



# DISPUTE RESOLUTION

## I. GOALS

- Students will understand the benefit of alternative dispute resolution
- Students will be able to differentiate between negotiation, mediation, and arbitration
- Students will be able to resolve sample conflicts using the alternative methods.

## II. METHODOLOGY AND TIMING

### A. LECTURE

- Overview
- Explain that today we will be exploring a popular method for resolving disputes outside of the formal court system—mediation.
  - Instruct class to take notes because each student will be performing a mediation roleplay at the end of class.
  - Explain to the class that although trials are often reported in the news and portrayed on popular television shows like “Law and Order,” very few civil disputes ever make it to trial. Indeed, very few disputes ever enter the court system at all. ASK THEM TO GUESS HOW MANY (3% make it to trial)
  - Ask the class to give reasons why so few cases are resolved through the court system.
    - The court system takes time.
  - Ask for further explanation.
    - More civil cases are being filed.
    - Courts have limited resources.
    - Criminal cases take priority over civil cases due to the criminally accused right to a speedy trial under the Sixth Amendment to the U.S. Constitution.
    - The court system is expensive.
      - A trial and the preparation leading up to it can generate thousands of dollars in legal fees.
      - Quickly note the availability of contingency agreements and their advantages/disadvantages.
      - The court system can harm ongoing relationships.
      - Taking a dispute to court can cause anger and bitterness (e.g. divorce and child custody disputes).
- Introduction to Alternative Dispute Resolution
  - Powerpoint Presentation <20 min



## B. ACTIVITY

- Negotiation Exercise
  - Half of the class will be the teens, the other half will be the storeowners.
  - Have the students review their handout (everyone receives Handout 2) and either think about or take notes on the questions
  - Choose volunteers to represent each side.

## C. WRAP UP

- Questions?

## III. MATERIALS

- Powerpoint
- Negotiation worksheet