

In Progress

Please note that this Unit Profile is still in progress. The content below is subject to change.



LAWS11068 Resolving Civil Disputes (ADR)

Term 2 - 2024

Profile information current as at 19/05/2024 03:37 am

All details in this unit profile for LAWS11068 have been officially approved by CQUniversity and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

General Information

Overview

Alternative Dispute Resolution (ADR) examines the theory and application of procedures for the resolution of disputes as an alternative to a judicial process. In this unit you will examine ADR methods such as negotiation, mediation, conciliation and arbitration and theoretical developments such as Collaborative Law. You will develop basic skills in listening, negotiation and mediation. You will also explore how to design ADR approaches suitable to help resolve client disputes, quickly, at minimal cost and consistent with the principles of access to justice.

Details

Career Level: *Undergraduate*

Unit Level: *Level 1*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

Pre-requisites or Co-requisites

Co-requisite: LAWS11057 Introduction to Law.

Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the [Assessment Policy and Procedure \(Higher Education Coursework\)](#).

Offerings For Term 2 - 2024

- Online

Attendance Requirements

All on-campus students are expected to attend scheduled classes - in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

Website

[This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.](#)

Class and Assessment Overview

Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

Class Timetable

[Regional Campuses](#)

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

[Metropolitan Campuses](#)

Adelaide, Brisbane, Melbourne, Perth, Sydney

Assessment Overview

Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the [University's Grades and Results Policy](#) for more details of interim results and final grades.

CQUniversity Policies

All University policies are available on the [CQUniversity Policy site](#).

You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure - Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure - International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback - Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the [CQUniversity Policy site](#).

Previous Student Feedback

Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

Feedback from Student unit evaluation

Feedback

Due date for the first (negotiation) assessment was pushed back by one week to week 4 (instead of week 3) to provide students more time to find partners

Recommendation

Due dates should not be moved and students should be constantly reminded starting in week 1 about the time-sensitive nature of the unit assessments and that no extensions will be permitted on account of a failure to find a partner.

Feedback from Student unit evaluation

Feedback

Very content heavy

Recommendation

Review whether some topics especially relating to non-mainstream dispute resolution schemes can be removed and the topics covered reduced in scope.

Feedback from Student unit evaluations

Feedback

Interactive tutorials and interesting discussions

Recommendation

Real-life, problem-based scenarios should continue to be used as they engage students and stimulate discussions.

Feedback from Student unit evaluation

Feedback

Usefulness of negotiation assessment unclear

Recommendation

Create a video and more notes that explain what the negotiation assessment is about, what it seeks to assess, and how useful it is in legal practice. More resources about negotiation skills and strategies should be added on Moodle that draw attention to how students can negotiate more effectively.

Unit Learning Outcomes

On successful completion of this unit, you will be able to:

1. Discuss the range and operation of Alternative Dispute Resolution (ADR) methods and their relationship with litigation
2. Demonstrate skills in listening, negotiation, and mediation together with the ability to design ADR processes and drafting appropriate documents to support an ethical dispute resolution design
3. Research, critique and evaluate the ADR literature to assist with determining appropriate ADR processes in a given fact situation
4. Outline the basic theoretical principles of dispute resolution systems and how to apply them to manage conflicts
5. Gain and discuss an appreciation of the ADR processes of International Commercial Arbitration or Australian First Nations People.

Alignment of Learning Outcomes, Assessment and Graduate Attributes



Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes				
	1	2	3	4	5
1 - Written Assessment - 40%	•	•	•	•	•
2 - Written Assessment - 60%	•	•	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes				
	1	2	3	4	5
1 - Communication	•	•	•	•	
2 - Problem Solving	•	•	•	•	
3 - Critical Thinking	•	•	•	•	
4 - Information Literacy		•	•	•	
5 - Team Work		•			
6 - Information Technology Competence	•				
7 - Cross Cultural Competence					•
8 - Ethical practice	•	•	•	•	
9 - Social Innovation					
10 - Aboriginal and Torres Strait Islander Cultures					

Alignment of Assessment Tasks to Graduate Attributes

Assessment Tasks	Graduate Attributes									
	1	2	3	4	5	6	7	8	9	10
1 - Written Assessment - 40%	•	•	•	•	•	•	•	•		
2 - Written Assessment - 60%	•	•	•	•			•	•		

Textbooks and Resources

Information for Textbooks and Resources has not been released yet.

This information will be available on Monday 17 June 2024

Academic Integrity Statement

Information for Academic Integrity Statement has not been released yet.

This unit profile has not yet been finalised.