

**Master of Science in Negotiation and Dispute Resolution**  
**Course Requirements (Master 32 credits; Graduate Certificate 16 credits)**  
Last revision: February 24, 2009

**COURSE LIST**  
**(For descriptions see below)**

Total of 32 credits for Master including 3 credits Practicum; 18 credits in Foundational and Skills & Processes; 2 credits in Culture and Conflict; and the remainder of the credits in electives

Graduate Certificate requires all foundational and skills/processes courses from the master's except that students get to choose between taking *Systems and Dispute Systems Design* **or** *Facilitation and Group Processes* for a total of 16 credits

**I. Foundational** [All four courses required, minimum of 10 credits]

- ▶ **Alternative Dispute Resolution (LAW 310) (2)**
- ▶ **Dynamics of Conflict Resolution (NDR 600) (3)**
- ▶ **Leadership: theories, models, behavior (NDR 692) (3)**
- ▶ **Systems and Dispute Systems Design (NDR 604) (2)**

**II. Skills and Processes** [All three courses required, total 8 credits]

- ▶ **Negotiation (LAW 410) (3) or Negotiation (NDR 615) (3)**
- ▶ **Mediation Process (LAW 404) (3)**
- ▶ **Facilitation and Group Processes (NDR 611) (2)**

**III. Culture and Conflict** [Choice of one course, minimum 2 credits]

- ▶ **Cross-Cultural Perspectives in Conflict Resolution (NDR 606) (2)**
- ▶ **Negotiating at an Uneven Table: The Social and Cultural Context of Conflict and its Management (NDR 609) (3 credits)**

**IV. Electives**

- ▶ **Arbitration (2) (Law 315) available only to law students**

- ▶ **Dialogue (NDR 602) (2)**
- ▶ **Directed Independent Study (NDR 795) (1 - 3)**
- ▶ **Beyond Neutrality: New Directions for Conflict Professionals NDR 612 (2)**
- ▶ **Labor Law (LAW 381) (3)**
- ▶ **Advanced Problems in Mediation: Complex Conflict NDR 610 (2)**
- ▶ **Civic Organizing and Democracy (LAW 306) (3)**
- ▶ **The Application of Coaching within Conflict Resolution NDR 652 (2)**
- ▶ **Key Principles of Appreciative Inquiry (AI) Appreciative Inquiry NDR 650 (2)**
- ▶ **Dialogue and the Self: a seminar on relational conflict engagement (NDR 605) (2)**
- ▶ **Principles of Organizational Consulting for Conflict Resolution Professionals NDR 653 (2)**
- ▶ **Health Care Law (LAW 376) (2)**
- ▶ **Approaches for Improving Collaboration and Resolving Conflicts in Health Care Organizations (NDR 608) (2)**
- ▶ **Advanced Problems in Mediation: Complex Conflict NDR 610 (2)**
- ▶ **Elder Law (Law 350) (3)**
- ▶ **Health Care Policy (OTD 517) (3)**
- ▶ **Engaging in Bioethical Conflict NDR 700 (2)**
- ▶ **Human Rights, Poverty, Medicine, and Health: An International Perspective (NDR 694) (2)**
- ▶ **Seminar on Ethnicity, Nationalism, and Conflict (INR 683) (3)**
- ▶ **Seminar in International Conflict (INR 709) (3)**
- ▶ **Ethnic Conflict, Nationalism, and Democracy (MLS 683) (3)**
- ▶ **International Business Transactions (LAW 373) (3)**
- ▶ **International Law (LAW 423) (3)**

- ▶ **Post Civil War Peacebuilding and Reconstruction (NDR 607) (3)**
- ▶ **International Peace and Conflict Resolution (NDR 613) (2)**
- ▶ **Civic Organizing and Democracy (LAW 306) (3)**
- ▶ **Conflict and Conflict Resolution in Families (NDR 690) (2)**
- ▶ **Marriage and Divorce – LAW 357 (3 credits)**

#### **V. Capstone [3 credits]**

**Capstone:** In addition to the courses outlined above the student must also pursue **3 credits** of experiential independent work involving conflict resolution consisting of an approved externship/field experience with a final paper, or an extensive thesis project involving research, under the guidance of a faculty mentor. Upon the completion of 15 credits in the program, student must declare their choice of either a Practicum or a Thesis.

