

Cover Sheet: Request 15018

LAW 6XXX - Arbitration Law

Info

Process	Course New Ugrad/Pro
Status	Pending at PV - University Curriculum Committee (UCC)
Submitter	Krista Vaught kfields@law.ufl.edu
Created	5/19/2020 12:26:09 PM
Updated	3/2/2021 3:20:44 PM
Description of request	The College of Law is reviewing and updating our curriculum and courses. This course has been offered multiple times in previous years under the special topics course number LAW 6930. This request is part of a broader, ongoing effort to move to permanent course numbers.

Actions

Step	Status	Group	User	Comment	Updated
Department	Approved	LAW - Juris Doctor 24010000	Rachel Inman		5/19/2020
Arbitration law syllabus.pdf					5/19/2020
College	Approved	LAW - College of Law	Rachel Inman		5/19/2020
No document changes					
University Curriculum Committee	Commented	PV - University Curriculum Committee (UCC)	Lee Morrison	Added to the UCC September agenda.	9/11/2020
No document changes					
University Curriculum Committee	Recycled	PV - University Curriculum Committee (UCC)	Casey Griffith	Please respond to review comments (see email).	9/15/2020
No document changes					
College	Approved	LAW - College of Law	Paul Rollins		3/2/2021
No document changes					
University Curriculum Committee	Pending	PV - University Curriculum Committee (UCC)			3/2/2021
No document changes					
Statewide Course Numbering System					
No document changes					
Office of the Registrar					
No document changes					
Student Academic Support System					
No document changes					
Catalog					
No document changes					
College Notified					
No document changes					

Course|New for request 15018

Info

Request: LAW 6XXX - Arbitration Law

Description of request: The College of Law is reviewing and updating our curriculum and courses. This course has been offered multiple times in previous years under the special topics course number LAW 6930. This request is part of a broader, ongoing effort to move to permanent course numbers.

Submitter: Krista Vaught kfields@law.ufl.edu

Created: 5/19/2020 12:15:59 PM

Form version: 1

Responses

Recommended Prefix

Enter the three letter code indicating placement of course within the discipline (e.g., POS, ATR, ENC). Note that for new course proposals, the State Common Numbering System (SCNS) may assign a different prefix.

Response:

LAW

Course Level

Select the one digit code preceding the course number that indicates the course level at which the course is taught (e.g., 1=freshman, 2=sophomore, etc.).

Response:

6

Course Number

Enter the three digit code indicating the specific content of the course based on the SCNS taxonomy and course equivalency profiles. For new course requests, this may be XXX until SCNS assigns an appropriate number.

Response:

315

Category of Instruction

Indicate whether the course is introductory, intermediate or advanced. Introductory courses are those that require no prerequisites and are general in nature. Intermediate courses require some prior preparation in a related area. Advanced courses require specific competencies or knowledge relevant to the topic prior to enrollment.

Response:

Intermediate

- 1000 level = Introductory undergraduate
- 2000 level = Introductory undergraduate
- 3000 level = Intermediate undergraduate
- 4000 level = Advanced undergraduate
- 5000 level = Introductory graduate
- 6000 level = Intermediate graduate
- 7000 level = Advanced graduate
- 4000/5000= Joint undergraduate/graduate
- 4000/6000= Joint undergraduate/graduate

**Joint undergraduate/graduate courses must be approved by the UCC and the Graduate Council)*

Lab Code

Enter the lab code to indicate whether the course is lecture only (None), lab only (L), or a combined lecture and lab (C).

Response:
None

Course Title

*Enter the title of the course as it should appear in the Academic Catalog. There is a 100 character limit for course titles. *

Response:
Arbitration Law

Transcript Title

Enter the title that will appear in the transcript and the schedule of courses. Note that this must be limited to 30 characters (including spaces and punctuation).

Response:
Arbitration Law

Degree Type

Select the type of degree program for which this course is intended.

Response:
Professional

Delivery Method(s)

Indicate all platforms through which the course is currently planned to be delivered.

