

OSGOODE

OSGOODE HALL LAW SCHOOL
YORK UNIVERSITY

Professional Development
LLM



Directors

D. Paul Emond, Osgoode Hall Law School

Leslie H. Macleod, Leslie H. Macleod & Associates

Part-time LLM Specializing in Alternative Dispute Resolution

Outside Toronto?

You can complete your degree by way of short intensive courses held in Toronto. Visit www.osgoodepd.ca for more details.

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redefine THE POSSIBLE.

This highly lauded two-year Part-time program balances theory and practice to create a unique learning experience. Students will have the chance to step outside the existing limitations of traditional conflict resolution processes and explore new approaches to resolving disputes. Students will also explore underlying causes of conflict among people and organizations; examine the methods available to resolve conflicts; learn to function more effectively when resolving conflict as a representative or a neutral; and, improve their analysis, problem-solving and negotiation skills.

PROGRAM DIRECTORS



D. Paul Emond
Osgoode Hall Law School



Leslie H. Macleod
Leslie H. Macleod & Associates

FACULTY*

Delee Fromm, Fromm & Goodhand
Colleen M. Hanycz, Brescia University College
at the University of Western Ontario
Michelle LeBaron, University of British Columbia

Julie Macfarlane, University of Windsor
Bernard Mayer, Werner Institute, Creighton University
Janet Walker, Osgoode Hall Law School

THE CURRICULUM*

This cutting-edge and comprehensive LLM combines theory and practice in a series of intensive courses (typically four and a half consecutive days including one Saturday). Lectures are enhanced with class discussions and role-playing scenarios. Classes must be attended in person in Toronto.

Degree Requirements

- The required coursework [12 credits]
- A Major Research Paper or Major Research Project [6 credits]
- 18 credits from the ADR specialization elective course choices

Required Courses

Introductory Workshop
The Theory and Practice of ADR

Elective Courses

Culture, Diversity and Power in Dispute Resolution
Advanced Dispute Resolution
Dispute Analysis and Process Design
Teaching, Training and Coaching in Conflict Analysis and Dispute Resolution
International Commercial Dispute Resolution

All Required and Elective Courses are 6 credits each.

COURSE DESCRIPTIONS*

Introductory Workshop [6 credits]

This course, which is offered as a workshop, features national and international scholars who introduce candidates to theories of disputing and dispute resolution processes from a variety of perspectives, and showcases some of the issues that will be explored in greater depth in subsequent units. These include how conflict develops and evolves; personality and conflict; gender and conflict; an introduction to negotiation theory and practice; the role of lawyers in negotiation and mediation processes; and an introduction to a broad spectrum of dispute resolution processes. The workshop uses a variety of teaching methods, with an emphasis on experiential exercises, simulations and games.

The Theory and Practice of ADR [6 credits]

This core course provides intensive exposure to a broad range of topics in the field. Topics include adjudication and problem-solving; how the legal system understands conflict; a range of alternate theoretical models for analyzing and responding to conflict; conflict escalation and de-escalation; the impact of race, gender and cultural norms on conflict analysis; and evaluation of a range of negotiation theories, strategies and negotiator styles; philosophies, theories and styles of mediation; mediator neutrality; ethical issues in negotiation and mediation; power in negotiation and mediation; the role of the lawyer as negotiator and mediation advocate; hybrid processes for dispute resolution; designing dispute resolution processes; and the future of ADR. While the orientation of the course is on theoretical issues, it includes a number of practice exercises, simulations and debriefings.

Culture, Diversity and Power in Dispute Resolution [6 credits]

Building on themes introduced in the Introductory Workshop and Theory courses, this course explores the dynamics of culture in dispute resolution. Drawing on current literature and case examples, participants will have the opportunity to:

- Explore intrapersonal, interpersonal and intergroup dynamics of intercultural conflict;
- Examine cultural dimensions of specific conflict resolution processes;
- Analyze implicit meanings and cultural

values of conflict resolution processes as they are practiced in a variety of sectors and settings, including private and public sector organizations and communities;

- Experience imaginative and creative tools for transforming cultural conflict; and
- Learn about processes to address deep-rooted cultural conflict, including dialogue and appreciative inquiry.

