

**University of Minnesota**  
**School of Social Work**  
**SW 5519-8519 - MEDIATION AND CONFLICT RESOLUTION**  
**(3 Credits)**

**I. LEARNING OBJECTIVES**

The principles of conflict resolution and mediation are being applied by social workers in a growing number of settings. The field of mediation has experienced an enormous growth period during the past decade, as evidenced by many hundreds of neighborhood justice centers, community dispute resolution centers, divorce mediation programs, parent child mediation programs, school mediation programs, victim offender mediation programs and related projects. In response to the increasing involvement of social workers in the field of mediation, in 1992 the National Association of Social Workers adopted "Standards of Practice for Social Work Mediators" and explicitly recognized mediation as a social work method. An increasing number of studies in North America, Europe and the South Pacific suggest that the process of mediating conflict at both the micro level (interpersonal) and macro level (between groups and larger organizations or even nations) results in high levels of participant satisfaction, perceptions of fairness and fulfillment of the agreements negotiated by participants.

This course is designed to provide a basic understanding of: the historical involvement of social workers in the field of conflict resolution; the core principles and techniques of negotiation and mediation in contemporary society; humanistic mediation as a uniquely social work model of conflict resolution; the application of mediation within a number of different micro and macro systems; the role of peacemaking and spirituality, particularly as seen in numerous indigenous cultures; what has been learned from research; and critical issues facing the field of mediation and social work. At the conclusion of this course, participants will:

- 1) Be knowledgeable about the context in which mediation as a social work practice method has developed, including NASW standards for social work mediators.
- 2) Understand the basic generic principles and techniques of negotiation and mediation as forms of conflict resolution in micro and macro settings.
- 3) Understand the humanistic mediation model with its primary focus on dialogue, peacemaking and transformation, rather than simply problem solving and development of written agreements.
- 4) Be knowledgeable of the impact of race and culture (broadly defined) on the experience and resolution of conflict.
- 5) Understand the importance of peacemaking and spirituality as a process of "deep" conflict resolution, moving far beyond mere problem solving.
- 6) Understand how mediation has been applied in the field of family conflict, including both marital/divorce disputes and parent/child conflict.
- 7) Understand how mediation has been applied in neighborhood conflict, at both a micro and macro level.
- 8) Understand how peer mediation has been applied within elementary and secondary school systems.
- 9) Understand how mediation has been applied between crime victims and offenders in the juvenile and criminal justice systems.
- 10) Be knowledgeable of research findings related to the practice of mediation in a variety of micro and macro systems.

- 11) Understand critical issues facing the field of mediation and social work.
- 12) Be able to conduct a mediation session.

## II. CULTURAL COMPETENCY

Students will be presented with material designed to increase their cultural competency as social workers and human service professionals. Cultural competency allows service providers the skills to assist clients/consumers/ staff/colleagues in ways that are acceptable and useful to them. Material presented will allow students to learn about the cultural context of a presenting problem or organizational issue and integrate what they know into an assessment, strategy and intervention that is useful to those with whom they serve. Cultural context may be influenced by race, gender, ethnicity, cultural background, age, ability, religion, marital or family status, job position, income, urban or rural, sexual orientation (including lesbians, gay men, bisexual, transsexual, transgender, and heterosexuals) or other factors that contribute to life experience. Students will be expected to demonstrate their cultural competence in their work. Cultural competence requires an attitude of continual self-reflection.

## III. COURSE FORMAT

The instructor will use a variety of instructional methods including performing mini-lectures, interactive exercises, videos, transparencies, guest speakers to reach students with a variety of learning styles. The instructor will provide structure for sessions through clarifying objectives, facilitating discussion focusing on critical assessment of issues, providing summaries and linkages to preceding and subsequent content. Student assignments will include clear expectations and opportunities for student selection of most appropriate alternatives.

## IV. COURSE REQUIREMENTS

### A. Paper

Each student will be required to complete two or three short papers (4-5 pages, double spaced), depending on their specific contract for a grade. The first two papers will focus on providing a critical analysis of important articles related to controversial issues in mediation and conflict resolution. They should be written in a scholarly fashion, using APA style. Each paper should be a critique of the subject described, identifying both strengths and limitations of the position taken by the author, including implications for both micro and macro mediation practice. How the issue relates to the basic values of social work should also be described. Do not simply summarize the article. While briefly highlighting key points in the article is O.K., the major emphasis of this assignment is to prepare a well thought out, articulate, concise critical analysis of the article.

The **first paper** will be a critical analysis of two articles that address the issue of mediation in domestic violence cases (to be handed out in class).