Response:
On-Campus

Co-Listing

Will this course be jointly taught to undergraduate, graduate, and/or professional students?

Response:
No

Effective Term

Select the requested term that the course will first be offered. Selecting "Earliest" will allow the course to be active in the earliest term after SCNS approval. If a specific term and year are selected, this should reflect the department's best projection. Courses cannot be implemented retroactively, and therefore the actual effective

term cannot be prior to SCNS approval, which must be obtained prior to the first day of classes for the effective term. SCNS approval typically requires 2 to 6 weeks after approval of the course at UF.

Response:
Fall

Effective Year

Select the requested year that the course will first be offered. See preceding item for further information.

Response:
2020

Rotating Topic?

Select "Yes" if the course can have rotating (varying) topics. These course titles can vary by topic in the Schedule of Courses.

Response:
No

Repeatable Credit?

Select "Yes" if the course may be repeated for credit. If the course will also have rotating topics, be sure to indicate this in the question above.

Response:
No

Amount of Credit

Select the number of credits awarded to the student upon successful completion, or select "Variable" if the course will be offered with variable credit and then indicate the minimum and maximum credits per section. Note that credit hours are regulated by Rule 6A-10.033, FAC. If you select "Variable" for the amount of credit, additional fields will appear in which to indicate the minimum and maximum number of total credits.

Response:
2

S/U Only?

Select "Yes" if all students should be graded as S/U in the course. Note that each course must be entered into the UF curriculum inventory as either letter-graded or S/U. A course may not have both options. However, letter-graded courses allow students to take the course S/U with instructor permission.

Response:
No

Contact Type

Select the best option to describe course contact type. This selection determines whether base hours or headcount hours will be used to determine the total contact hours per credit hour. Note that the headcount hour options are for courses that involve contact between the student and the professor on an individual basis.

Response:
Regularly Scheduled

- Regularly Scheduled [base hr]
- Thesis/Dissertation Supervision [1.0 headcount hr]
- Directed Individual Studies [0.5 headcount hr]
- Supervision of Student Interns [0.8 headcount hr]
- Supervision of Teaching/Research [0.5 headcount hr]
- Supervision of Cooperative Education [0.8 headcount hr]

Contact the Office of Institutional Planning and Research (352-392-0456) with questions regarding contact type.

Weekly Contact Hours

Indicate the number of hours instructors will have contact with students each week on average throughout the duration of the course.

Response:
2

Course Description

Provide a brief narrative description of the course content. This description will be published in the Academic Catalog and is limited to 500 characters or less. See course description guidelines.

Response:
This course is an introduction to the law of arbitration as well as an introduction to the process and the specific skills relating to arbitration.

Prerequisites

Indicate all requirements that must be satisfied prior to enrollment in the course. Prerequisites will be automatically checked for each student attempting to register for the course. The prerequisite will be published in the Academic Catalog and must be formulated so that it can be enforced in the registration system. Please note that upper division courses (i.e., intermediate or advanced level of instruction) must have proper prerequisites to target the appropriate audience for the course. Courses level 3000 and above must have a prerequisite.

Response:
None

Completing Prerequisites on UCC forms:

- Use "&" and "or" to conjoin multiple requirements; do not use commas, semicolons, etc.
- Use parentheses to specify groupings in multiple requirements.
- Specifying a course prerequisite (without specifying a grade) assumes the required passing grade is D-. In order to specify a different grade, include the grade in parentheses immediately after the course number. For example, "MAC 2311(B)" indicates that students are required to obtain a grade of B in Calculus I. MAC2311 by itself would only require a grade of D-.
- Specify all majors or minors included (if all majors in a college are acceptable the college code is sufficient).
- "Permission of department" is always an option so it should not be included in any prerequisite or co-requisite.