- ▶ **Practicum (NDR 614) (3)**
- ▶ **Thesis Project (NDR 616) (3) (Department Approval)**

## COURSE DESCRIPTION

### **I. Foundational** [All four courses required, minimum of 9 credits]

#### **► Alternative Dispute Resolution (LAW 310) (2)**

Law students and lawyers have traditionally regarded formal court adjudication as the norm in the process of resolving disputes between parties. This course provides an overview of the alternatives to formal court adjudication including negotiation and mediation. The course emphasizes other processes of dispute resolution that are complementary to litigation, primarily the law and procedures relating to arbitration under the Federal Arbitration Act. The course format includes in-class problems and exercises, guest lecturers, and videotapes.

#### **► Dynamics of Conflict Resolution (NDR 600) (3)**

This course addresses the nature, meaning and dynamics of conflict and the challenges of communication in interpersonal, inter-group and intra-group settings. Particular attention is paid to the thinking process that drives the practice of successful conflict resolution. The course draws lessons from a variety of disciplines, including psychology, sociology, and communications. Among specific concepts examined are the relationships between power and conflict, and culture and conflict, as well as the sources of conflict and the nature of resolution and what constitutes a genuine resolution of a conflict. Features and tools of effective communication in conflict, including listening and constructive framing and the use of narratives, are considered in some detail.

#### **► Leadership: theories, models, behavior (NDR 692) (3)**

This course explores the most important theories and models that explain the influence of leadership on the behaviors and attitudes of individuals, teams, and other groups. The course covers specific leadership skills such as theories of power, recognizing individual differences, leading groups and teams, exercising power, managing conflict, improving communication, and leading change.

#### **► Systems and Dispute Systems Design (NDR 604) (2)**

This course examines how an understanding of systems—patterns of cause and effect relationships—can help us understand conflict and effective management of conflict. The course explores important characteristics of types of systems, such as emergence and self-organization, and demonstrates how our ability to deal effectively with difficult conflict can be enhanced by our appreciation of these characteristics. It also focuses on the ways that stakeholders can go beyond specific disputes or dispute resolution mechanisms, and instead take a broader look at the full range of organizational conflict to determine how best to prevent or address the types of conflicts the organization experiences over time. More than looking at a change in procedures, the course examines how an appropriate system builds a web of options and structures enabling problem solving. There is particular emphasis on different organizational contexts (e.g., private sector versus public sector, unionized versus non-unionized, as well as institutions such as universities and hospitals) and comparative approaches.

## **II. Skills and Processes [All four courses required, total 8 credits]**

### **► Negotiation (based on LAW 410) (3)**

This course introduces the skills of negotiating and offers hands-on experiences in the three common steps of that process (preparation, negotiation, and drafting). Students discover, control, and use personal strengths and weaknesses in confronting and compromising adversary interests. A significant amount of time is spent on negotiating projects. Readings cover legal, psychological, theoretical, and practical aspects of negotiating.

**► Negotiation (NDR 615) (3)** The NDR Negotiation course aims at helping students become acquainted with and learn how to manage the challenges involved with shifting from the common distributive bargaining to integrative style of negotiation, which aspires for “win-win” resolutions. The course will focus on both the theoretical and practical levels: it will introduce state of the art theories of negotiation alongside experiential learning which would allow students to experience and reflect on the various emphases in practice, while reflecting on their own strengths and weaknesses as negotiators.

### **► Mediation Process (LAW 404) (3)**

This course provides the student with the opportunity to explore the theory, law, and practice of mediation. It examines the role of mediation in resolving a wide variety of disputes such as, healthcare, commercial, family, public, workplace, and international disputes. The course will include the discussion of several mediation models, their underlying theoretical premises, principles and skills, as well as current research involving mediation to provide you with different approaches to mediation. The centerpiece of the course is the training module, focusing upon the mediation process and the role of the mediator. Materials developed by the Training Institute of the Nebraska Office of Dispute Resolution are used in teaching the skills of a mediator. *This training takes place over two weekends and attendance is mandatory.*

### **► Facilitation and Group Processes (NDR 611) (2)**

Group dynamics and system complexity combine to create challenges for moving groups toward common goals. This course will integrate facilitation practices with theories of group dynamics to provide a framework for engaging small and large groups.

We will discuss key concepts about group dynamics that are important to managing group processes. These include stages of group development, roles people play in groups, models of group leadership and decision making. We will pay particularly close attention to how groups achieve consensus and power of an effective consensus decision making process.

## **III. Culture and Conflict [Choice of one course, minimum 2 credits]**

### **► Cross–Cultural Perspectives in Conflict Resolution (NDR 606) (2)**

This course takes an interdisciplinary look at issues related to the role of culture in conflict analysis and resolution. The course will provide an overview of relevant theories and research from social psychology, anthropology, sociology, and other disciplines. Topics such as, the meaning of culture and conflict from a cross cultural perspective, ethnocentrism, cross-cultural communication, stereotypes, and cultural differences in attitudes toward racism, sexism, and ethnicity will be discussed. The course also offers a comprehensive view of the culture of warfare, conflict resolution in different cultural contexts, and the relationship between culture and oppression.

