

UČNI NAČRT PREDMETA / COURSE SYLLABUS						
Predmet:		Alternativno reševanje sporov				
Course title:		Alternative Dispute Settlement				
Študijski program in stopnja		Študijska smer		Letnik	Semester	
Study programme and level		Study field		Academic year	Semester	
Pravo 2. stopnja				1/2	1/2	
Law 2nd degree				1/2	1/2	
Vrsta predmeta / Course type				Obvezni modularni/Mandatory modular		
Univerzitetna koda predmeta / University course code:						
Predavanja	Seminar	Vaje	Klinične vaje	Druge oblike študija	Samost. delo	ECTS
Lectures	Seminar	Tutorial	work		Individ. work	
30	0	0	0	0	120	6
Nosilec predmeta / Lecturer:				izr. prof. dr. Nana Weber / Assoc. Prof. Dr. Nana Weber		
Jeziki		Predavanja / Lectures:				
/Languages:		Slovenski jezik/Slovenian/Angleški jezik/English				
Slovenščina/ Slovene		Vaje / Tutorial:				
Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:				Prerequisites:		
Vpis v prvi letnik.				Enrollment in first year.		
Vsaj 80 % prisotnost na predavanjih.				At least 80% attendance at lectures.		

Vsebina:	Content (Syllabus outline):
<ul style="list-style-type: none"> - Kaj je ARS - Razlike med sodnim odločanjem in ARS - Prednosti mediacije - Pravni okvirji - Kateri spori niso za ARS - Druge oblike ARS (konciliacija, NEO, arbitraža...) - Mediacija (temeljna načela mediacije, postopek, potek mediacije, obvezna mediacija) - Posebnosti mediacij glede na vrsto spora (družinske, gospodarske, delovne, odškodninske) 	<ul style="list-style-type: none"> - What is ADR - Differences between adjudication and ADR - Advantages of mediation - Legal frameworks - Which disputes are not for ADR - Other forms of ADR (conciliation, NEO, arbitration...) - Mediation (basic principles of mediation, procedure, course of mediation, compulsory mediation) - Specific features of mediation according to the type of dispute (family, commercial, labour, compensation)

Temeljna literatura in viri / Readings:

1. Betetto, N., in drugi. (2011). Mediacija v teoriji in praksi: veliki priročnik o mediaciji. Ljubljana: Društvo mediatorjev Slovenije. (izbrana poglavja).
2. Zakon o alternativnem reševanju sodnih sporov (ZARSS).
3. Pravilnik o mediatorjih v programih sodišč.
4. Zalar, A., in drugi (2010). Zakon o alternativnem reševanju sodnih sporov (ZARSS) s komentarjem. Zakon o mediaciji v civilnih in gospodarskih zadevah (ZMCGZ) s komentarjem. Zakon o arbitraži (ZArbit) s pojasnili. Ljubljana: GV Založba.
5. Zakon o mediaciji v civilnih in gospodarskih zadevah (ZMCGZ).
6. Act on Alternative Dispute Resolution in Judicial Matters, Official Gazette of RS, no. 97/09 and next.
7. Moore, W. (2003). The Mediation Process: Practical Strategies for Resolving Conflict, Jossey-Bass.
8. Beer, J. E. (2012). The Mediator's Handbook. New Society Publishers.
9. Ude, L. (2002). Civilno procesno pravo, Uradni list RS, Ljubljana.

Cilji in kompetence:

- Spoznati različne načine alternativnega reševanja sporov
- Spoznati temeljne razlike med ARS in sodnim postopkom
- Spoznati temeljna načela mediacije in razumeti njen potek

Objectives and competences:

- Learn about the different methods of alternative dispute resolution
- To learn about the fundamental differences between ADR and litigation
- To learn the basic principles of mediation and understand its process

Predvideni študijski rezultati:

Intended learning outcomes:

Znanje in razumevanje:

Študent bo razumel temeljne razlike med sodnim odločanjem in postopki ARS.

Glede na poglobljeno razumevanje postopka mediacije bo zmožen aktivno sodelovati kot strankin pooblaščenec v postopku mediacije.

Knowledge and understanding:

The student will understand the fundamental differences between adjudication and ADR procedures.

Given an in-depth understanding of the mediation process, the student will be able to actively participate as a party's representative in the mediation process.