The **second paper** will consist of a brief (4-5 pages, double spaced) paper which will focus on how the principles of negotiation and mediation either were or could have been applied within the context of specific conflict in which they were involved within a workplace setting. How did they handle the conflict. To what extent did they apply the basic principles of negotiation and conflict resolution that they learned in this seminar? How would the conflict have been resolved differently had they applied

the principles they had learned in this seminar, assuming they did not actually apply them.

For those contracting for an A, the **third paper** will be a critical analysis of the books “Social Work Approaches to Conflict Resolution” and “Warriors of the Heart.”

**Alternative topics for the papers, following consultation with the instructor, could include: critical analysis of the article “Humanistic Mediation: A Transformative Journey Toward Peacemaking” (handed out in class) or the book “*The Zen of Listening*”, or other related articles or topics..**

## **B. Team Project, Presentation & Paper**

Each student is required to complete a class presentation project as part of a team of three or more students. Projects are to consist of developing and presenting a role play of a specific conflict situation utilizing the technique of mediation. The conflict should first be played out without any conflict resolution skills. It should then be replayed applying mediation skills. Presentations of projects should be approximately one hour in length, including class discussion. A 3-4 page typed summary of the presentation should be prepared by the team for each project.

## **V. REQUIRED TEXTS**

Chetkow-Yanoov, Benyamin (1997). Social Work Approaches to Conflict Resolution. New York: The Haworth Press.

Parry, Danna (1991). Warriors of the Heart. Coopertown, NY: Sunstone Publications.

Umbreit, Mark S. (1995). Mediating Interpersonal Conflicts: A Pathway to Peace. West Concord, MN: CPI Publishing.

Umbreit, Mark S. (1994). Victim Meets Offender: The Impact of Restorative Justice & Mediation. Monsey, NY: Criminal Justice Press.

Reading Packet to be purchased at Copies on Campus in Student Center, St. Paul campus.

# **COURSE SCHEDULE**

## **Session 1**

Topics: **OVERVIEW OF MEDIATION & CONFLICT RESOLUTION**  
Review of course requirements/grading  
Overview of Conflict Resolution Field  
Understanding conflict

Readings: *Mediating Interpersonal Conflicts*(1995), Umbreit, pages 1-19.  
Negotiation Journal article (1989), Davis, “An Interview With Mary Parker Follett.”  
Reading packet, pages 1-29.

## **Session 2**

Topics: **COMMUNICATION & CONFLICT RESOLUTION SKILLS**  
Communication skills

Negotiation skills  
Mediation skills

### **GENERIC MEDIATION MODEL**

Settlement driven

Readings: *Mediating Interpersonal Conflicts* (1995), Umbreit, pages 20-42.  
*Encyclopedia of Social Work* (1995), Mayer, "Conflict Resolution."  
Reading packet, pages 30-60.

### **Session 3**

Topics: **DIFFERENT CONCEPTIONS OF MEDIATION**

Problem solving and settlement driven  
Efficiency, empowerment and recognition

### **THE HUMANISTIC MEDIATION MODEL**

Dialogue driven, being centered, connecting with the parties  
Unconditional positive regard, preparation of the parties  
Creating a safe, if not sacred, place through one's presence  
Multi-method approach, beyond one size fits all, cultural sensitivity  
Empirically grounded practice

Readings: *Mediation Quarterly article* (1997), Umbreit, "Humanistic Mediation: A Transformative Journey Toward Peacemaking."  
*The Promise of Mediation* (1994), Bush and Folger, Chapter 4, "Changing People, Not Just Situations: A Transformative View of Conflict/Mediation."  
*The Zen of Listening* (2000), Shafir, Chapter 1, "Creating a Mindset for Good Listening."

### **Session 4**

Topics: **MULTI-CULTURAL IMPLICATIONS of Mediation & Conflict Resolution**

**HMONG CULTURE: Guest speaker**

**SOMALI CULTURE: Guest speaker**

Readings: *Multi-Cultural Implications of Restorative Justice* (1998), Umbreit and Coates.

### **Session 5**

Topics: **MEDIATION OF FAMILY CONFLICT: Divorce & Custody**

**Guest speakers**

Program description

Modeling the process

Critical issues and procedures

Should cases of domestic violence enter mediation?

Readings: *Mediating Interpersonal Conflicts* (1995), Umbreit, pages 87-113.  
*Mediation Quarterly article* (1990), Hart, "Gentle Jeopardy: The Endangerment of Battered Woman in Mediation."  
*Families in Society article* (2000), Imbrogno & Imbrogno, "Mediation in Court Cases of Domestic Violence."