► **Negotiating at an Uneven Table: The Social and Cultural Context of Conflict and its Management (NDR 609) (3 credits)**

Gender, race, and generational cohort are familiar examples of the social and cultural contexts of conflicts that create uneven tables. Why negotiate if I know I am at a disadvantage? What can I do about it? What is the relationship among culture, gender, and conflict? This course explores structured inequity and its impact on conflict management, providing theoretical and practical tools for addressing this challenge. It also addresses the role of culture in conflict engagement.

#### IV. Electives

► **Students may also take as an elective any approved area of concentration course or an additional course under the Culture and Conflict category. Other courses may also be included in this section with permission of the program director.**

► **Arbitration (LAW 315) (2) - only available for law students**

This course focuses on the legal and procedural aspects of arbitration agreements and the conduct of arbitration proceedings in the United States. The course provides students with an understanding of the law of arbitration as it relates to drafting enforceable agreements to arbitrate virtually any civil claim that can be heard by a court of law. The course also provides students with an in depth view of the arbitration process itself, including the filing of an arbitration claim; selecting arbitrators; conducting limited discovery; how to conduct the arbitration proceeding itself and the unique challenges associated with the fact legal rules associated with the admission of evidence, hearsay rule, etc. are inapplicable in an arbitration proceeding; and the limited ability to appeal or challenge an arbitrator's decision. While the course touches upon the law of arbitration as it relates to the unique field of labor arbitration and international arbitration, the focus of the course is on non-labor civil arbitration proceedings before privately selected arbitrators in the United States.

► **Dialogue (NDR 602) (2)**

Dialogue is an important process for bringing people together to discover what matters most, to think together toward the future and to surface hidden assumptions that may be driving existing practices or behaviors. This course will look at the dialogue process as a means for building trust, surfacing deeply held beliefs, connecting diverse perspectives,

and moving groups toward the future. Several models of dialogue will be demonstrated. The course will focus on how to structure dialogue, the role of the dialogue facilitator, when dialogue may be useful, how dialogue can be integrated with other conflict resolution processes, and examples of how dialogue has been used in organizations to address barriers to collaboration.

► **Directed Independent Study (NDR 613) (1-3)**

Students may arrange with an instructor to engage in a series of readings related to a specific topic, or conduct research in an area approved by the department and under the direction of a faculty member. Students need to get authorization from the Department.

► **Advanced Problems in Mediation: Complex Conflict NDR 610 (2)**

Resolving complex conflict constructively presents many challenges. This course provides a theoretical and practical framework for analyzing the dynamics and consequences of conflict, with a focus on disputes involving large organizations and/or multi-party litigation. An in-depth examination of important issues in mediation practice such as multi-party mediation, mediating with expert witnesses and attorneys, and preparatory steps needed in complex mediations will be discussed. A variety of intervention tools and approaches to inter-group dynamics will also be discussed. This is a highly interactive course. This course may fulfill the part of the requirements under the Concentration in Health Care, Organizational/Transactional, or as an elective. Prerequisites: Alternative Dispute Resolution LAW 310 OR Mediation Seminar LAW 404 OR Negotiation LAW 410 OR successful completion of a 30-40 hour basic mediation workshop.

► **Beyond Neutrality: New Directions for Conflict Professionals NDR 612 (2)**

The conflict resolution field is evolving and confronting an increasing need for non-traditional services from conflict professionals. We will consider three major roles of conflict professionals— as allies, third parties, and systems managers and we will look how they can help people deal with intractable and long term conflicts.

► **The Application of Coaching within Conflict Resolution NDR 652 (2)**

Coaching focuses on empowering people to discover their own answers, to articulate clear visions, and pursue their goals with clarity and focus. Building on our inherent strengths a coach can empower people toward positive change. This course will provide a preliminary understanding of key coaching principles and their role in conflict resolution. We will follow the standards of International Coach Federation. We will also explore specific principles of coaching within various models Appreciative Inquiry, Positive Psychology, and Wellness.

► **Key Principles of Appreciative Inquiry (AI) Appreciative Inquiry NDR 650 (2)**

AI involves, in a central way, the art and practice of asking questions that strengthen a system's capacity to apprehend, anticipate, and heighten positive potential. This course will teach students how to prepare and facilitate an Appreciative Inquiry process. This course will explore two key elements of Appreciative Inquiry: 1) the five principles of AI (Constructionist, Poetic, Simultaneity, Anticipatory, and Positive) and 2) the 5 – D

Cycle of AI (Define, Discovery, Dream, Design, and Destiny). Together we will see how these models can be applied to organizations and to individuals to foster innovation and creativity in resolving conflict.