Example: A grade of C in HSC 3502, passing grades in HSC 3057 or HSC 4558, and major/minor in PHHP should be written as follows:
HSC 3502(C) & (HSC 3057 or HSC 4558) & (HP college or (HS or CMS or DSC or HP or RS minor)

Co-requisites

Indicate all requirements that must be taken concurrently with the course. Co-requisites are not checked by the registration system. If there are none please enter N/A.

Response:
None

Rationale and Placement in Curriculum

Explain the rationale for offering the course and its place in the curriculum.

Response:
The College of Law is reviewing and updating our curriculum and courses. This course has been offered multiple times in previous years under the special topics course number LAW 6930. This request is part of a broader, ongoing effort to move to permanent course numbers.

Course Objectives

Describe the core knowledge and skills that student should derive from the course. The objectives should be both observable and measurable.

Response:
At the end of the course, students will understand how arbitration fits in the dispute resolution continuum. Students will also understand the differences between various arbitration processes. Students will learn the foundation of arbitration law in the United States and the direction in which arbitration law is moving. Among the skills students will learn how to draft an arbitration agreement, conduct a pre-hearing conference, manage and conduct an arbitration hearing, and draft a post hearing brief and award.

Course Textbook(s) and/or Other Assigned Reading

Enter the title, author(s) and publication date of textbooks and/or readings that will be assigned. Please provide specific examples to evaluate the course.

Response:
ARBITRATION: THEORY, PRACTICE, AND LAW, FOLBERG, GOLANN, STIPANOWICH, KLOPPENBERG (WOLTERS KLUWER, CUSTOM EDITION, 3RD EDITION, 2016).

Weekly Schedule of Topics

Provide a projected weekly schedule of topics. This should have sufficient detail to evaluate how the course would meet current curricular needs and the extent to which it overlaps with existing courses at UF.

Response:
Week One: Monday, January 13
Text Chapter 17-- Introduction and The Big Picture

Week Two: Monday, January 20
– Martin Luther King Day- No Classes

Week Three: Monday, January 27
Text Chapter 18 –Arbitration Agreements

Week Four: Monday, February 3
Text Chapter 19 – Selecting Arbitrators

Week Five: Monday, February 10
Text Chapter 20–Arbitration Procedures and Awards

Week Six: Monday, February 17
Text Chapter 21– The Law of Arbitration: Judicial Enforcement of Arbitration Agreements

Week Seven: Monday, February 24
Text Chapter 22– Judicial Enforcement of Arbitration Awards

Monday, March 2
Spring Break – No Class.

Monday March 9
Text Chapter 23– Fairness in Arbitration, Part I, Employment; Consumer; and Adhesion Contracts

Monday, March 16
Text Chapter 24 – Fairness in Arbitration part II: Recent Legislative and Judicial Developments

Monday, March 18
Arbitration Advocacy (Handouts to be Provided) Matt Adler Guest Speaker

Monday, March 23
Text Chapter 25–Mixing and Matching the Process to the Dispute-- and Review

Monday, March 30
Handout (to be provided): Guest Speaker, Laura Reich, International Arbitration

Monday, April 6
Preparation for Mock Arbitration

Monday, April 20
Mock Arbitration

Grading Scheme

List the types of assessments, assignments and other activities that will be used to determine the course grade, and the percentage contribution from each. This list should have sufficient detail to evaluate the course rigor and grade integrity. Include details about the grading rubric and percentage breakdowns for determining grades. If participation and/or attendance are part of the students grade, please provide a rubric or details regarding how those items will be assessed.

Response:

Students will be graded based on 1) a one hour multiple choice exam; 2) on attendance and class participation, in class work including any written assignments, participation in the final mock arbitration hearing; and 3) on their final reflection paper of 3-5 pages. Students must participate in the final mock arbitration to satisfactorily complete this course. A one-hour exam will count for 50% of the final grade; attendance, in-class participation, final arbitration, and other written work during the semester will count for 25% of the grade; a final reflection paper based on the mock arbitration will count for 25% of the grade.

Instructor(s)

Enter the name of the planned instructor or instructors, or "to be determined" if instructors are not yet identified.

