

**UNIVERSITY OF ALABAMA SCHOOL OF LAW
LAW 665 MEDIATION LAW CLINIC
SYLLABUS: FALL 2015**

Training Sessions:

August 18, 2:00 p.m. to 3:30 p.m.
August 20, 2:00 p.m. to 3:30 p.m.
August 21, 11:00 a.m. to 1:00 p.m.
August 25, 2:00 p.m. to 3:30 p.m.
August 27, 2:00 p.m. to 3:30 p.m.
August 28, 11:00 a.m. to 1:00 p.m.
September 1, 2:00 p.m. to 3:30 p.m.
September 3, 2:00 p.m. to 3:30 p.m.
September 4, 11:00 a.m. to 1:00 p.m.
September 8, 2:00 to 3:30 p.m.

Case Rounds

October 6, 2:00 p.m. to 3:00 p.m.
November 17, 2:00 p.m. to 3:00 p.m.

Class location will be Rm. A246.

Intake Interviews:

Each student will be required to attend one Domestic Relations Docket a week to screen cases and mediate. It is expected that, in addition to our weekly class, you will spend 10 hours a week at dockets, working on Clinic cases, and preparing your Journal and paper.

I will pair you for conducting mediations and assigning you a docket to attend based on your class schedule. The judges anticipate us being there at 1:30 p.m. on Wednesdays and at 9:00 a.m. and 1:30 on Thursdays. We will discuss this further at the first class session. We will begin conducting mediations the week of September 9.

- 8-18-15 Introduction and Scheduling Matters (bring calendars)
History of Mediation, ADR, Roles, Issues in Divorce
- 8-20-15 Stations of Divorce - Emotional/Legal
Stages of Mediation
- 8-21-15 Listening/Communication/Reframing

- 8-25-15 Domestic Relations Law
Property Division
- 8-27-15 Ethics
- 8-28-15 Child Custody
Child Support/Paternity/ADA
Alimony
- 9-1-15 Hooks and Anchors/Family of Origin issues
Domestic Violence
- 9-3, 4, 8 Role Play

**ALL MEDIATIONS COMPLETED
SUBMIT JOURNAL AND RESEARCH
PAPERS BY DECEMBER 16, 2015**

Course Requirements: You will be required to create and maintain a hard-copy file on each case you mediate. The file must be kept in good order. You will also create and maintain a file on each case in Amicus. You will be preparing the order for the judge in each case you mediate and submitting it to the judge no more than ten business days after the mediation. You will prepare and submit to me a journal and a research paper each semester. Each of these components will impact your grade in addition to your actual mediation skills.

MEDIATION LAW CLINIC OVERVIEW 2015-2016

Welcome to the Mediation Clinic. I hope that you will enjoy this course, as well as learn a lot about yourselves and the mediation process.

I. Course Contacts:

Susan M. Donovan
sdonovan@law.ua.edu
(205)348-6810
(205)292-4677 (cell - do not distribute)

Administrative Assistant:
Kim Stewart
Clinic Main Line: (205)348-7921

II. Course Description:

Law 665 Clinic - Mediation Law Clinic (full year clinic) - Credit Hours 3 + 3
Students provide free mediation services to parties with cases in family courts in Tuscaloosa County. These matters include divorce issues (including child support, visitation, alimony, and distribution of property) and post-divorce issues (such as changes in support and visitation). Clinic students will mediate the cases in teams, after first receiving the training required.

III. Goals:

Why offer or take a mediation clinic? I have three primary goals in mind: 1) to improve your ability to represent clients effectively by helping you learn, in the context of mediation, generic listening, questioning, persuasion, and problem-solving skills that are fundamental to the practice of law; 2) by placing you in the role of neutrals rather than partisans, to help foster an integrative, problem-solving orientation to the practice of law; and 3) to help you evaluate the benefits and limitations of mediation so that you can both responsibly counsel clients about their choices and, as potential policymakers, make informed choices about dispute resolution systems.

IV. Course Structure:

The clinic has several components: mediation skills training and other classroom work, including lectures on substantive family law issues; conducting actual mediations; observation of the mediation process; preparation of a journal to help you analyze and reflect on your experiences; and preparation of a research paper on a topic related to mediation of family law conflict.

A. Mediation Skills Training and Other Class Work:

The class schedule is divided into two parts. We will "front load" substantive family law instruction and mediation training right away so that you all can start mediating the second week of September. We will also role play and continue to hone techniques by evaluating our simulated mediations.

I also anticipate having one "case rounds" each month. I will ask a different student each class to present an issue or problem from a recent mediation they want to discuss with the class. This would be a five or ten minute presentation of the background and then presenting the issue(s) that arose. Anything that you think will lead to constructive class time is fair game.

The object of the case rounds is for everyone to learn from situations that you found interesting, surprising or challenging. Treat this as a learning opportunity and keep in mind the best learning occurs when you don't think you (or your co-mediator or mediation supervisor) handled a situation well and you candidly seek advice about how it could have been handled differently.

Regular class attendance in this course is critical, as is attendance at your assigned docket. Absences may affect your grade. I understand emergencies and illness occur. Just please keep me informed when you need to miss class.

B. Conducting Mediations:

It is anticipated that each of you will attend one Tuscaloosa County Domestic Relations docket per week after initial training whereby you complete intake/screen cases and mediate cases referred by the judges. You will mediate in teams of two and the actual mediations will take place for the most part right away at the courthouse. I hope that each team will handle one mediation per week .

C. Journals:

Each student in the clinic is required to maintain a journal recording his or her reactions to mediations conducted. The journal requirement is designed to foster habits of critical reflection and self-analysis. The journals will also allow us to monitor your educational experience as the year progresses. I will expect to document approximately 10 pages in length submitted to me at the end of each semester.

D. Papers:

Each student will prepare a 15 page research paper on an issue related to family law mediation.

E. Grading:

See attached handout "University of Alabama School of Law, Law Clinic Grade Criteria" for information pertaining to grades in clinical courses. Also be aware that attendance, class participation during training, journals, file maintenance, performance in the mediation sessions and professionalism in dealing with parties, attorneys, and court personnel will be considered in grading. I am sending you a grading matrix that I created to make you fully aware of what I will be evaluating.