual	30%	
Mediation plans Assessment Format: Individual	20%	
Written materials for competition Assessment Format: Individual	30%	
Performance at competition Assessment Format: Individual	20%	

Assessment Details

Preparation & training sessions

Assessment Overview

Intensive training program with preparation and conduct of case studies

Course Learning Outcomes

- CL01 : Familiarity with the central principles of principled negotiation and mediation practice: This is a paramount element to master when preparing or and participating effectively in a mediation process (PLOs 1, 5, 6, 8, 9).
- CL04 : Professional skills, including: reflective practice engaging in ongoing professional reflective practice and completing a reflective journal (PLOs 9, 12) oral skills making

persuasive presentations which are enhanced through regular practice and evaluation; contributing to collegial discussions and debates with other team members (PLOs 9, 10, 11) written skills through writing for different purposes and different audiences - preparation of mediation memoranda, preparation of case study analyses and research (PLOs 5, 6, 9, 12)

Mediation plans

Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

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Written materials for competition

Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

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Performance at competition

Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

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General Assessment Information

Grading Basis

Standard

Course Schedule

Attendance Requirements

Students are strongly encouraged to attend all classes and review lecture recordings.

Course Resources

Additional Costs

UNSW Law & Justice provides a small allowance towards the travel and accommodation costs only. Funds not used for accommodation cannot be used for travel and vice versa – the allowances are capped. Travel and accommodation expenses over the allowance are to be covered by the individual. All other costs (e.g. visa, passport, meals, pre-moot fees and associated costs etc.) must be incurred by the team members.

This course incurs significant expenses out of pocket. Students should not expect the allowance to cover the full cost and should be able to fund a large proportion of the trip.

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	William (Joseph) Nicholls					No	Yes

Other Useful Information

Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up,

then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

Faculty-specific Information

Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.