

**RARITAN VALLEY COMMUNITY COLLEGE**  
**ACADEMIC COURSE OUTLINE**  
**ALTERNATE DISPUTE RESOLUTION LEGL-128**

**I. Basic Course Information**

- A. Course Number and Title: LEGL 128 ALTERNATE DISPUTE RESOLUTION
- B. New or Modified Course: Modified
- C. Date of Proposal: Semester: Fall Year: 2021
- D. Effective Term: Fall 2022
- E. Sponsoring Department: Business & Public Service
- F. Semester Credit Hours: 3.0
- G. Weekly Contact Hours: Lecture: 3.0  
Laboratory: 0.0  
Out of class student work per week: 6.0
- H. Prerequisites/Corequisites: None
- I. Laboratory Fees: None
- J. Name and Telephone Number or E-Mail Address of Department Chair and Divisional Dean at time of approval: Tracy Rimple, Chair [Tracy.Rimple@raritanval.edu](mailto:Tracy.Rimple@raritanval.edu)  
Patrice Marks, Dean [Patrice.Marks@raritanval.edu](mailto:Patrice.Marks@raritanval.edu)

**II. Catalog Description**

This course will provide students with an in-depth understanding of alternate forms of dispute resolution outside courtroom litigation, such as mediation, negotiation, and arbitration through lecture, readings, role play and media presentations. In addition, the course incorporates an experiential observation of ADR in a pending court matter. This observation will allow students a unique opportunity to apply theories, concepts and skills learned in the classroom to practical experiences in-private legal practice and in the court system.

**III. Statement of Course Need**

- A. This class is an elective course for both the Paralegal Studies A.A.S. Degree and the Paralegal Studies Certificate. It allows students to develop the skills needed to assist clients, employers and the court system in providing successful ADR case resolutions. This area of law is a growing one, fueled by case backlogs in the court sector, contract negotiations in the public sector, and by the proliferation of mediation and arbitration clauses in employment, construction and other contracts in the private sector.
- B. This course has no lab component.
- C. This course will transfer into any school with a Paralegal Studies four year degree, which includes Montclair, Thomas Edison, and St. Elizabeth College in New Jersey. It will also transfer to any four-year institution offering an ABA approved paralegal program of study.

#### **IV. Place of Course in College Curriculum**

- A. Elective Course.
- B. This course meets a program requirement for both the Paralegal Studies AAS Degree and the Paralegal Studies Certificate.
- C. To see course transferability: a) for New Jersey schools, go to the NJ Transfer website, [www.njtransfer.org](http://www.njtransfer.org); b) for all other colleges and universities, go to the individual websites.

#### **V. Outline of Course Content**

##### **I. Introduction**

- 1. Review of Judicial System
  - a. Court structure and subject matter jurisdiction
  - b. Progress of a case through the system
  - c. Analysis of benefits and detriments of the judicial system
- 2. Alternative Dispute Resolution Mechanisms
  - a. Client/attorney perspectives
  - b. Advantages and disadvantages
  - c. General types of ADR defined

##### **II. Negotiation**

- 1. The Process and Outcome of Negotiation
- 2. Tactics, Techniques and Skills of Negotiation
- 3. Ethical Issues in Negotiation
- 4. Application: from Individual Use in Business to Courtroom Tactics
- 5. Roleplay in Negotiation

##### **III. Mediation**

- 1. Forms and Functions
- 2. Skills Training
- 3. Philosophical and Ethical Issues

4. Substantive Areas of Law Where Applied: Business Disputes, Landlord/Tenant, Domestic Relations
5. Roleplay in Mediation
6. In-person Observation of Court Mediation Case

#### **IV. Arbitration**

1. The Process, the Participants, the Neutrals and the Authority
2. American Arbitration Association and Other Organizations
3. N.J. Arbitration Act
4. Substantive Areas of Law Where Applied: Labor and Employment, Automobile, Construction, Business Insurance, Securities, etc.

#### **V. Hybrid Process**

1. Med/Arb
2. Summary Jury Trials
3. Minitrials
4. Early Neutral Evaluation
5. Special Masters

#### **VI. N.J. Dispute Resolution Programs**

1. N.J. Supreme Court Task Force Report and Its Progeny
2. N.J. Alternative Procedure for Dispute Resolution Act
3. Court-Sponsored Programs
4. Private Resources
5. Student Evaluation of the Processes and Specific Programs

#### **VII. Group Presentations**

1. Family Disputes
2. Civil Disputes
3. Municipal Court
4. Landlord/Tenant Disputes

### **VI. Educational Goals and Learning Outcomes**

#### **A. Education Goals:**

Students will:

1. Produce written work that reflects critical and creative thought relative to dispute resolution. (GE-NJ 1)
2. Communicate and collaborate with others in the processes of role-playing and presenting scenarios on mediation, arbitration and other forms of dispute resolution. (GE-NJ 1)

3. Assess, collect and organize information, utilizing technology, the internet, court and governmental sites, to solve real disputes via mediation, arbitration and other forms of dispute resolution. (GE-NJ 4 & GE-NJ IL)
4. Recognize, analyze and evaluate ethical problems encountered in the resolution of disputes outside the courtroom. (GE-NJ ER\*)

\*Embedded Critical Thinking

#### **B. Course Learning Outcomes:**

Upon completion of this course, students will be able to:

1. Differentiate between formal and informal advocacy.
2. Critique the value of the various forms of dispute resolution from negotiating to the use of third-party neutrals.
3. Assess the problems and opportunities associated with dispute resolution.
4. Analyze the importance of developing and implementing dispute resolution strategies.
5. Understand and implement the skills necessary to successfully mediate disputes.
6. Critically analyze and assess the dispute resolution applications in New Jersey, including private and court-sponsored programs.
7. Research ADR issues using conventional and web-based resources.
8. Observe actual disputes in the Vicinage 13 Judicial District.
9. Utilize court and governmental websites to retrieve information relevant to ADR disputes.

#### **C. Assessment Instruments**

1. Roleplay Assignments
2. ADR Research Assignments
3. Homework Assignments
4. Oral Presentations

### **VII. Grade Determinants**

- A. Roleplay Assignments
- B. ADR Research Assignments
- C. Homework Assignments
- D. Oral Presentations
- E. Class Participation

Methods for teaching and learning:

- A. lecture/discussions

- B. web-based legal resource instruction
- C. observation of actual court mediations
- D. simulations/roleplays

### **VIII. Texts and Materials**

This course is designed to utilize open education resources and makes extensive use of internet materials and readings. As such, no specific textbook is required.

Materials may include: NJ and Federal court rules; NJ and Federal statutes; agency regulations and other primary legal sources; articles and journals; governmental and court web sources.

(Please Note: The course outline is intended only as a guide to course content and resources. Do not purchase textbooks based on this outline. The RVCC Bookstore is the sole resource for the most up-to-date information about textbooks.)

### **IX. Resources**

This course will require access to the internet.