

APPROPRIATE DISPUTE RESOLUTION SEMINAR
PROFESSOR DONNA EREZ-NAVOT
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
SPRING 2026 SYLLABUS - LAW 6936 - 2 CREDITS

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Meeting Time: Thursdays, 10:00 am - 12:00 pm

Location: HH 285A

Office Hours: Mondays, 12:15 p.m. - 1:15 p.m. Bruton Greer 220B; Fridays, 1 - 2pm on Zoom or by appt.

Course Description:

This seminar will provide an orientation to all of the different processes that are available to resolve disputes. We will explore the three main processes (mediation, arbitration and negotiation) as well as hybrid processes (“med-arb”, neutral evaluation) and new directions in dispute resolution (restorative justice). This course covers the underlying legal, ethical and policy considerations important to understanding resolving disputes outside of the courtroom since trials are the exception in today’s legal world in the US. Grading will be based on participation, weekly assignments, final presentation and a 25-page research paper on an ADR topic (broadly defined) that satisfies the advanced writing requirement.

Course Objectives/Learning Outcomes:

At the end of this course, students should be able to perform the following:

1. Possess the basic knowledge of a wide variety of ADR processes. This course will cover processes including client counseling, negotiation, mediation, arbitration, restorative justice, hybrid processes, among other topics. Students leaving this course should understand all of these processes and their differences when they encounter them in practice.
2. Gain a deeper appreciation for the many ways to resolve conflict. Too often, lawyers who are approached with a problem only consider the law in how to resolve the difference. Students with a background in ADR should gain an understanding about the complexities of conflict and the varying ways that conflict can be resolved to best meet client interests.
3. Understand and engage in the writing of a 25 page academic research paper including researching, organizing, drafting, creating proper citations and editing.

Required Reading Materials:

The textbook for our course is **UNDERSTANDING ALTERNATIVE DISPUTE RESOLUTION** By Kristen M. Blankley & Maureen A. Weston, 2nd Edition (2024). In addition to the textbook, you are required to read and prepare materials that are written on the syllabus below and they are posted on Canvas. Please be sure to register for the Canvas course and have the materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas

page and the e-mail connected to the page on a regular basis for any class announcements or adjustments. Please see Canvas for each session's assignments. Optional textbooks are Fisher and Ury, *Getting to Yes* and Stulberg and Love, *The Middle Voice*. They are both short and accessible and I have copies to lend in my office in Bruton Greer, if students would like to borrow a copy.

Course Expectations:

Each class session will involve a mix of lecture, exercises, and discussion, all focusing on the week's assigned material. The requirements for the seminar are as follows:

- ***Preparation, Attendance, and Engagement:*** Each class session will require you to read and/or view materials. You are expected to read and view those materials before class, so that you are prepared to discuss them in the seminar. Readings and viewings will be either from the required textbook or posted on Canvas. Many class periods will involve an in-class exercise that will be nearly impossible to perform well if you have failed to do the readings for that week.
- ***Work Product:*** As this is a writing seminar, there will be several written assignments, increasingly focused on your paper as the semester progresses. The weekly work products will be paper-related submissions and will be due on Tuesdays at 10:00am for the start of class. Please submit all your work as a Word document, 12 pt font, Times New Roman, single-spaced on Canvas. Instructions will be provided on Canvas.
- ***One-on-one meeting with Prof. Erez-Navot:*** Choosing a viable and novel thesis is often the most difficult part of this process, so I encourage everyone to brainstorm from the beginning. In an effort to keep you on track, the paper deadlines come quickly. At some point by February 11, we need to discuss your thesis options.
- ***Peer Review.*** Near the end of the semester, you will conduct a peer review of one or two colleague's paper draft, developing critical skills involving constructive criticism and using a rubric.
- ***Paper Presentation.*** At the end of the semester, you will be required to make a (10 minute) presentation of your final paper. Guidelines for the presentation will be provided.
- ***Final Paper.*** A final paper of 25 pages, not including title page and table of contents, is required. The paper will be due on May 1, 2026. The seminar paper must be an academic research paper focused on an ADR topic (generally defined). Factors relevant to the grading of papers (in no particular order) are Depth of Research; Organization and Clarity; Thoroughness; Originality; Accuracy and Professionalism; Compliance with Directions; Addressing Professors Comments from Draft, Citations, and Strict Compliance with Honor Code (including proscriptions against plagiarism). Your paper will be run through anti-plagiarism software. This seminar is structured in such a way as to satisfy the College of Law's Advanced Writing Requirement. According to the Faculty Handbook:

All J.D. candidates must complete—under close faculty supervision—a major, written product that shows evidence of original scholarship based on individual research. Students often satisfy this requirement in a seminar course... The general standard for fulfillment of the advanced writing requirement is one or more papers that are cumulatively at least 25 pages of double-spaced, 12-point text or the equivalent.

