

## **MEDIATION EXTERNSHIP AGENDA**

Date	Topic
1/14/14	<p>Introductions:</p> <p>The initial class will be short and designed to discuss the semester, to clarify issues concerning the finalization of certification from the 40 hour mediation class and to discuss proper professionalism in court. We will also finalize schedules.</p> <p>Mediation Sign-Up Sheets for Month of June (Please keep in mind that you will also be free to observe, mediate and co-mediate in other venues that are available to you.) Please log every mediation you are involved in into your weekly journal. This will allow me to keep track of your mediations. Your journals will be due every two weeks by Sunday at midnight.</p>
1/21/14	<p>Class Discussion: Preparing a Client for Mediation</p> <p>Debrief any of the mediations that may have already been conducted.</p> <p>As lawyers, we will represent clients in mediation. How do I prepare myself and my client for a successful mediation? How do I make sure my client has a voice in the process? What are the key components of mediation that I would want to cover with my client prior the mediation session?</p>
1/28/14	EEOC Training and case assignments - Journals due via e-mail by midnight
2/04/14	<p>Class Discussion: Dealing with Uncooperative Parties</p> <p>If you have had a chance to conduct your first mediation, have you already had the opportunity to deal with an uncooperative party in mediation? If so, how did you handle the situation? If not, how do you normally choose to handle uncooperative people? Do you envision your general approach as working in a mediation setting? Overall, what do you believe are the best techniques for handling uncooperative parties during a mediation session?</p> <p>Debriefing Mediations in Class and EEOC scheduling/paperwork</p>
2/11/14	Debriefing Mediations in Class and EEOC scheduling/paperwork – Journals due via e-mail by midnight
2/18/14	<p>Class Discussion: Confidentiality in Mediation (Pros and Cons):</p> <p>Mediators are expected to maintain confidentiality; what are the pros and cons of maintaining this rule? What are the exceptions to the rule?</p> <p>Debriefing Mediations in Class and EEOC scheduling/paperwork</p>

- 2/25/14      Debriefing Mediations in Class and EEOC scheduling /paperwork -Journal due via e-mail by midnight
- 3/04/14      Neutrality v. Fairness
- Mediators are expected to be neutral. What should you do if one party is clearly out-lawyered; agreeing to something that you believe is an unfair agreement; is the process really “fair” for all people (cultural and other “ism” affects on the process)?
- Debriefing Mediations in Class
- 3/18/14      Debriefing Mediations in Class -Journal due via e-mail by midnight
- Class Discussion: Circumventing Impasse
- Mediators are supposed to be trained to assist parties in circumventing impasse. What are some of the main reasons that lead to impasse in a mediation? What can a mediator do to assist the parties in circumventing impasse? What barriers to settlement have you experienced in your own mediations?
- 3/25/14      Assignment of Group Projects
- Class Discussion – Building a mediation practice from the ground up. What level of experience is required? Is it better to have general mediation practice or specialize in a particular field (i.e. family law, probate, intellectual property, ect.) What types of marketing and networking are the most valuable? What fee structures for mediation should look like?
- 4/1/14      Debriefing Mediation in Class
- Class Speaker – Building a Mediation Practice
- Student will have the opportunity to speak with a group of successful mediators to ask them about their own style of mediation, building their mediation practice and any other questions regarding the use of mediation.
- 4/8/14      The Range of Reasons for Settlement
- Mediations produce settlements everyday, but there are many underlying reasons that drive these settlement negotiations. While these areas are briefly covered in the 40 hour training, there are certain common themes note worthy for students who want to mediate or who will be representing clients in meditation. The class will be devoted to a closer look at settlement agreements in terms of what drives the settlements and how such agreements should be properly drafted.

4/15/14 Finalization and review of all EEOC paperwork – Submission of any outstanding EEOC paperwork

4/22/14 Class Group Presentations

#### MEDIATION EXTERNSHIP ADDITIONAL WRITTEN ASSIGNMENTS

1. Identify your own mediation style, why it works best for you and if it ever changes based on the circumstance.
2. The power of reflection and patience – How has incorporating these skills made you a better mediator – if they have?

(Both #1 and #2 should be 5 to 6 pages typed and double spaced)

3. Based on your own mediations, draft scenarios (the ones used in your 40 hour class) and observation of other mediators, you will work with other classmates on an end of the semester mediation presentation designed to demonstrate your knowledge of the practice of mediation and all of the things that are required to develop a successful practice.

Please Note: Class participation will contribute to the 1 credit hour component of this class that is graded.