Metode poučevanja in učenja:**Oblike dela:**

- Frontalna oblika poučevanja
- Delo v manjših skupinah oz. v dvojicah
- Samostojno delo študentov
- e-učenje
- drugo (vpišite)

Metode (načini) dela:

- Razlaga
- Razgovor/ diskusija/debata
- Delo z besedilom
- Proučevanje primera
- Igra vlog
- Druge vrste nastopov študentov
- Reševanje nalog
- Študijski obiski podjetij ipd.)
- Vključevanje gostov iz prakse
- Udeležba na okrogli mizi, na konferenci

Learning and teaching methods:**Types of learning/teaching:**

- Frontal teaching
- Work in smaller groups or pair work
- Independent students work
- e-learning
- other _____

Teaching methods:

- Explanation
- Conversation/discussion/debate
- Work with texts
- Case studies
- Role-play
- Different presentation
- Solving exercises
- Field work (e.g. company visits)
- Inviting guests from companies
- Attending round table and conference

<p>Učne oblike:</p> <ul style="list-style-type: none"> - predavanja <p>Metode:</p> <ul style="list-style-type: none"> - razlaga - proučevanje primera - diskusija v malih skupinah - igre vlog 	<p>Teaching forms</p> <ul style="list-style-type: none"> - frontal instructions <p>Metode:</p> <ul style="list-style-type: none"> - explanation - case study - discussion in small groups - role playing
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Načini ocenjevanja:	Delež (v %) / Weight (in %)	Assessment:
Način: Pisni ali ustni izpit	 100 %	Type: Written or oral exam

Reference nosilca / Lecturer's references:

Nana Weber, univerzitetna diplomirana pravnica, magistrica in doktorica pravnih znanosti ter profesorica glasbe, je izredna profesorica za civilno in gospodarsko pravo na Evropski pravni fakulteti in izredna profesorica za delovno pravo na MLC Fakulteti za management in pravo Ljubljana.

Poklicno pot v pravo je začela v sodstvu in na različnih stopnjah sodišč, nato je delala na državnem pravobranilstvu, v odvetniški pisarni in v kabinetu ministra za javno upravo. Po sedmih letih samostojnega odvetništva sedaj vodi družbo Weber N., pravna svetovanja, analize in mediacije, d.o.o.. Ker si vedno prizadeva za mirno rešitev sporov, je mediatorica na Okrožnem sodišču v Ljubljani, Okrajnem sodišču v Kranju, pri Ministrstvu za delo družino, socialne zadeve in enake možnosti, poleg tega pa je izvajalka izvensodnega reševanja potrošniških sporov pri Ministrstvu za gospodarski razvoj in tehnologijo.

Je članica državne izpitne komisije za pravniški državni izpit za področje civilnega materialnega in procesnega prava.

Piše strokovne in znanstvene članke z različnih pravnih področij. Med drugim je ena izmed avtoric komentarja Družinskega zakonika (Uradni list, 2019), soavtorica in urednica komentarja Družinskega zakonika (GV Založba, Lexpera, 2024), avtorica uvodnih pojasnil Družinskega zakonika (GV Založba, Lexpera, 2018), avtorica zbirke Vprašanja in odgovori iz delovnega prava (GV Založba, Lexpera), v okviru katere so doslej izšle knjige Prenehanje pogodbe o zaposlitvi (2020), Ko delavca ni na delu (Dopust, regres in druge odsotnosti z dela (2021)) in Prejemki iz delovnega razmerja (2023).

Je tudi avtorica uvodnih pojasnil k Zakonu o sodnih taksah (ZST-1); Odvetniška tarifa; Notarska tarifa: (neuradna prečiščena besedila) - Uradni list Republike Slovenije 2022, in avtorica Zakona o sodnih taksah (ZST-1) z uvodnimi pojasnili - Lexpera, GV Založba, 2023.

Nana Weber, a university graduate in law, holds a Master's and Doctorate in Legal Sciences and a professorship in music. She is an Associate Professor of Civil and Commercial Law at the European Faculty of Law and an Associate Professor of Labor Law at MLC Faculty of Management and Law in Ljubljana.

She began her legal career in the judiciary, serving in various levels of courts. Later, she worked at the State Attorney's Office, a law firm, and in the Office of the Minister of Public Administration. After seven years as an independent attorney, she now leads the company Weber N., Legal Consulting, Analysis, and Mediation, Ltd. With a strong commitment to peaceful dispute resolution, she serves as a mediator at the District Court in Ljubljana, the Local Court in Kranj, Ministry of Labor, Family, Social Affairs, and Equal Opportunities. Additionally, she provides out-of-court consumer dispute resolution for the Ministry of Economic Development and Technology.

She is a member of the national examination board for the Bar Examination, responsible for the fields of civil substantive and procedural law.

She writes professional and academic articles in various fields of law. Among her publications, she is one of the authors of the Commentary on the Family Code (Uradni list, 2019), a co-author and editor of the Commentary on the Family Code (GV Založba, Lexpera, 2024), the author of the Introductory Explanations of the Family Code (GV Založba, Lexpera, 2018), and the author of the Labor Law Questions and Answers series (GV Založba, Lexpera), which includes the books Termination of Employment Contract (2020), When the Worker is Absent from Work (Leave, Vacation, and Other Absences from Work) (2021), and Remuneration from Employment (2023).

She is also the author of the Introductory Explanations to the Court Fees Act (ZST-1); Attorney Tariff; Notary Tariff: (Unofficial Consolidated Text) – Uradni list, 2022, and the Court Fees Act (ZST-1) with Introductory Explanations – Lexpera, GV Založba, 2023.
