

UČNI NAČRT PREDMETA / COURSE SYLLABUS	
Predmet:	Študije primerov in igre vlog
Course title:	Case Studies and Role Playing

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Alternativno reševanje sporov – 2. stopnja		1/2	1/2
Alternative Dispute Resolution – 2nd degree		1/2	1/2

Vrsta predmeta / Course type	Izbirni/ Elective
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Univerzitetna koda predmeta / University course code:	
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Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
25	0	0	0	0	125	6

Nosilec predmeta / Lecturer:	izr. prof. dr. Nana Weber / Assoc. Prof., Nana Weber, PHD
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Jeziki / Languages:	Predavanja / Lectures:	Slovenski jezik/ Slovenian
Slovenščina/ Slovene	Vaje / Tutorial:	

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:	Prerequisites:
Vpis v 2. letnik.	Enrollment in the 2nd year.
Vsaj 80% prisotnost na predavanjih.	At least 80% attendance at lectures.

Vsebina:	Content (Syllabus outline):
<ol style="list-style-type: none"> Veščine in tehnike mediacije. Vloga predmediacijskega srečanja. Proces mediacije in posamezne faze mediacije. Vloga in naloge mediatorja. Vloga in naloge udeležencev mediacije. Vodenje pogajanj. Ključne veščine v mediaciji. Zastoji v mediaciji in kako jih preseči. 	<ol style="list-style-type: none"> The skills and techniques of mediation. The role of the pre-mediation meeting. The mediation process and each stage of the mediation. The role of the mediator. The role of the parties in mediation. The management of negotiations. The key techniques in mediation.

- 9. Zaključek mediacijskega postopka.
- 10. Pisanje mediacijskega dogovora.
- 11. Vodenje mediacije v komediaciji.
- 12. Etika v mediacijski.
- 13. Posamezni predpisi s področja mediacije – nacionalni in EU.

- 8. The congestions in mediation and how to overcome them.
- 9. Completion of the mediation process.
- 10. Mediation agreement.
- 11. Conduct mediation in comediation.
- 12. Ethics in mediation.
- 13. The provisions in the field of mediation – the national and the european.

Temeljna literatura in viri / Readings:

- Betetto, N., in drugi. (2011). *Mediacija v teoriji in praksi: veliki priročnik o mediaciji*. Ljubljana: Društvo mediatorjev Slovenije. (izbrana poglavja)
- *Mediacijske tehnike in veščine : 1-50 : priročnik za učinkovito preprečevanje in reševanje konfliktov ter osebno rast v komuniciranju*. Pro Creathor, 2018.
- *Zakon o alternativnem reševanju sodnih sporov (ZARSS)*
- *Pravilnik o mediatorjih v programih sodišč*
- 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
- *Zakon o mediaciji v civilnih in gospodarskih zadevah (ZMCGZ)*
- *Act on Alternative Dispute Resolution in Judicial Matters, Official Gazette of RS, no. 97/09 and next*
- Moore, W.: *The Mediation Process: Practical Strategies for Resolving Conflict*, Jossey-Bass; 3rd Edition Revised (April 30, 2003)
- Beer, J. E.: *The Mediator's Handbook*. New Society Publishers; 4th edition (October 1, 2012)

Cilji in kompetence:

Pri predmetu se zasledujejo naslednji cilji:

- poznavanje in vodenje mediacijskega procesa
- poznavanje in vodenje posamezne faze mediacijskega procesa in celotnega mediacijskega procesa
- poznavanje vloge mediatorja in njegovo izvajanje v praksi
- poznavanje in aktivna uporaba mediacijskih tehnik in veščin
- vodenje mediacije v komediaciji
- prepoznavanje napak in zastojev v mediaciji ter načinov za njihovo preseganje
- prepoznavanje in posledično razvijanje novih veščin pogajanj v lastnem življenju.

Objectives and competences:

Students will:

- be able to manage mediation process
- understand each stage of the mediation process and the entire process of mediation
- understand the role of the mediator and its implementation in practice
- be able to use mediation techniques and skills
- be able to comediate
- to recognize the errors and delays in the mediation and ways to overcome them
- be able to identify and develop new negotiation skills in his own life

Predvideni študijski rezultati:**Znanje in razumevanje:**

- študent-ka nadgradi znanje, veščine, tehnike in mediacije
- razume ter zna uporabljati proces mediacije v enostavnnejših in tudi v težjih primerih
- študent-ka pozna in zna uporabiti tehnike za delo z zahtevnimi strankami
- študent-ka pozna in zna uporabiti tehnike in veščine pri zastojih v mediacijskem procesu
- zna zapisati mediacijski dogovor
- zna voditi mediacijo sam-a ali v komediaciji z drugim mediatorjem
- zna se soočati z etičnimi dilemami
- študent-ka zna uporabiti pridobljena znanja in spremnosti pri neposrednem delu z uporabniki
- obvlada veščino ohranjanja profesionalne in osebne avtonomije v medsebojnih odnosih.

