SYLLABUS

ALTERNATIVE DISPUTE RESOLUTION  FALL 2005
NYU LAW SCHOOL
THURSDAYS 6:05 – 8:55 PM
Professor Kathleen A. Roberts

TEXTBOOKS: Riskin, Dispute Resolution and Lawyers, Third Edition
Fisher and Ury, Getting to Yes
G. Richard Shell, Bargaining for Advantage

Note: Riskin pages correspond to the Second Edition; the assignments in Riskin will be revised when the Third Edition is received (scheduled to print August 15, 2005).

Week

1 9/1/05  Introduction to Alternative Dispute Resolution
         Introduction to Negotiation
         Reading Assignment: Riskin, pp 1-11
         Getting to Yes

2 9/8/05  Negotiation I
         Reading Assignment: Riskin, pp. 148-155
         Bargaining for Advantage, pp. 1-114

3 9/15/05  Negotiation II
         Reading Assignment: Riskin, pp. 163-170, 209-226
         Bargaining for Advantage, pp. 115-200
         Supplemental Reading (handout):
         Follett, "Constructive Conflict"

4 9/22/05  Negotiation III; Negotiation Ethics
         Reading Assignment: Riskin, pp. 80-108, 226-243, 250-269
         Bargaining for Advantage, pp 201-248
         Supplemental Reading (handout):

5 9/29/05  Mediation Workshop
         Reading Assignment: Riskin, Chapter IV, pp. 313-354

6 10/6/05  Mediation Workshop, continued
7 10/13/05  Yom Kippur NO CLASS
             Make-up Class to be scheduled

Out of Class Attorney-Client Interviews
Reading Assignment: Riskin, pp. 80-108, 436-447

8 10/20/05  Four Hour Class: Jones Mediation and Group Self-Evaluation
             Hand Out Jones Paper Assignment

9 10/27/05  Mediation Regulation/Ethics
             Race, Gender and Culture in ADR

             Reading Assignment: Riskin, pp 379-420, 458-498, 269-307

11/1/05    5PM: Jones Paper Due

10 11/3/05  Jones Debrief; Arbitration I
             Reading Assignment: Riskin, pp. 502-588
             Riskin, Appendices C, D, and E
             Supplemental Reading (handout):
             "Arbitration or Litigation: A Dialogue"
             Houck, "Complex Commercial Arbitration:
             Designing A Process to Suit the Case"

11 11/10/05  Arbitration II
             Reading Assignment: To Be Announced

12 11/17/05  Arbitration III
             Reading Assignment: To Be Announced
             Hand Out Second Paper Assignment [Due 12/1/05]

11/24/05  Thanksgiving NO CLASS
13 12/1/05  ADR v Litigation I
Reading Assignment: Riskin, pp 11-51, 693-738

Supplemental Reading (handout):
Baruch-Bush, "Mediation and Adjudication,
Dispute Resolution and Ideology:
An Imaginary Conversation,"
3 J Contemp Legal Issues 1 (1989-1990)

Nader, "Controlling Processes in the Practice of Law: Hierarchy and
Pacification in the Movement to Re-Form Dispute Ideology,"
9 Ohio State Journal on Dispute Resolution 1 (1993)

**Second Paper Due**

14 12/8/05  ADR v Litigation II
Reading Assignment: To be Announced

**Hand Out Final Paper Assignment: Due December 23, 2005**

Contact Information for Professor Roberts

Telephone:  212-607-2701
Fax:       212-751-4099
E-mail:    kroberts@jamsadr.com