

**COURSE DATA****DATA SUBJECT****Code:** 42674**Name:** Mediation and arbitration in family law**Cycle:** Master's Degree**ECTS Credits:** 3**Academic year:** 2025-26**STUDY (S)**

Degree	Center	Acad. year	Period
2122 - Master's Degree in Mediation, Arbitration and Conflict Management in Privat	Facultat de Dret	1	Second quarter

SUBJECT-MATTER

Degree	Subject-matter	Character
2122 - Master's Degree in Mediation, Arbitration and Conflict Management in Privat	Mediation and arbitration in family law	COMPULSORY

COORDINATION

GUILLEN CATALAN RAQUEL

SUMMARY

This course, part of the Master's Degree in Mediation, Arbitration, and Conflict Management in Private Law, is a joint course between the Department of Civil Law and the Department of Ecclesiastical Law. It carries a course load of 3 credits.

Students, who already have prior general knowledge of mediation and arbitration, will complete their learning by exploring the specific characteristics of these conflict resolution techniques, applied to family conflicts. These specialties are related to the purpose and scope of family mediation, the parties involved, and how to conduct the mediation process in this field. The subject is approached from a theoretical and practical perspective. The orientation of knowledge is combined with the provision of guidelines for identifying and resolving practical problems firmly grounded in reality.

The ultimate goal is to train students as professional mediators, equipping them with the skills and abilities necessary to mediate in the family setting.

PREVIOUS KNOWLEDGE



RELATIONSHIP TO OTHER SUBJECTS OF THE SAME DEGREE

There are no specified enrollment restrictions with other subjects of the curriculum.

OTHER REQUIREMENTS

There are no previous requirements or recommendations

COMPETENCES / LEARNING OUTCOMES

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Adquirir los instrumentos para poder planificar, ordenar y encauzar actividades de manera que se eviten en lo posible los imprevistos, se prevean y minimicen los eventuales problemas y se anticipen sus soluciones.

Analizar y delimitar el ámbito de derecho dispositivo específico de la materia en cada supuesto de la resolución alternativa de controversias.

Aplicar las diferentes técnicas y conocimientos jurídicos a la resolución práctica de los proceso de mediación y arbitraje de materias específicas.

Conocer y usar con fluidez las categorías, prescripciones y procedimientos relevantes para cada caso y sus antecedentes y soluciones más significativas.

Contemplar en conjunto y tener en cuenta los distintos aspectos y las implicaciones en los distintos aspectos de las decisiones y opciones adoptadas, sabiendo elegir o aconsejar las más convenientes dentro de la ética, la legalidad y los valores de la convivencia social.

Participate in, lead and coordinate debates and discussions, be able to summarize them and extract the most relevant conclusions accepted by the majority.

Students should be able to integrate knowledge and address the complexity of making informed judgments based on incomplete or limited information, including reflections on the social and ethical responsibilities associated with the application of their knowledge and judgments.

Students should communicate conclusions and underlying knowledge clearly and unambiguously to both specialized and non-specialized audiences.

Students should demonstrate self-directed learning skills for continued academic growth.

DESCRIPTION OF CONTENTS

1. **Conflict in Family Relationships**
 1. Conflict in Family Relationships
 2. Arbitration and Mediation as Mechanisms for Resolving Family Conflict



2. **. Arbitration in Family Conflict**
 1. Family Conflict: Private Autonomy and Imperatives
 2. Arbitration and Family Law

3. Family Mediation: Basic Concepts. Subjects

1. The "Family Adjective"
2. Advantages of Family Mediation over Contentious Judicial Mediation. Distinction of Related Mediation Forms
3. Typology, Models, and Educational Function of Family Mediation
4. The Parties in Conflict. The Mediator: Roles and Relationships with Clients. Other Possible Participants

4. Family Mediation: Purpose and Scope

1. Scope of family mediation
2. Mediatable and non-mediatable issues

5. The family mediation process

1. General characteristics and phases of the family mediation process.
2. Management of the family mediation process: initiative, strategies, and resources.
3. Technical resources for managing the mediation process.

WORKLOAD

PRESENCIAL ACTIVITIES

Activity	Hours
Tutorials	12,00
Theoretical and practical classes	18,00
Total hours	30,00

NON PRESENCIAL ACTIVITIES

Activity	Hours
Attendance at other activities	0,00
Individual or group project	0,00
Independent study and work	0,00
Preparation of lessons	0,00
Preparation for assessment activities	0,00
Resolution of case studies	0,00
Total hours	0,00

TEACHING METHODOLOGY

Presentation of theoretical content: The course instructor will present and explain the fundamental theoretical content to guide the student in their study and understanding of the subject. The student, for their part, must actively engage in learning by previously reading the materials established in the course plan.



Applied activities: These consist of commentaries on rulings, opinions, and case study proposals, practical workshops, or simulations, demonstrating the aforementioned competencies, thus complementing the presentation of theoretical content. In each case, the instructor will indicate which activities will be assessed.

Complementary activities: Complementary activities may be scheduled, consisting of a workshop, seminar, institutional visits, or other subject-related activity, which will be planned based on the availability of human and time resources.

EVALUATION

The final qualification consists of a:

- 20% Continuous evaluation of each student, based on regular attendance and active participation in the proposed classroom activities, degree of involvement in the teaching-learning process and the skills and attitudes shown during the development of classes and activities.
- 80% Evaluation of theoretical-practical activities, individual and / or in groups, from the preparation, delivery of papers, memories / reports and / or oral presentations

The aforementioned evaluation system will be applicable to both the first and second calls.

REFERENCES

- BARONA VILAR, Silvia.: Mediación en asuntos civiles y mercantiles en España. Tras la aprobación de la Ley 5/2012, de 6 de julio, Tirant Lo Blanch, 2013. ESCRIVÁ IVARS, J., Matrimonio y mediación familiar, Rialp, Madrid, 2001. GARCÍA PRESAS, Inmaculada, La mediación familiar en España, La Ley, 2009. GARCIANDÍA GONZÁLEZ, P., Materiales para la práctica de la mediación, 2ª ed., Thomson Reuters-Aranzadi, Cizur Menor (Navarra), 2014. HAYNES John M., Fundamentos de la mediación familiar, Madrid 1995. MAS BADIA, Mª D.: Mediación Familiar, en Memento Práctico Civil Foral 2011, Francis Lefebvre, Madrid, 2010. SOUTO GALVÁN, Esther, La mediación familiar, Dykinson, Madrid, 2012. VVAA, Derecho de Familia, MAS BADIA, Mª D. (dir.), <http://www.uv.es/docius/materialesjuridicos.wiki>
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