Response:

Joan Stearns Johnsen

* *

Response:
Yes

Arbitration Spring, 2020

Joan Stearns Johnsen

Mondays: 10:00 am – 12:00 pm

Holland Hall 285A

4 6930 15BC

Office: Holland Hall 372 – Phone: 617-549-0742

E-mail: johnsen@law.ufl.edu

Class Syllabus and Policies

Required Course Materials:

ARBITRATION: THEORY, PRACTICE, AND LAW, FOLBERG, GOLANN, STIPANOWICH, KLOPPENBERG (WOLTERS KLUWER, CUSTOM EDITION, 3RD EDITION, 2016). (“TEXT”)

Please note that this text is taken from a larger textbook for courses that also cover negotiation and mediation. For this reason, the first chapter in this shorter book is chapter 17.

Please note that we will schedule a final mock arbitration on a date to be determined when your schedules are set.

Description and Goals of the Course: This course is two credit hours. Please note that ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in class instruction. Accordingly, it is expected that you will spend two hours preparing for every hour of in-class instruction each week.

This course is an introduction to the law of arbitration as well as an introduction to the process and the specific skills relating to arbitration. At the end of the course you will understand how arbitration fits in the dispute resolution continuum. You will also understand the differences between various arbitration processes. You will learn the foundation of arbitration law in the United States and the direction in which arbitration law is moving. Among the skills you will learn how to draft an arbitration agreement, conduct a pre-hearing conference, manage and conduct an arbitration hearing, and draft a post hearing brief and award.

Arbitration is a binding method of dispute resolution arrived at contractually. Arbitration is used in various contexts and in various forms. It is popular in resolving domestic business to business commercial disputes, cross border commercial disputes, investor state disputes, consumer disputes, labor disputes, employment disputes, antitrust class action disputes, and securities disputes. Arbitration continues to grow in importance and popularity.

Final Mock Arbitration

We will devote our final two classes to our mock arbitration. You will be assigned roles randomly. Attendance is mandatory.

Grading: You will be graded based on 1) a one hour multiple choice exam; 2) on your attendance and class participation, in class work including any written assignments, your participation in the final mock arbitration hearing; and 3) on your final reflection paper of 3-5 pages. You must participate in the final mock arbitration to satisfactorily complete this course.

Your one-hour exam will count for 50% of your grade; your attendance, in-class participation, final arbitration, and other written work during the semester will count for 25% of your grade; your final reflection paper based on the mock arbitration will count for 25% of your grade.

Class Schedule: We will meet once each week on Monday. Monday's class will be from 10:00 until 12:00. We will meet in Holland Hall 285D.

Office Hours: I will have regular office hours from 1:00-2:00 on Mondays. Additionally, I am always available by appointment. You may call, text, or email if you would like to speak with me. My cell phone is listed on this syllabus. (Please identify yourself if you text.) I encourage you to come and talk with me if you are having difficulties with, or simply want to clarify your understanding of, any of the materials covered in the reading or in class.

UF Student Honor Code: Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

Accommodations: Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, www.dso.ufl.edu/drc/) by providing appropriate documentation. Once registered, students will receive accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

Attendance: Your attendance is essential to your ability to apply the theory discussed to your final arbitration exercise. Also, since you will be working in teams, any absences will not only hurt you, but will also disadvantage those with whom you have been paired. For this reason, regular and punctual attendance at classes is essential. I do take attendance. Please e-mail me to request an excused absence. Anything in excess of 15% unexcused absences may render a student ineligible to receive credit for the course. Excused absences are consistent with University policies (<https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>) and require appropriate documentation.

Canvas: Please check Canvas regularly for new postings. If you have difficulty accessing or working with Canvas, please let me know as soon as possible.

Assignments and Important Dates and Events:

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Monday, March 30

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Monday, April 6 You will have class time to work in groups on your Mock Arbitration.

Preparation for Mock Arbitration

Monday, April 20 You may not miss this class. You may not arrive late for this class.

Mock Arbitration