Intended learning outcomes:**Knowledge and understanding:****Students will:**

- upgrade knowledge, skills, techniques of mediation
- understand and know how to use the mediation process in a simple and more complicated cases
- know how to work with demanding clients
- be able to write mediation agreement
- be able to manage mediation by himself or in comediation with the other mediator
- be able to deal with ethical dilemmas
- be able to use acquired knowledge and skills in direct work with users
- be able to maintain professional and personal autonomy within the relations

Metode poučevanja in učenja:**Učne oblike:**

- frontalna oblika poučevanja
- delo v manjših skupinah
- razgovor, diskusija, debata
- e-učenje

Učne metode:

- proučevanje primera
- ogled in analiza video posnetkov mediacije
- vaje z igro vlog – vodenje procesa mediacije

Learning and teaching methods:**Teaching forms:**

- Frontal instructions
- work in small groups
- conversation, discussion, debate
- e-learning

Teaching methods:

- case study
- analysis of video (process of mediation)
- role playes

Delež (v %) /

Weight (in %) **Assessment:****Načini ocenjevanja:**

Način:

Pisni ali ustni izpit

100%

Type:

Written or oral exam

Reference nosilca / Lecturer's references:

Nana Weber je izredna profesorica za civilno in gospodarsko pravo na Evropski pravni fakulteti, docentka za delovno pravo na MLC Fakulteti za management in pravo Ljubljana in docentka za poslovne vede na B2 Visoki šoli za poslovne vede. Leta 2003 je diplomirala na Pravni fakulteti v Ljubljani. Tam je s podiplomskim študijem nadaljevala in leta 2010 magistrirala na področju civilnega in gospodarskega in leta 2013 doktorirala na področju civilnega prava. Leta 2010 je diplomirala še na Akademiji za glasbo (profesorica glasbe).

Poklicno pot v pravu 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. Leta 2016 je začela samostojno pot in do nedavnega delovala kot odvetnica. Sedaj vodi družbo Weber N., pravna svetovanja, analize in mediacije, d.o.o.

Izkušnje mediatorke v Mediacijskem centru Ljubljana, pri Odvetniški zbornici Slovenije in Ministrstvu za delo družino, socialne zadeve in enake možnosti ter izvajalke izvensodnega reševanja potrošniških sporov pri Ministrstvu za gospodarski razvoj in tehnologijo so botrovale odločitvi, da pomaga reševati spore na neformalen način v okviru lastnega podjetja.

Je tudi članica državne izpitne komisije za pravniški državni izpit (področje civilnega materialnega in procesnega prava) in zborovodja Mešanega pevskega zbora Nove Univerze.

Na redni bazi piše strokovne in znanstvene članke iz različnih pravnih področij. Med drugim je ena od avtoric Družinskega zakonika (Uradni list, 2019), avtorica uvodnih pojasnil Družinskega zakonika (GV Založba, Lexpera, 2018), in 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.

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Nana Weber is associate professor for civil and corporate law at the European Faculty of Law New University, assistant professor for labour law and assistant professor for business sciences at Ljubljana School of Business. She graduated from the University of Ljubljana Faculty of Law, in 2003. She continued her postgraduate course in the same University and received a Master's degree of Science in 2010 (Civil and Commercial Law), and Doctor's degree of Science in 2013 (Civil Law). In 2010 she graduated in Music Pedagogy at the Musical Arts in 2010 (Professor of Music).

Her professional legal career began at different levels of the court, then she worked at the State's Attorney Office, at lawyer and at Ministry of Public Administration. She went freelance in 2016 and until recently worked as a lawyer. She now runs Weber N., Legal Consulting, Analysis and Mediation, d.o.o.

Her experience as a mediator at the Ljubljana Mediation Centre, the Bar Association of Slovenia and the Ministry of Labour, Family, Social Affairs and Equal Opportunities, and as a provider of out-of-court dispute resolution for consumer disputes at the Ministry of Economic Development and Technology, led to her decision to help resolve disputes in an informal way within her own company.

She is also a member of the State Examination Board for the State Lawyers' Examination (civil substantive and procedural law) and choirmaster of the mixed choir at New University.

On regular basis she writes professional and scientific articles. Among other things, she is one of the authors of the Family code (Uradni list 2019), the author of the introductory explanations of the Family Code (GV Založba, Lexpera, 2018) and author of professional collection Labour Law Questions and Answers (GV Založba, Lexpera), in which so books Termination of employment contract (2020), When the worker is not at work (Annual leave, payment for annual leave, and other absences from work) (2021) and Employment Benefits (2023) were published. She is also the author of the Introductory Explanatory Notes to the Law on Court Fees (ZST-1); Lawyer's Tariff; Notary's Tariff: (Unofficial Consolidated Texts) - Official Gazette of the Republic of Slovenia 2022, and the author of the Law on Court Fees (ZST-1) with Introductory Explanatory Notes - Lexpera, GV založba, 2023.