Advanced Dispute Resolution [6 credits]

This course is designed to provide students with an in-depth understanding of the theory and practice of mediation and other forms of dispute resolution. The course will focus on a critical analysis of the development of mediation programs, the execution of mediation programs throughout Canada, as well as an examination of collaborative law practice. Participants will be encouraged to begin the development of a practical theory of mediation for application in their work, and to reflect on the difference between mediative, collaborative and facilitative approaches to dispute resolution. The course will also explore the use of ADR to resolve public policy disputes ranging from legislative and regulatory initiatives to enforcement matters. Instruction is through a combination of small and large group exercises, classroom discussions and video review and analysis.

Dispute Analysis and Process Design [6 credits]

This course examines the design of dispute resolution interventions, systems and principles. Theoretical models and case studies are used to develop a more detailed theory of the relationship between particular disputes and characteristics of disputes and dispute processes, and the relationship (and possible complementarity) between different processes. A range of simulations is used for design exercises, including both bi-party and multi-party disputes as they occur in litigation, community (for example as “public dialogue”) and institutional contexts. An emphasis is placed on the micro-dimensions of process and systems design, including dealing with issues such as participation, representation, confidentiality, accountability and compliance. The workshop also considers a range of roles for the design consultant, including facilitating client “self-design”, conflict resolution training and program evaluation.

Teaching, Training and Coaching in Conflict Analysis and Dispute Resolution [6 credits]

This course is designed for students who intend to contribute to the field as teacher or mentor, either as a consultant, at an academic institution or within their own organization. It begins with an examination of the theory and moves to integrate theory with practice. The elective critically assesses teaching and training pedagogy, particularly for adult learners, and then explores the growing field of conflict resolution coaching. Students will undertake curriculum design and teaching, training and coaching simulations. They will also be asked to reflect upon and analyze various teaching and coaching practices. The elective includes a number of practical exercises.

International Commercial Dispute Resolution [6 credits]

This course examines the use of alternative dispute resolution mechanisms in the international commercial context. It will include topics such as:

- International Commercial Arbitration – including role of the courts and major arbitral institutions, arbitration clauses in commercial activities, etc.
- Investment Arbitration – understanding the ICSID dispute resolution, NAFTA, chapter 11 and other processes for resolving international trade disputes. The elective will also address the emerging concerns of State Parties to

** Please note that faculty, curriculum and course descriptions are subject to change.*

TUITION AND FEES

Tuition and fees for the Part-time LLM program are currently \$18,660, payable in six installments throughout the program. In addition, a \$15 administrative charge is levied by the Faculty of Graduate Studies each term. Fees include required course materials. Light meals are provided for students attending classes in person in Toronto. Tuition fees are set by the York University Board of Governors and are subject to change at any time. Students who take longer than six terms to complete their program may be subject to additional tuition charges.

FOR MORE INFORMATION CONTACT

Sophie Seventikidis, Admissions and Client Services Assistant

☎ 416.673.4670 or toll free within Canada at 1.888.923.3394

✉ admissions-opd@osgoode.yorku.ca

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investment and trade disputes. The course concludes with a mock arbitration in which students will engage in a complete simulation of an arbitral hearing, from commencement of the proceedings through the presentation of expert evidence to challenging or enforcing the award.

Major Research Paper/Project (MRP) [6 credits]

The MRP is either a Major Research Paper or a Major Research Project. Students must receive a B grade on the MRP to graduate.

Papers must be 70 pages and include a full bibliography.

A Project requires:

- A minimum of 60 hours of fieldwork,
- A reflective journal of 8-10 pages due midway through the fieldwork (the focus of this journal is on the intersection between theory and practice),
- A 20-25 page paper on the theoretical foundation(s), insights and contribution of the work to the teaching or practice of ADR, and
- The product generated by the Project.

The product may be a dispute resolution process for a not-for-profit organization and accompanying manual; a course for a community college (not one at which you are teaching or at which you are contracted to teach); a training video; or any other suitable product.