

Dispute Resolution: Beyond the Adversarial Model, Second Edition (Aspen Casebooks)



Dispute Resolution: Beyond the Adversarial Model, Second Edition, takes a comprehensive look at the current state of Dispute Resolution by incorporating key aspects of the negotiation, mediation, arbitration, and hybrid processes: the theoretical frameworks that define the processes, the skills needed to practice them, the ethical issues implicated in their uses, and the legal and policy analyses surrounding each process. Key features of this casebook, which takes a practical approach to dispute resolution as problem solving, are: authors are among the leading scholars and teachers in the field of Dispute Resolution, recognized for their scholarship, teaching, practice, policy making, and standard drafting comprehensive, current coverage. The theory, skills, ethical issues, and legal and policy analyses relevant to key areas of contemporary DR practice are thoroughly covered using a rich range of up-to-date cases and readings students are engaged as active participants in resolving human and legal problems, using individual or combined resolution processes in varying gender, race, and cultural contexts multi-party and complex issue dispute resolution covered readings balance theory and theory-in-use and include cases, behaviorally and critically based articles, examples, empirical studies, relevant statutory and other regulatory material to illuminate the challenge of balancing rules and laws with the economic and emotional constraints inherent in disputes challenging, relevant readings include a wide range of perspectives, from Fisher, Ury, and Pattons Getting to Yes, Raiffas Art and Science of Negotiation, and Mary Parker Follett on creative conflict . Key cases include Gilmer v. Interstate/Johnson Lane Corp. and Supreme Court s 2009 arbitration decisions such as Hall Street & Penn Plaza New to the Second Edition: deep and comprehensive coverage in a

more compactly edited, shorter form new cases, articles, empirical studies, and other materials in all areas of arbitration, negotiation, mediation, and hybrids ethics, skills, and policy issues combined with law and theory of different processes focus on modern uses of dispute resolution multi-party, in court, private, complex, as well as basic dispute resolution Offering a continued focus on practical problem solving, nested in theory-in-use of different dispute processes, *Dispute Resolution: Beyond the Adversarial Model*, is an invaluable teaching tool, appropriate for any skills-oriented clinic or class using practicums and simulations.

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