► **Dialogue and the Self: a seminar on relational conflict engagement (NDR 605) (2)**

This seminar will explore the notion of dialogue as a relational practice on both analytical and experiential levels. On the analytical level, it will present some of the latest theories in the field of ADR and the relational alternatives they present to the Interest Based models; it will make the connection to relational theories in other disciplines, such as philosophy, psychology and political science. On the experiential level, the seminar will invite students to explore their own realization of dialogue through various dialogic exercises and contemplative practices, and will help them cultivate relational awareness and dialogic skills for implementation in their professional and personal lives.

► **Principles of Organizational Consulting for Conflict Resolution Professionals NDR 653 (2)**

This course is designed to provide students with the foundational principles of transferring specialized knowledge, through internal or external consulting. Students will develop an understanding of the concepts and principles of effective consulting, the basic phases of the consulting relationship and the practical application to work as a consultant. This knowledge will allow the student to either make use of their specialized knowledge in pursuing a consulting career, or in dealing with organizational consultants.

► **Approaches for Improving Collaboration and Resolving Conflicts in Health Care Organizations (NDR 608) (2)**

Conflicts in health care occur on a daily basis, many of which involve poor clinical outcomes that may result in lawsuits, licensure disputes, credentialing and employment claims, and more simply, a general breakdown in trust of the healthcare system as a whole. There is a growing need for new approaches that address system complexity, consumer needs, clinician autonomy, and quality of care. Current conflict resolution models are ineffective and traditional organizational management approaches are insufficient. Through discussion, case study, simulation, improvisation and facilitated dialogue, participants have the opportunity to integrate theories of chaos and complexity science with techniques for improving communication, collaboration, and inter-professional teamwork within the context of actual healthcare scenarios. With a focus on practical application of process tools and systems design strategies, participants learn effective techniques that can be integrated into daily clinical practice and expand options for managing legal and ethical issues that arise within healthcare organizations.

► **Engaging in Bioethical Conflict NDR 700 (2)**

This course will introduce students to strategies for engaging in emerging bioethical issues that lead to conflict among families, health care providers and organizational leaders. Included is an overview of the bioethics consultation process, the role of bioethics mediators, and culturally appropriate approaches for addressing end-of-life disputes.

**► Human Rights, Poverty, Medicine, and Health: An International Perspective (NDR 694) (2)**

This course introduces students to concepts addressing human rights and its theory and practice. The main focus will be the relationship between health and human rights. Students will explore human rights issues at the domestic and international level. Topics such as, health impacts resulting from violations of human rights; bioethics and human rights; the role of health professionals in torture, mind control, human radiation; poverty, medicine and health; and cultural perspectives of human rights will be discussed. This course will stimulate new thinking on this subject and provide students with a theoretical basis for a more in-depth understanding of the topics discussed and how it is related to conflict engagement.

**► Post Civil War Peacebuilding and Reconstruction (NDR 607) (3)**

This course examines the various complexities of violent civil conflict and the nature of the peacebuilding process in terminating civil wars. The course will explore what are the causes of civil wars, the processes of such conflict, different peacebuilding theories, and how to reconstruct a more stable society after the war ends. Case studies from different international settings will be discussed and analyzed. The class will combine lecture, presentations, and analysis of civil war movies from different parts of the world.

**► International Peace and Conflict Resolution (NDR 613) (2)**

This seminar employs an interdisciplinary perspective to examine the causes of conflict and the ways to manage, resolve and transform it at all levels. It draws from the international relations and social science disciplines to review conflict resolution interventions and to provide an in-depth understanding of peacemaking and peacebuilding strategies.

**► Conflict and Conflict Resolution in Families (NDR 690) (2)**

This course addresses the dynamics of family conflict and interventions in family conflict. We will discuss conflict around divorce, parent-adolescent issues, care of the elderly, child welfare, adoption, and family violence. We will consider a variety of responses to these conflicts including mediation, family group conferencing, divorce coaches, and arbitration.

**► Civic Organizing and Democracy (LAW 306) (3)**

This seminar explores the nature and interaction of civic organizing, civic social systems, and formal structures of democracy—generally and in specific arenas such as government, business, and international democracy-building. An individualized practice component to the course gives students hands-on experience with civic organizing and related skills.