## **Session 6**

Topics: **MEDIATION OF FAMILY CONFLICT: Domestic Violence?**

De-briefing of presentations by guest speakers  
Ethical issues in social work practice  
What we have learned from research

**MEDIATION OF FAMILY CONFLICT: Between Parents and Children**

Program description  
Critical issues and procedures  
Differing models, The Children's Hearing Project  
What we have learned from research

Readings: *Mediating Interpersonal Conflicts* (1995), Umbreit, pages 114-134.  
*Journal of Mental Health Counseling* (2000), Giunta & Amatea, "Mediation or Litigation with Abusing or Neglected Families: Emerging Roles for Mental Health Counselors."  
*Family and Conciliation Courts Review* article (1996), Kelly, "A Decade of Divorce Mediation Research: Some Answers and Questions."

## **Session 7**

Topics: **MEDIATION OF COMMUNITY DISPUTES: Guest speaker**

Program description, Critical issues and procedures  
Community conflict and neighborhood issues  
Peer mediation in schools, Modeling the process  
What we have learned from research

Readings: *Mediating Interpersonal Conflicts* (1995), Umbreit, pages 43-86.  
*Warriors of the Heart* (1991), Parry, pages 1-108.

## **Session 8**

**PEACEMAKING IN SCHOOL SETTING: THE CIRCLE PROCESS**

Program description  
The peacemaking circle process  
Critical issues and procedures  
Modeling the process  
What we have learned from research

Readings: *Mediating Interpersonal Conflicts* (1995), Umbreit, Appendix 4, "Native Model of Mediation," pages 263-272.  
*Restorative Justice Circles in South St. Paul, MN (Executive Summary of Research Report, 2001)*, Coates, Umbreit, and Vos.

## **Session 9**

Topics: **MEDIATION OF CRIMINAL CONFLICT:**

**Property offenses and minor assaults**  
Restorative justice, Program description

Critical issues and procedures, Modeling the process  
What we are learning from research

Readings: *Mediating Interpersonal Conflicts* (1995), Umbreit, pages 135-163.  
*Victim Meets Offender* (1994), Umbreit, 1-14,43-138.  
*Federal Probation Journal* article (2002), Umbreit and Coates, "The Impact of  
Victim Offender Mediation: Two Decades of Research."

### **Session 10**

Topics: **MEDIATION OF CRIMINAL CONFLICT: Severe violence/murder**  
Restorative justice  
Program description  
Critical issues and procedures  
Modeling the process  
What we are learning from research

Readings: *Victims of Severe Violence Meet the Offender* monograph, 2001, Umbreit.  
*Homicide Studies Journal* article, 2000, Umbreit & Vos, "Homicide  
Survivors Meet the Offender Prior to Execution."

### **Session 11**

Topics: **LARGE GROUP COMMUNITY CONFLICT RESOLUTION:**  
Macro application/Guest speaker  
Program description  
Critical issues and procedures  
Modeling the process

Readings: *Social Work Approaches to Conflict Resolution* (1997), Chetkow- Yanoov,  
Part 1: Conflict as a Social Problem," pages 1-44.

### **Session 12**

Topics: **CONFLICT RESOLUTION & SOCIAL CHANGE**  
South African liberation movement  
Truth and reconciliation hearings

Readings: *Social Work Approaches to Conflict Resolution* (1997), Chetkow-  
Yanoov, Part 2: Some Social Causes of Conflict" pages 45-78.

### **Session 13**

Topics: **PEACEMAKING AND SPIRITUALITY**  
Tapping into the wisdom of many diverse cultures  
From a paradigm of problem solving to a paradigm of healing  
Multiple pathways  
Opportunities and pitfalls

Readings: *Warriors of the Heart* (1991), Parry, pages 109-186.  
*Peacemaking as Ceremony: The Mediation Model of the Navajo Nation* (1998), Pinto.

### **Session 14**

Topics: **Class Presentations**

Readings: *Social Work Approaches to Conflict Resolution* (1997), Chetkow-Yanoov, Part 3: "Social Ways to Cope with Conflict" pages 79-128.

### **Session 15**

Topics: **Class Presentations**

Readings: Readings: *Social Work Approaches to Conflict Resolution* (1997), Chetkow-Yanoov, Part 4: "Implications" pages 129-158.

### **Session 16**

Topics: **Pitfalls and Opportunities  
Emerging Issues**

**Class Presentations**  
Course Evaluation

Readings: *Victim Meets Offender* (1994), Umbreit, pages 153-168.  
*Mediating Interpersonal Conflicts* (1995), Umbreit, pp.164-197,  
Appendices 1,2,5.

SAMPLE