- ***Paper Progress.*** Key steps of the writing process are provided below. Detailed requirements for each step are provided on Canvas. Canvas will not accept late submissions, so please ensure you meet the submission deadlines. Late submissions may be accepted, but at the very least, will receive a grade reduction.

Key Dates	Due
January 22	Assignment #1: Review Boskey Competition Papers and Prepare to Present in Class #1 on the Elements of a Good Paper (see below in Readings Section) and Upload 1-2 Pages Answers to Questions. Boskey Submissions can be found here .
February 5	Assignment #2: Submit Two Abstracts and Be Prepared to Present on Two Ideas to the Class and Receive Feedback
February 19	Assignment #3: Thesis Approval Required from Professor Erez Navot (individual meetings on zoom or office hours required)
February 26	Assignment #4: Refined Abstract & List of Resources (minimum of 10-15 substantial sources required which includes law review, specialty journals, books, NOT websites or newspaper/blogs etc.)
March 12	Assignment #5: Final Thesis plus detailed outline (2-3 pages) – Bring to Class and Upload to Canvas
March 26	Assignment #6: First Paper Draft due to Prof. Erez Navot and to your Student Partner(s) – Minimum Draft Length 10 Pages
April 9	Assignment #7: Return edits to classmate (due by start of class)
April 16	Assignment #8: Full Draft Paper for Prof. Erez-Navot
April 23	Receive edits from Prof. Erez-Navot
May 1	Assignment #9: Final Paper Due on Canvas

Grading Evaluation:

Students will be evaluated based upon participation, weekly work product, final presentation and a final paper. There is no final exam for this class. This course follows the Levin College of Law's

grading policies found here: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>

Class Component	Percent of Grade
Participation (includes regular class engagement that illustrates you read the required materials)	20%
Writing/Research Assignments	20%
Final Paper and Final Presentation (25 pages)	60%
TOTAL	100%

UF ACADEMIC POLICIES AND RESOURCES:

Other information about UF academic policies and resources can be found at [this link](#).

COMPLIANCE WITH UF HONOR CODE:

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located [here](#). The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

ARTIFICIAL INTELLIGENCE

The policy for the ADR Writing Seminar will follow the *ABA DR Section's James Boskey Dispute Resolution Essay Competition* policy as this will allow students to submit to this prestigious writing competition, among others. Every semester, several papers written in this course not only fulfill the writing requirement but also get published through one of the writing competitions. Sticking to this ABA AI policy for the Seminar will ensure that students are able to submit at the end of the semester.

The ABA prohibits the use of all generative artificial intelligence, including large language models, to create any portion of a contestant's written submission for this competition whether in the writing or editing phase. Use of Generative AI in the research phase is acceptable. Generative AI in this context includes, but is not limited to, OpenAI's "GPT" series, BLOOM, Jasper, BERT, Galactica, and Lex. Note that for these purposes, AI does not include basic tools for checking grammar, spelling, references, etc. By entering a submission in the contest, contestants are affirming that they did not utilize AI in the writing and editing phases of creating their written work product. The ABA reserves the right to screen submissions for use of AI through an AI detector. Contestants utilizing AI to write or edit their written work product will be disqualified. If it is determined after the winner is announced and the prize is awarded that the winning contestant utilized AI to write or edit their written submission in whole or in part, then the contestant will forfeit the winning designation and shall return the prize. A new winner will then be selected.

INFORMATION ON UF LAW GRADING POLICIES:

The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent	Letter Grade	Point Equivalent
A (Excellent)	4.0	C (Satisfactory)	2.0
A-	3.67	C-	1.67
B+	3.33	D+	1.33
B	3.0	D (Poor)	1.0
B-	2.67	D-	0.67
C+	2.33	E (Failure)	0.0

The law school grading policy is available [here](#).

OBSERVANCE OF RELIGIOUS HOLIDAYS:

UF Law respects students' [observance of religious holidays](#).

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

EXAM DELAYS AND ACCOMMODATIONS:

The law school policy on exam delays and accommodations can be found [here](#).

STATEMENT RELATED TO ACCOMODATIONS FOR STUDENTS WITH DISABILITIES

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at <https://ufl.instructure.com/courses/427635>.

STUDENT COURSE EVALUATIONS

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students [here](#).

RECORDINGS OF CLASS

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or guest lecturer during a class session. Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor and Student Conduct Code.