**► Labor Law (LAW 381) (3)**

This course is confined to the legal problems arising out of employer-union-employee relations. Obligations imposed upon employers by the labor relations statutes; privileges and duties of labor organizations engaged in collective action; unfair labor practices; procedural and jurisdictional problems arising under labor relations legislation; and

collective bargaining issues are covered. [Students should note that each of these courses may be offered only every other year, so a student who wants to take on of the courses should take it at the first offering.]

► **Health Care Law (LAW 376) (2)**

This course examines a variety of legal problems associated with modern American health care. Topics include access to care (patients' rights, health insurance portability, etc.), health care fraud, managed care (HMOs, financial incentives, utilization review, etc.) and antitrust (price fixing, staff privileges, networks, etc.).

► **Marriage and Divorce – LAW 357 (3 credits)**

Marriage and Divorce (3) is the foundation-level family law course. It explores the laws restricting individuals' rights to marry and divorce and retain custody of children; laws concerning spousal and child support; and laws governing the division of property upon dissolution of relationships, adoption, and co-habitation. The course also covers ethical issues of family law practice, procedural problems, jurisdiction, evidentiary questions, and federal taxation of wealth transfers upon marital dissolution.

► **Elder Law (Law 350) (3)**

There are more Americans over the age of 65, whether measured by the total number or by the percentage of the population, than in any time in our history. While everyone talks about what are the problems and issues we face as a society with a population that is aging, many of those over 65 are living a rich, full life while others at that age are living lives of poverty, hunger and isolation. One of the results of this growing group is a new specialization in law, elder law. As part of this class we will study the issues such as age discrimination, legal assistance to the elderly, health care and long term care, housing and income maintenance, guardianships, and decisions about quality of life. One focus will be on ethical issues with respect to clients who are elderly, and we will also discuss crimes against the elderly and how we as a society can respond to this growing and troubling trend. Either a final paper or a final exam

► **International Law (LAW 423) (3)**

This course lays out the basic principles of international law as it exists among states. The concepts of state sovereignty over people and territory are explored in the context of the states' ability to exercise its jurisdiction. Binding legal obligations between states in the form of treaties, executive agreements and the emergence of custom are considered in depth as are enforcement strategies in the form of international litigation before arbitration panels, claims tribunals, and the International Court of Justice. Students also analyze and critique current legal practice within the United Nations framework.

► **Seminar on Ethnicity, Nationalism, and Conflict (INR 683) (3)**

The seminar considers the nature, sources, interrelationships and possible future course of the revolution that has transformed political and social patterns in many of the world's states. Various understandings and theories of ethnic (communal) conflict and violence; the nature and causes of intense nationalism, to include trans-border irredentism

movements; and the nature, under-pinnings, and consequences of democratization will be considered.

► **Seminar in International Conflict (INR 709) (3)**

This seminar asks why and in what forms human societies have engaged in organized violence. It compares and evaluates conflict in political settings, from the level of the family through the global system; surveys theories that emphasize differences among political cultures; and analyzes the importance of political roles as well as how social-economic-political surroundings impel and restrain actors' use of violence. Students survey current literature, add literature reviews, and present their independent research findings.

► **Ethnic Conflict, Nationalism, and Democracy (MLS 683) (3)**

Throughout the world, ethnicity and nationalism seem to have become perhaps the paramount political forces. In Africa, in Central Europe, in India, in the former Soviet Union, these forces have brought many people to (or near to) civil war or inter-state war. Simultaneously, the past 20 years have witnessed a vast expansion of democracy. What accounts for these parallel and explosive forces? Are they related? How can they be managed? What might lie ahead? This course explores recent history and major authors on these issues.

**V. Capstone [3 credits]**

**Capstone:** In addition to the courses outlined above the student must also pursue **3 credits** of experiential independent work involving conflict resolution consisting of an approved externship/field experience with a final paper, or an extensive thesis project involving research, under the guidance of a faculty mentor. Upon the completion of 15 credits in the program, student must declare their choice of either a Practicum or a Thesis.

► **Practicum (NDR 614) (3)** - The course is designed to enhance the development of conflict resolution skills and practices. Students will have an opportunity to apply theory to practice.

► **Thesis Project (NDR 616) (3)** – The Master's Thesis can be structured as an extended literature review of an approved subject, independent research, or a combination thereof. The thesis must be under the direction of a faculty member and defended as partial fulfillment of requirements for the Master's Degree. For a literature review, the student should obtain an idea of the quantity of information available (breadth of topic), and any previous review of the subject. If independent research such as interviews, observations, or textual analysis is planned, these plans and the form of analysis should be outlined, developed, and approved before the first semester of thesis work is completed. When applicable, the Institutional Review Board (IRB) must approve all research projects before they begin. Students **must get authorization** from the Department prior to registering for this course.