



FALL 2025 COURSE SYLLABUS

Course Number: 348-001
Course Title: Alternative Dispute Resolution
Credit Hours: 2
Grading Mode: Letter grade
Meeting Time(s): WED., 11:20-1:20P
Meeting Mode: ON CAMPUS
Exam Time(s): N/A
Exam Mode: N/A
Prerequisite(s): N/A
Corequisite(s): N/A
Instructor(s):
BRIAN HIRSCH | RENEE KOSTICK REYNOLDS

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Reading(s) & Supplement(s):
Blankley and Weston, *Understanding Alternative Dispute Resolution*.

Course Overview

This experiential course will introduce students to a range of dispute resolution options that attorneys use as alternatives to litigation to successfully represent their clients. **Attendance and participation are important aspects of this class.** Options that the course will explore are negotiation, mediation, arbitration, and collaborative law. Students will have the chance to practice dispute resolution skills, and to use these skills in various role play exercises, simulation activities, and interactive lectures. The class will focus on both the perspective of the attorney representing the client and of the neutral working with parties who are trying to resolve a dispute. The course will also address the role of emotions, gender, race, and culture in dispute resolution, as well as ethical issues.

Course Learning Outcomes

During the course and by the end of the course, students will:

- Demonstrate knowledge of the basic principles of negotiation, mediation, collaborative law and arbitration;
- Learn and practice dispute resolution skills and apply these skills in regular role play exercises;
- Learn the basic similarities and differences between negotiation, mediation, arbitration, collaborative law, and litigation and be able to discuss the pros and cons of each ADR method;
- Be able to apply the course information and negotiation/mediation skills learned to real world situations; and

- Have a greater appreciation and understanding of the roles bias, emotions, gender, race, and culture play in the different ADR methods.

Grading Policies

Grading will be based upon class participation (30%), three (3) short writing assignments (*i.e.*, one journal entry chosen at random, a detailed settlement agreement, and an arbitration opinion) (30%), and the final research paper (40%).

Classroom Policies

Attendance: Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

Absences: Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

Excused absences will be granted in the case of a medical or family emergency, illness, or religious holiday. It is the student’s responsibility to inform us in advance if you will be absent from class. It is also the student’s responsibility to collect information distributed during an absence.

Participation & Preparation:

Attendance, participation, and completion of all reading and writing assignments are mandatory in order to receive full credit for this class. Active participation is essential in order to learn the skills and concepts that make up this course. You are expected to attend all scheduled classes.

All assignments must be handed in on time. Any assignments handed in late will result in a significant impact on a grade. Because the course is interactive and experiential, we may alter the syllabus to reflect class interests and to enhance learning opportunities.

Use of Technology & AI:

Strict Use Policy: The use of generative AI tools is not permitted for any coursework in this course. Unauthorized use will be treated as a violation of academic standards.

Additional Information:

Written Assignments:

Each student will be required to keep and bring to class a typed conflict resolution journal for the first six classes. The one-page journal entries should be concise and thoughtful rather than rambling. For the first six classes, you will be required to make one entry that is relevant to the topics discussed during a previous class. The journal entry can be in the form of an insight that you have gained regarding a specific issue. **Each student will be required to submit one typed entry with no advance notice given**; this entry will be graded. Submitted entries should be one typed page. **Your entire typed journal must be handed in at our last class (6 entries).**

Other writing assignments will include a detailed settlement agreement, and an arbitration opinion. You will be given several days to complete such assignment and a stated deadline to hand in the assignment.

A final 10-page research paper will be due on Wednesday, November 26, 2025 no later than noon. Final paper topics and one-page outlines must be submitted by Wednesday, October 15, 2025.

Course Schedule & Assignments

8/20 – Welcome, introductions, discussion of backgrounds and interests of students, motivation for taking class.

Chapter 1 (Introduction to Dispute Resolution), pp. 3-7

8/27 – Representation. Client Interviewing and Counseling.

Chapter 2 (Client Interviewing and Counseling), pp. 9-28

9/3 – No Class

9/10 – Negotiation, Perception, Fairness, Psychological Traps, and Emotions.

Chapter 3 (Negotiation), 29-47 (handouts provided)

9/17 -- Mediation, Mediation Techniques and Styles.

Chapter 4 (The Mediation Process), pp. 49-92.

9/24 – Mediation, Legal Issues in Mediation.

Chapter 5 (Legal Issues in Mediation), pp. 95-114.

10/1 – Mediation, Mediation Observation Video.

No class this day. (Journals due)

10/8 – Mediation, Advocacy in Mediation.

Chapter 6 (Mediation Advocacy), pp. 117 – 136.

Mediated Agreement due Saturday, October 11th by midnight.

10/15 – Arbitration, The Arbitration Process.

Chapter 8 (The Arbitration Process), pp. 175-198.

Guest Speaker Roger Kaplan, Esq.

Final paper topics and one-page outlines due.

10/22 – Arbitration, Legal Issues in Arbitration.

Chapter 9 (Legal Issues in Arbitration), pp. 201-223.

Arbitration Award due Saturday, October 25th by midnight.

10/29 – Collaborative Law.

Chapter 7 (Collaborative Law), pp. 137-147, also readings to be distributed and will include the Collaborative Participation Agreement and The Role of the Mental Health Professional in Collaborative Divorce. Guest Speakers: collaborative lawyer Jennifer Bradley, Esq. and mental health professional Lisa Herrick, Ph.D.

11/5 – Collaborative Law.

Chapter 7 (Collaborative Law), pp. 137-147, also Collaborative Law, reading to be distributed. Guest Speakers collaborative lawyers Cindy Radomsky Esq. and David Ginsburg, Esq.

11/12 – Other ADR Processes (Other ADR Processes).

pp. 225-249.

11/19 - Ethics discussion, case reviews and class review.

11/26 – Final papers due no later than noon (submit by email).

[Student Resources](#)

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

[Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:](#)

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703 -380-1434 or Counseling and Psychological Services (CAPS) at 703 -993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703 -993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

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