ABA OUT-OF-CLASS HOURS REQUIREMENTS: ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. Each weekly class is approximately 2 hours in length, requiring at least **4 hours of preparation** outside of class including reading the assigned materials, writing critical analyses, and developing your final paper.

Class Attendance:

Students are expected to attend and participate in class. I am assuming that each student enrolled in this course is committing to attend every class to the best of their abilities, and class attendance is required by both the ABA and the Law School.

- Nevertheless, to allow for exigencies in life, you are **permitted two absences from class** without impacting your final grade so long as you still complete the readings and submit any required assignments prior to the subsequent class after the absence. If possible, professional courtesy encourages you to notify me if you will not be in class. Please budget accordingly so that you are not left at the end of the semester with a needed absence and your budget depleted.
- The two exceptions to this policy are (1) absences for a recognized religious holiday that are consistent with University <https://catalog.ufl.edu/UGRD/academic-regulations/attendance-policies/#absencetext> and Law School policies <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies> and require appropriate documents and/or notification before or shortly after class about your absence; and (2) absences due to testing positive for COVID-19 after you have exhausted your other two absences. I do not want you jeopardizing your health or others. I am reasonable. Communication is key.

- In addition, please notify me should you have a family or medical situation or an emergency that will require missing more than two classes, and we will discuss how to accommodate your situation.
- Setting aside these exceptions, for each absence beyond two, your grade will be reduced by one-third of a grade (e.g., A- to B+). If you miss four or more scheduled classes, I have the discretion to render you ineligible to receive credit for the course.
- This policy starts on the first day of classes, not the end of the drop/add period.

Professional Courtesy

As a matter of professionalism, you are expected to be on time for class—meaning seated and ready to begin when class starts. Arriving late is disruptive not only to me, but to your fellow students. Please do not arrive late to class or leave early absent extenuating circumstances. If you need to do so, please sit near one of the exits to minimize your disruption to others and notify me in advance. Please make sure your cell phone is turned off during class. I reserve the right to deduct points from your final grade if you engage in behavior that significantly disrupts the learning environment for your classmates. After two late arrivals, each additional late arrival will be counted as a class absence.

Use of Laptops in Class

Although laptops and comparable technology are not prohibited, I would encourage you to use them judiciously. I understand that you may rely on them for your readings and your notes, but please close all other browser windows, including your email. Unfortunately, many of us succumb to the temptation to multi-task, and for the time we are together, you owe yourself, your classmates, and me your focused attention. I appreciate eye contact and engagement and participation is part of your grade. If I can detect a lack of responsiveness due to other activities on your laptop, you may jeopardize your grade in this class. More importantly, I reserve the right to unilaterally impose a laptop ban at any time during the semester.

Preferred Name and Pronouns

Many of you may have a preferred name that is not the name given to me on the official roll. It is important to the learning environment that you feel welcome and safe in this class. I want you to be comfortable participating in class discussions and communicating with me on any issues related to the class. I would like to refer to you by your preferred pronoun and last name. As such, if your preferred name is not the name listed on the official UF roll, please let me know as soon as possible by e-mail or otherwise before the first day of class. Feel free to ask for instructions on changing your display name in Canvas.

Discourse, Inclusion, and the Classroom

As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions. As a group, we are likely diverse across racial, ethnic, sexual orientation, gender identity, economic, religious, and political lines. As we enter one of the great learning spaces in the world—the law school classroom—and develop our unique personality as a class section, I encourage each of us to:

- commit to self-examination of our values and assumptions;
- speak honestly, thoughtfully, and respectfully;
- listen carefully and respectfully;
- reserve the right to change our mind and allow for others to do the same;
- allow ourselves and each other to verbalize ideas and to push the boundaries of logic and reasoning both as a means of exploring our beliefs as well as a method of sharpening our skills as lawyers.

Weekly Course Schedule of Topics and Assignments:

This syllabus is offered as a guide to the direction of the course. I suggest you use the Canvas site to access your assignments as everything should be linked and easy to find there. I will post future assignments on Canvas at least a week before the class and may be adjusted. Our pace will depend in part on the level of interest and the level of difficulty of each section, but I try hard to keep us on track so you should try hard not to fall behind.

