

NEW DEVELOPMENTS IN LAW TRAINING PROVISION at The University of Glamorgan, Law School.

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The University of Glamorgan has recently launched an LL.M Course in Commercial Dispute Resolution. The LL.M is a dual purpose postgraduate degree award and a professional practice course. It has been designed to satisfy the training needs of lawyers and non-lawyers in respect of arbitration, conciliation, mediation and adjudication. The course commences on a full and part time basis in February 1999. Inquiries and applications for admission to the course should be directed to Mr C Spurin at the University of Glamorgan Law School.

The LL.M in Commercial Dispute Resolution breaks new ground in University Legal Training. Training in Alternative Dispute Resolution has up to this time been provided by a variety of organisations involved in particular forms of dispute resolution such as mediation or arbitration. The LL.M provides training in each of the forms of Alternative Dispute Resolution together with a grounding in the underlying philosophy, methodology and ethics of negotiated dispute settlement and non-judicial dispute resolution. The LL.M will provide students with a solid foundation in Alternative Dispute Resolution or what is commonly referred to as ADR. With the pressure being put on the profession to cut back on the costs of legal provision by the Lord Chancellor's Office ADR provides the ideal vehicle for Law Firms to develop new, faster and cheaper private, confidential avenues for resolving client's disputes. Much work has already been done in South Wales by the ADR group to promote ADR in legal practice and the LL.M at Glamorgan will help to ensure that South Wales has sufficient numbers of well trained ADR practitioners in a variety of fields such as construction law, medical law and shipping law, in order to meet the needs of the Commerce and the Profession at the commencement of the new century.

The LL.M Practice Course in Dispute Resolution builds upon twenty years of experience in providing Professional Law courses at the University of Glamorgan which has established close links with the local legal profession. Professional Legal Studies is a thriving and forward looking division of the School and boasts a portfolio of programmes including the Common Professional Examination, continuing professional development programmes for the legal profession, the Legal Practice Course (LPC) The LL.M in Commercial Dispute Resolution is the first of a range of Professional Masters Courses to be established within the Law School's Commercial Law Unit.

The primary aim of the course is to provide a stimulating and challenging intellectual environment whereby legal education crosses new frontiers exposing students to innovative methods of resolving commercial disputes as well as understanding the philosophy behind the human desire to dispute, so equipping students to increase their personal and professional development.

The course aims to prepare students for professional practice in commercial dispute resolution through a "learning and doing" approach, and in particular to represent clients in Arbitrations, Adjudications, Conciliations and Mediations and to act as Arbitrators, Adjudicators, Conciliators and Mediators. Students on the LL.M in Commercial Dispute Resolution can expect to be faced with simulations of the types of dispute in which they will be involved in the practice.

The LL.M in Dispute Resolution is a modular course and contains three stages. The Certificate stage requires students to successfully complete four modules. The Diploma stage requires successful completion an additional four modules. The LL.M Award stage involves the production of a dissertation which is the equivalent of four modules. The course may be studied full or part time. The part-time course is delivered by the same team as the full time course and some of the lectures are shared by both groups of students.

Modules available include Ethics, the Philosophy of Dispute Resolution, Conflict Management and Conflict Resolution; EC Law, Conflicts and International Codes; The Substantive Law of Arbitration, Common Law of Obligations (for students with no previous foundation in legal study), Litigation Strategies, Dispute Resolution in the USA (leading to a US practice certificate), Practical Mediation and Arbitration; Alternative Dispute Resolution in Practice; Civil Evidence Procedure and Expert Witness Skills, Arbitration and ADR in Shipping Law; Construction Law; Consumer and Trade Law, Employment Law, Foundations in Chinese Law, CIETAC Arbitration in China (leading to CIETAC Certification) and ADR in Medical Law. Further modules on Insurance Law, Company Law and Intellectual Property will be offered from the year 2,000 onwards.

At the LL.M Award Stage students are required to submit a dissertation on an agreed topic. Students are required in conjunction with their dissertation supervisor to devise, plan, research and produce a substantial work on an area of alternative dispute resolution. Successful completion of the dissertation requires motivation, self discipline, originality and critical thought.

The course will be taught by a combination of lectures and small group activities with the emphasis on the latter. Students will be required to prepare thoroughly for and to participate fully in the activities, which will include the development of prescribed dispute resolution skills such as case management, advocacy, drafting, interviewing, legal research and award writing. Client autonomy, professional conduct and client autonomy are pervasive topics taught throughout the course. Students are expected to take a substantial part of the responsibility for their learning.

Much of the assessment during the course is continual, practical and skills based. Great importance is placed on modern methods of teaching and the use of technical facilities, in particular video recording is used extensively in advocacy, mediation and conciliation training and skills teaching generally.

The LL.M Dispute Resolution Scheme Leader is Corbett Haselgrove-Spurin. He is a qualified arbitrator and mediator with many years experience in the construction industry and in commerce and has spent the past 10 years in higher education specialising in post-graduate studies and in particular delivering courses on maritime and construction law at the University of Glamorgan and at the University of Wales, Maritime Department in Cardiff. Individual members of the LL.M teaching team have extensive professional, academic and judicial experience. The team includes qualified arbitrators, mediators, solicitors and barristers, who maintain professional links with practice and in some cases continue to practice on a part time basis. In addition, visiting practitioners from the US, Malaysia and China will provide specialist expertise in the International sphere. The LLM is designed for the global market and will be available to students in the US, China and Malaysia as well as to UK and EC students. The course has already attracted much attention from leading practitioners of Alternative Dispute Resolution and an impressive array of esteemed practitioners has been lined up to provide guest lectures to students at the Law School.

The Law School also intends to launch a series of seminars to business on the commercial benefits of Alternative Dispute Resolution and to explain how to incorporate mediation and arbitration clauses into standard form contracts.

The future for Alternative Dispute Resolution looks brighter now in the light of these developments and it is hoped that the Legal Profession in South Wales will support the efforts of the University of Glamorgan Law School and help the Law School to establish this new program as a world leader in ADR training provision.

Corbett Haselgrove-Spurin. LLB LLM Int.Dip.Com.Arb CIArb. NMA US Certified Mediator.