

Professor Tasha Willis

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MEDIATION Clinic Syllabus 2025

Topic

Introductions:

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 mediation schedules and all the ways students can meet their requirements during the semester.

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 session you are involved in into your weekly journal. This should include the date, the location and the time. This will allow me to keep track of your mediations, co-mediations and observations. Your journals will be due every two weeks by Sunday at midnight.

Class Discussion: Preparing a Client for Mediation

Debrief any of the mediations that may have already been conducted.

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?

Debriefing Mediations in Class - Journals due via e-mail by midnight

Class Topic: Community Interaction

There will be a movie shown, which will constitute the subject of the diversity written assignment. It is important that students attend this class and the discussion the following week to be able to properly complete the assignment.

Community Interaction Discussion for Paper Presentation – Journals due via e-mail by midnight

Class Discussion: Confidentiality in Mediation (Pros and Cons):

Mediators are expected to maintain confidentiality; what are the pros and cons of maintaining this rule?

Debriefing Mediations in Class

Debriefing Mediations in Class -Journal due via e-mail by midnight

Debriefing Mediations in Class

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

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?

Dealing with Uncooperative Parties

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? The class session will be devoted to answering questions about the final presentation.

Debriefing Mediations in Class

Advanced Training and Advanced Settlement

Last Day of Class – Additional Final Project Review and Questions

MEDIATION EXTERNSHIP ADDITIONAL WRITTEN ASSIGNMENT

***** Students will be assigned a group project during the semester.

Please Note: Class participation will contribute to the 1 credit hour component of this class that is graded. The student journals will account for 50%, the diversity assignment 10% and the group project will count for 40% of the graded hour.

LEARNING OBJECTIVES and OUTCOMES:

Communication Skills –

1. Identify and demonstrate the essential elements for effective listening and responding, questioning and gathering information, and note-taking.
2. Identify and demonstrate appropriate verbal and non-verbal communication.
3. Demonstrate an awareness and understanding of how people process information, make decisions, and communicate.
4. Understand the difference between interests and positions.
5. Understand the role that individual conflict styles and personality types play in communication and conflict.
6. Understand and recognize the positive and negative roles of conflict in the workplace, in families, and in interpersonal relationships.
7. Recognize how communication and conflict can be influenced by one's socioeconomic, racial, religious, ethnic, or social background, and gender, age, or disability status.

Mediation Skills –

1. Understand the differences between and characteristics of mediation, negotiation, arbitration, and litigation.
2. Recognize and be able to explain the advantages of mediation compared to other forms of dispute resolution.
3. Be able to identify the qualities and characteristics of a good mediator as well as appropriate mediator behaviors.
4. Understand how, as a mediator, to build trust, empathy, and rapport with clients while remaining impartial and neutral.
5. Know the stages of mediation and the structure and appropriate content of each stage.
6. Understand how to draft an agreement.
7. Recognize the common obstacles to a successful mediation and how to overcome them.
8. Understand the ethical obligations of a mediator.
9. Recognize the role of confidentiality in mediation
10. Understand when and how to use caucusing in a mediation.
11. Recognize how to overcome roadblocks and difficulties in a mediation, such as if a party walks out, if a party is overly emotional, if a party is inflexible, etc.
12. Understand the role of attorneys in the mediation process.
13. Understand and identify when and how to refer parties to outside resources.
14. Identify when a mediator should report information disclosed in a mediation to outside agencies.

Expectations:

Be present in class

Be on time to class

Maintain a schedule to get your class work done and keep up with all readings

Office Hours:

To meet with the professor regarding the class, students should email them with available dates and times. tlwillis@central.uh.edu (meetings can be in person, by phone, or via ZOOM or other virtual online program)

Honor Code:

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provision apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the courses syllabus.

AI Generated Text:

The software technology known as artificial intelligence has recently expanded its capability to generate text (AI Generated Text). Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation of what is well known in the general public as ChatGPT. These systems can generate text in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Text, appears to have human-mimicking “intelligence” and is thus potentially usable as a substitute for written work product one might generate themselves. AI Generated Text can include computer code or programs as well as human language content.

Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to not prompt, generate, obtain, read, or use any AI Generated Text in relation to any activity or assessment in this course. This applies to AI Generated Text from yourself or others. This pledge included that your assessment work product in this course is without any contribution from AI Generated Text. This specifically extends to the plagiarism policy and unauthorized aid/materials parts of the Honor Code: AI Generated Text will be treated as from another/others in applying the plagiarism policy to this course. The term “assessment” means any work product generated for this course this is submitted to the instructor or presented in a class session, regardless of whether it is graded content or not. Assessments include mid-terms and final exams. AI Generated Text may not be used in the development or drafting of any assessments created by you in a non-proctored environment, such as a “take-home” final examination unless specified as an exception below. The parts of the Honor Code that refer to unauthorized materials or aids are specifically prohibited from any use of AI Generated Text in this course unless specified as an exception below.

The following activities are exceptions to the immediately preceding paragraph; the intent of these exceptions is to allow use of AI Generated Text for specifically and narrowly defined activities in relation to this course:

- creating content for an outline that you use exclusively to summarize the course content; or
- “conversing” with the AI Generated Text software system to create hypotheticals to better understand course content, alone or with others;

Chosen Names and Preferred Pronouns:

We want to address each of you in a manner that corresponds to your identity. Although mistakes happen, chosen names and preferred pronouns—including non-binary ones such as they|them|their—must be respected in my classroom. Please feel free to reach out to us at any time if you want to make me aware of your chosen name or preferred pronoun or if you have concerns about how we or your classmates address you.

Inclusion and Wellness:

This is an inclusive learning space.

At UHLC, we are committed to ensuring inclusive online and classroom learning spaces, where you'll be treated with respect and dignity, and where everyone is provided the equitable opportunity to participate, to contribute, and to succeed.

If you feel like your class performance is impacted in any way by your experiences inside or outside of class, please reach out to your professors. We want to be a resource for you. If you feel more comfortable speaking with someone besides us, Student Services is an excellent resource: 713-743-2182.

University Sexual Misconduct Policy:

The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, there is a confidential reporting process available to you. For more information, please refer to the University System's Anti-Discrimination Policy SAM 01.D.07 and Sexual Misconduct Policy SAM 01.D.08, available here:

<http://www.uhsystem.edu/compliance-ethics/uhs-policies/sams/01-general-information/index.php>

<http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d7.pdf> (antidiscrimination)

<http://www.uhsystem.edu/compliance-ethics/docs/sam/01/1d8.pdf> (sexual misconduct)

Please be aware that under the sexual misconduct policy, SAM 01.D.08, faculty are required to report to the University any information received regarding sexual misconduct as defined in the policy. Please note that the reporting obligations under the sexual misconduct policy reach to employees and students. Also, as a required reporting party, Law Center employees and faculty members are not a confidential resource.

Mental Health and Wellness Resources:

The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being. Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Syllabus Changes

Please note there may be needed modifications to the course syllabus. Notice of such changes will be announced as quickly as possible through email.

Resources for Online Learning

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website (<https://uh.edu/power-on/learning/>). Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

UH Email:

Please check and use your CougarNet email for communications related to this course. Faculty use the CougarNet email to respond to course-related inquiries such as grade queries or progress reports for reasons of FERPA. To access your CougarNet email, login to your Microsoft 365 account with your CougarNet credentials. Visit University Information Technology (UIT) for instructions on how to connect your CougarNet e-mail on a mobile device.