Date	Class	Reading/Assignments
1/22	<p>Class 1: Introduction & Course Overview</p>	<p>Readings:</p> <ul style="list-style-type: none"> • UADR 3-9 <p><i>Assignment #1 (prepare for in-class and upload on canvas):</i> <i>Choose a law journal article from among winners of the James Boskey ADR Writing Competition at:</i> <i>http://www.americanbar.org/groups/dispute_resolution/awards_competitions/james_boskey_law_student_essay_contest_on_dispute_resolution.html</i></p> <p><i>Please be ready to answer the following questions in class. Think about the the elements of a good paper, using the paper you read as an example. 1. What, about the paper, drew you to the topic? Or, put another way, what made you read the article you chose? 2. Was the title a good choice? Elaborate on what makes a good title. 3. How did the writer introduce the subject? What necessary background was given? 4. Analyze the skeleton of the paper. How was it constructed? 5. What sources did the writer use? How did the footnotes contribute (or not) to the paper? 6. How did the writer pull together the strands of the paper for the conclusion?</i></p> <p><i>For each question, please extract general conclusions about excellence in writing that you can concretely illustrate with the paper you chose. The overall effort is to inspire your colleagues with the elements</i></p>

		<i>of success in paper writing.</i>
1/29	Class 2: <i>Introduction to ADR – With Exercise</i>	<p>Readings from Canvas:</p> <ul style="list-style-type: none"> • Fitting Forum to the Fuss • Vanishing Trial • Multi Door Courthouse • Against Settlement <p>Optional:</p> <ul style="list-style-type: none"> • GTY
2/5	Class 3: <i>Introduction to Negotiation</i> <i>Negotiation Theory</i>	<p>Reading:</p> <ul style="list-style-type: none"> • UADR 33-54 • Bargaining in the Shadow of the Law <p>Optional Reading:</p> <p>GTY</p> <p>Assignment #2 (on canvas): <i>Submit Two Abstracts and Be Prepared to Present on Two Ideas to the Class and Receive Feedback</i></p>
2/12	Class 4: <i>Introduction to Mediation</i> <i>Guest: Introduction to Research in ADR with Guest Librarian (Professor Emily Jackson)</i>	<p>Reading:</p> <ul style="list-style-type: none"> • UADR 55-81 <p>Optional Reading:</p> <ul style="list-style-type: none"> • Middle Voice
2/19	Class 5: <i>Mediation Practice</i> <i>Role Play</i>	<p>Reading:</p> <ul style="list-style-type: none"> • UADR 82-104 <p>Canvas Reading:</p> <ul style="list-style-type: none"> • Understanding Mediators Orientations Strategies and Techniques <p>Optional Reading:</p> <ul style="list-style-type: none"> • Middle Voice <p>Assignment #3: <i>Thesis Approval Required from Professor Erez Navot</i> (individual meetings on zoom or office hours required)</p>
2/26	Class 6: Mediation Theory	<p>Canvas Reading:</p> <ul style="list-style-type: none"> • Mediation--Its Forms and Functions • Mediation Process Alternatives for Women • Environmental Mediation and the Accountability Problem • The Theory and Practice of Mediation: A Reply to Professor Susskind <p>Assignment #4:</p>

		Refined Abstract & List of Resources (minimum of 10-15 substantial sources required which includes law review, specialty journals, books, NOT websites or newspaper/blogs etc.)
3/5	Class 7: Domestic & International Arbitration Guests: Professor Joan Stearns Johnsen and Dan Visiou (UF Law Alum)	Reading: UADR 191-220
3/12	Class 8: Individual and Group Meetings @ Papers Guest Librarian (Professor Emily Jackson)	Assignment #5: <i>Final Thesis plus detailed outline (2-3 pages) – Bring to Class and Upload to Canvas Upload to Canvas and Bring Final Outline to Class to Share with Colleagues and Professor Erez Navot</i>
3/19	SPRING BREAK	
3/26	Class 9: Individual Meetings with Professor Erez-Navot	Assignment #6: <i>Paper Draft (minimum 10 pages) due to Prof. Erez Navot and to your Student Partner(s)</i>
4/2	Class 10: Online Dispute Resolution (ODR) Guest: Professor Noam Ebner	Reading: UADR 256-261
4/9	Class 11: Hybrid Processes and Restorative Justice Jeffrey Weisberg and Eric Estling (River Phoenix Center for Peacebuilding – Gainesville, FL)	Reading: UADR 247-271 (excluding 256-261) Assignment #7: Comments Due Back to Student Partner(s) and Both Drafts with Comments Uploaded to Canvas
4/16	Class Cancelled: In Lieu of Class – Individual Meetings to be Scheduled with Prof Erez Navot and Professor Jackson	Assignment #8: <i>Full Draft Paper for Prof. Erez-Navot</i>
4/23	Class 13: Student Presentations	Receive Edits Back from Prof Erez-Navot on the Final Draft.
5/1		Final Assignment #9: FINAL PAPER DUE Friday May 1, 2026 at 5:00 pm (25 pages double-spaced). Final Paper must be submitted in form according to document on Canvas “FINAL PAPER GUIDELINES”