

Level of qualification:

First cycle (EQF level 6) - Bachelor

Study cycle:

Legal Services

Course Unit: **9242520 –
Alternative Dispute Resolution**

Year 2

Semester 3

ISCED Code: 380

ECTS: 5,0

Type of Course Unit: Compulsory **Delivery Mode:** Distance learning

Language of Instruction: Portuguese

COURSE COORDINATOR: Nuno Caetano Lopes de Barros Poiars

HOURS OF WORK

TOTAL HOURS	Contact Hours								Hours in autonomous work
	Theory	Theory and practice	Practical and laboratory work	Field work	Seminar	Internship	Tutorial guidance	Other	
125	-	30	30	-	-	-	0	-	65

Prerequisites (if applicable):

LEARNING OUTCOMES (knowledge, skills and competence)

At the end of the course unit the student must master the following skills:

1. Identification of the existing means in our system for the alternative resolution of disputes vis-à-vis the judicial system
2. Analysis of MRAL in the light of the CRP
3. Conducting a dispute resolution strategy using MRAL
4. Understanding the practical application of existing methods

CONTENTS

1. Introduction to the History of Alternative Dispute Resolution (MRAL)
2. MRAL in the light of the CRP
3. Negotiation and conciliation
4. Conflict mediation, criminal, labor and family
5. Arbitration
6. The Judges of Peace

DEMONSTRATION OF THE CONTENTS COHERENCE WITH THE COURSE UNIT'S LEARNING OUTCOMES

1. Introduction to the History of Alternative Dispute Resolution (MRAL) - Objective 1
2. MRAL in the light of the CRP - objectives 1 and 2
3. Negotiation and conciliation - objective 1
4. Conflict, criminal, labor and family mediation - objectives 1 to 4
5. Arbitration - objectives 1 to 4
6. The Judges of Peace - objectives 1 to 4

TEACHING METHODOLOGIES

- Exhibition (using means: oral, written and with multimedia projection).
- Presentation and discussion of case studies in the classroom with the participation of students.
- Simulation of activities

DEMONSTRATION OF THE COHERENCE BETWEEN THE TEACHING METHODOLOGIES AND THE LEARNING OUTCOMES

- Exhibition (using the most diverse means: oral, written and with multimedia projection) - objective 1 to 4.
- Presentation and discussion of case studies in the classroom with the participation of students - objective 2 to 6.
- Simulation of activities - objectives 2 and 6.

EVALUATION METHODS

There are three different evaluation periods: (i) Continuous Evaluation; (ii) Evaluation by Final Exam; and (iii) Time of Appeal.

1) Continuous evaluation: it is comprised by written evaluation, work in the classroom and one oral exam. The sum of these elements of evaluation will result in a score that is susceptible to appeal or improvement during the Time of Appeal. The grade of the oral test is eliminatory.

2) Final Exam: it is comprised by a written test (50%) and an oral exam (50%). The written test and the oral exam does not depend on previous performance in any of the elements mentioned above. The grade obtained in this phase is subject to appeal or improvement in the Time of Appeal. The grade of the oral test is final.

3) Time of Appeal: it is comprised by one oral exam which represents 100% of the grade. Students are allowed to sit the Time of Appeal exam regardless of being subject to any previous evaluation.

MAIN BIBLIOGRAPHY

Gouveia, Mariana França (2018), Curso de Resolução Alternativa de Litígios, reimpressão (2020) da 3.^a edição de 2014, Coimbra: Almedina

Vicente, Dário Moura [et.al] (2012), Lei da Arbitragem Voluntária – Anotada, Coimbra: Almedina

Barrocas, Manuel Pereira (2010), Manual de Arbitragem, Coimbra: Almedina

Coelho, João (2003), Julgados de Paz e Mediação de Conflitos, Lisboa: Âncora Editora

Reis, João (2001), Representação Forense e Arbitragem, Coimbra: Coimbra Editora

Poiars, Nuno (2018), As profissões (para)jurídicas em Portugal, 2.^a edição, pp. 149-159, Porto: Fronteira do Caos Editores

Poiars, Nuno (2018), "Da Justiça alternativa em Portugal", Matria Digital XXI, n.º 6, pp. 666-681, Santarém: CIJVS

Year of implementation: 2021/2022 | Date of approval by the Technical-Scientific Board: 2015-09-01