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YORK UNIVERSITY

Professional Development
CLM



PROFESSIONAL LLM in
**alternative
dispute resolution**

DIRECTORS

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by way of short intensive
courses held in Toronto.

D. Paul Emond
Professor
Osgoode Hall Law School

Leslie H. Macleod
Adjunct Professor
Osgoode Hall Law School
Founder, Leslie H. Macleod & Associates

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D. Paul Emond
Professor
Osgoode Hall Law School

"Right from the start, in my first class at Osgoode, I realized that I was embarking on a unique journey that would far exceed what I had expected from the program. The diversity of students, the downtown location, the cohort system, the part-time schedule, the experienced professors and expert guest lectures combined to create a superior learning experience that I will carry with me for a lifetime."

David Coward, MA, LLM (ADR), CHRP
Chief Human Resources Officer
Royal Victoria Hospital of Barrie



Leslie H. Macleod
Adjunct Professor
Osgoode Hall Law School
and Founder, Leslie H.
Macleod & Associates

"Osgoode's Professional LLM in Alternative Dispute Resolution (ADR) is a genuine delight. The topical and thought-provoking lectures and readings seamlessly blend academic principles with practical applications. The interchanges with other professionals from across the country are an integral part of the experience. I highly recommend this unique program. It is a real tour de force!"

Frank K. Gomberg, BA, JD, Mediator, LLM (ADR)
Teplitsky, Colson, Barristers

FACULTY

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Fromm & Goodhand

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John Kleefeld, Assistant Professor
University of Saskatchewan, College of Law

Michelle LeBaron, Professor of Law
University of British Columbia

Janet Walker, Professor
Osgoode Hall Law School



DEGREE REQUIREMENTS

The degree requirements will be satisfied upon the completion of 36 credits; 12 credits of required coursework, a Major Research Paper or Major Research Project worth 6 credits, and 18 credits of elective coursework within the specialization.

PROGRAM FORMAT

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. All required and elective courses are 6 credits each.

Note: Faculty, curriculum, course descriptions and degree requirements are subject to change without notice. Full course descriptions and requirements are available online at www.osgoodepd.ca.



OPD programming is accredited with law societies and CLE Boards across Canada and the United States. Email us with your request or question for specific CPD information and credit allocations at cpd@osgoode.yorku.ca

This highly lauded two-year Professional LLM 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.

COURSE DESCRIPTIONS

Required Courses

Introduction to Dispute Resolution [6 credits]

This course 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 course uses a variety of teaching methods, with an emphasis on experiential exercises, simulations and games.

The Theory and Practice of Dispute Resolution [6 credits]

Students will be intensively exposed 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.

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

The MRP is either a Major Research Paper or a Major Research Project. 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 (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 an 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.

Elective Courses

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

Building on themes introduced in the required 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;
- 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 will examine ways of addressing disputes and conflict in complex settings, through several lenses. After briefly reviewing interest-based and problem-solving approaches, participants will explore identity- and value-based influences and learn about the concept of “framing” as a theoretical and practical

underpinning for structuring resolution processes. Advanced mediation models and techniques will be considered and participants will explore, through critical thinking and hands-on exercises, what works for them in a practical sense. The course extends the analysis from the paradigmatic private two-party dispute to the multi-party setting in which both private and public actors may be involved. This requires looking at such things as how coalitions form and dissolve, and the implications that has for managing resolution processes. Using an interactive approach, participants in the course will rotate through the various roles in a negotiation or mediation: client, dispute resolution advocate, and mediator/facilitator.

Dispute Analysis and Process Design [6 credits]

Students will examine 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.

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 a 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.

International Commercial Arbitration [6 credits]

In this elective, students will analyze the use of alternative dispute resolution mechanisms in the international commercial context. It will include topics such as:

- International Commercial Arbitration
- Investment Arbitration – understanding the ICSID dispute resolution, NAFTA, Chapter 11 and other processes for resolving international 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.


TUITION AND FEES

Tuition and fees for the Professional LLM are currently \$20,153, payable in six equal 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, provided in a balance of hard and electronic formats. Some materials may only be available in electronic format. An additional charge may apply to any shipping of materials outside of Canada. Light meals are provided.

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

 admissions-opd@osgoode.yorku.ca

 416.673.4670 or toll free within Canada at 1.888.923.3394



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