

<<Mediation law and pr>>

图书基本信息

书名：<<Mediation law and practice调解法及其实践>>

13位ISBN编号：9780521676946

10位ISBN编号：0521676940

出版时间：2007-2

出版时间：Cambridge Univ Pr

作者：Spencer, David/ Brogan, Michael

页数：520

版权说明：本站所提供下载的PDF图书仅提供预览和简介，请支持正版图书。

更多资源请访问：<http://www.tushu007.com>

<<Mediation law and pr>>

内容概要

Mediation Law and Practice gives a thorough account of the practice of mediation from the perspective of the student and practitioner. Divided into two parts, it deals with both the practice of mediation and the law surrounding mediation. Touching on the theory and philosophy behind the practice, it further describes in a theoretical and practical sense the difference between the emerging models of mediation. Mediator qualities are discussed in terms of issues of gender, culture and power. This book examines the important issue of mediation ethics and, taking into account the developing law surrounding the practice, proposes a code of ethics. It looks at the future of mediation in light of the decline in litigation, the rise in regulatory constraints on mediation and the popularity of online mediation. Mediation Law and Practice provides students and practitioners with the complete text on the practice and law surrounding mediation.

<<Mediation law and pr>>

作者简介

David Spencer is a Solicitor of the Supreme Court of NSW and the High Court of Australia as well as being Senior Lecturer in the Division of Law at Macquarie University.

<<Mediation law and pr>>

书籍目录

Acknowledgements Preface List of tables and figures Table of statutes Table of cases

PART THE PRACTICE OF MEDIATION

1 Mediation: Its Definition and History Introduction Defining mediation
 Mediation and negotiation Negotiation defined Adversarial negotiation Principled negotiation
 Mediation compared to negotiation The link between mediation and negotiation A brief history of mediation and ADR Influential bodies Professional or peak bodies Institute of Arbitrators and Mediators Australia (IAMA) Australian Commercial Disputes Centre Limited (ACDC) National Alternative Dispute Resolution Advisory Council (NADRAC) Law societies and bar associations Leading Edge Association of Dispute Resolvers (LEADR) Community justice centres Victorian Association for Dispute Resolution (VADR) University research groups Bond University La Trobe University University of Queensland University of South Australia University of Sydney

2 The Mediation Process Introduction Intake procedures The classical model The practical steps of the classical model Preparing for the mediation The opening statement The parties' opening statements Identifying issues and interests Identifying common ground Identifying options for early agreement Separate sessions Final joint meeting Writing up the settlement Communication and associated problems Co-mediation Checklists and sample agreement

3 The Theory and Philosophy of Mediation Introduction The form and function of mediation The five philosophies of mediation Confidentiality Voluntariness Empowerment Neutrality A unique solution Models of mediation The facilitative model versus the evaluative model Transformative mediation The effectiveness and appropriateness of mediation When is mediation more likely to be effective and appropriate? When is mediation more likely to be ineffective and inappropriate? The weaknesses of mediation

4 Specific Types of Mediation Introduction Commercial mediation Family mediation Community mediation Building and construction mediation Health care mediation Victim-offender mediation Foundations Theory Australian practice The model

5 The Mediator Introduction Mediator qualities The mediator's role Quality control

.....PART THE LAW OF MEDIATION Bibliography Index

版权说明

本站所提供下载的PDF图书仅提供预览和简介，请支持正版图书。

更多资源请访问:<http://www.tushu007.com>