Appropriate Dispute Resolution PROGRAM OUTLINE



PROGRAM OVERVIEW

Appropriate Dispute Resolution (ADR), also called Alternative Dispute Resolution, offers legal professionals effective ways to resolve disputes outside of traditional litigation. In this course, students will learn the fundamental principles of dispute resolution and the essential role paralegals play in supporting attorneys throughout the ADR process.

Students will examine the nature of conflict and explore the primary methods of dispute resolution, including negotiation, mediation, arbitration, online dispute resolution, and restorative justice. The course also covers when litigation is the most appropriate option and how alternative methods can help parties reach efficient, cost-effective resolutions.

Throughout the course, students will develop a practical understanding of the paralegal's responsibilities in dispute resolution matters, including case preparation, document management, client communication, and attorney support.

PROGRAM OUTLINE

Lesson 1 | Understanding Conflict and Litigation

Lesson 2 | Negotiation and Mediation

Lesson 3 | Arbitration

Lesson 4 | Online Dispute Resolution

Lesson 5 | Restorative Justice and Court-Annexed ADR

Lesson 6 | The Paralegal's Role in Dispute Resolution

Understanding Conflict and Litigation

LESSON 1



Students are introduced to the nature of conflict, including common responses to conflict and the factors that influence how disputes develop. The lesson then examines litigation as the traditional method of dispute resolution, exploring its advantages, disadvantages, and the types of disputes for which litigation is most appropriate.

Negotiation and Mediation

LESSON 2

This lesson explores negotiation as a foundational dispute resolution method. Students compare negotiation styles, strategies, and processes used in legal practice before examining mediation and the role of a neutral third party in facilitating resolution. The lesson concludes with ethical considerations and an introduction to mediation-arbitration (med-arb).

Arbitration

LESSON 3



Students learn the history and purpose of arbitration while comparing it with litigation. The lesson covers when arbitration is appropriate, the federal laws governing arbitration, the arbitration process, and the circumstances under which courts may enforce or review arbitration awards.

Online Dispute Resolution

LESSON 4

This lesson introduces online dispute resolution (ODR) and examines technology-based methods such as eNegotiation, eMediation, and eArbitration. Students explore how technology supports dispute resolution while evaluating the benefits, limitations, and practical considerations of conducting proceedings in virtual environments.

Restorative Justice and Court-Annexed ADR

LESSON 5



Students examine restorative justice principles and the methods commonly used to resolve disputes in restorative settings. The lesson also surveys court-connected alternative dispute resolution programs, including settlement conferences, nonbinding arbitration, early neutral evaluation, summary jury trials, and mini-trials, highlighting when each approach may be appropriate.

The Paralegal's Role in Dispute Resolution

LESSON 6

The final lesson focuses on the paralegal's responsibilities throughout the dispute resolution process. Students learn how paralegals support attorneys with case organization, document preparation, communication, scheduling, and other essential tasks. The lesson also includes sample forms and documents commonly used in ADR matters to reinforce practical skills.

PROGRAM OUTCOMES

Analyze the sources, dynamics, and power relationships involved in conflicts and evaluate appropriate approaches for managing and resolving disputes

Compare litigation and alternative dispute resolution (ADR) methods, including negotiation, mediation, arbitration, restorative justice, and online dispute resolution (ODR), and evaluate the advantages, limitations, and appropriate applications of each method

Apply fundamental negotiation principles and processes to dispute scenarios while evaluating relevant legal, ethical, and professional considerations in attorney-client and negotiation relationships

Analyze the purposes, processes, models, ethical considerations, and potential applications of mediation and arbitration in resolving disputes

PROGRAM OUTCOMES

Evaluate the use of technology, online dispute resolution, and emerging technologies—including artificial intelligence—in ADR practices and assess their potential benefits, limitations, and appropriate applications

Apply restorative justice principles and methods to appropriate workplace, educational, community, or other dispute scenarios while distinguishing restorative approaches from traditional punitive methods

Analyze the role of court-connected ADR programs and the responsibilities of judges and other participants in facilitating dispute resolution within the U.S. court system

Prepare and organize basic legal documents, correspondence, exhibits, and supporting materials for ADR proceedings while demonstrating effective communication, note-taking, ethical conduct, and professional responsibilities expected of paralegals



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