



## **SYLLABUS**

### **EDUC 6327 Marriage, Divorce and Family Mediation**

**SEMESTER: Summer 2022**

**PROFESSOR: Dr. Samuel Garcia, LPC-S**  
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**OFFICE OR ELECTRONIC ADVISING HOURS:** Wednesday 10:00 a.m. to 12:00 p.m. or Friday 4:00 p.m. to 6:00 p.m. **PLEASE CALL TO MAKE AN APPOINTMENT FOR IN-PERSON APPOINTMENT.**

**Office Location:** 205 Wildcat Drive, Rm. 212.

**Counseling Program Web Page:**

<http://www.sulross.edu/page/2301/master-education-counseling>

**Dean for Sul Ross State University Rio Grande College:**

<http://www.sulross.edu/news/4031/ver-nica-m-ndez-maqueo-named-dean-sul-ross-rio-grande-college>

**Chair for the Education Department/Counseling Program:**

<http://www.sulross.edu/faculty-and-staff/2312/professor-education>

**Required Texts:**

**Divorce and Family Mediation: Models, Techniques, and Applications**

Jay Folberg, Ann L. Milne and Peter Salem  
ISBN-13: 978-1593850029

**Recommended Reading:**

**Raising an Emotionally Intelligent Child**

John M., Gottman, Ph.D. and Joan DeClaire  
ISBN-13: 978-0684801308

**Course Prerequisites:** None.

**Course Purpose:** Students will gain cutting-edge knowledge of models of mediation techniques and applications. The course content is centered on learning prominent models that address the facilitative, evaluative, transformative, hybrid and therapeutic practices before, during or after marriage dissolution.

**Course Description:**

This course is dedicated to students who seek advance understanding and application of strategic marriage, divorce and family mediation skills. The strategic knowledge is provided to refine student competency when working with a population experiencing marriage, divorce and family conflict.

**Skills Competency Component:** This course will require that each student complete a final case study that is designed to evaluate competency level of seven (7) core areas. A rubric designed to categorize four (4) levels of competency: Excellent, Advanced, Adequate and Inadequate will be used to assess core skills. The core skills are: A) assessment, B) model of practice, C) identifying and mediating emotional and communication barriers, D) Identifying points of contention, E) special applications and considerations with unique circumstances, F) identifying emotional and cognitive implications on children, G) preparation and mediation in court context.

**Course Objectives:**

1. To provide each student with the historical evolution of marriage, divorce and family mediation.
2. To deepen students' systemic knowledge base of assessment, theoretical framework application and critical review of relevance of contemporary approaches to mediation.
3. To gain an increase awareness of family structure and individual role characteristics and patterns of behavior, and the implications on each family member.
4. To understand the intricate and relevant patterns of communication and communication process management.
5. To understand human emotional schemes and behavior patterns that impact opportunities for amicable outcomes.
6. To introduce the various focal areas of contention that warrants mediation.
7. To gain insight into the methodology of working within the court context.
8. To provide students with supportive knowledge of the developing profession and the certification process.
9. To incorporate the professional codes of ethics expressed by the American Counseling and Texas Mediators associations.

10. To prepare the counseling student to undergo the Texas mediator certification requirements.

**American with Disabilities Act (ADA):**

Sul Ross State University is committed to equal access in compliance with the Americans with Disabilities Act of 1973. It is the student's responsibility to initiate a request for accessibility services. Students seeking accessibility services must contact the Student Services Specialist for the specific Campus.

**Student Support Services:**

Student Support Services provides students with the tools and resources they need to achieve academic success and to remove all obstacles to learning, including advising, tutoring and workshops. Please go to: <http://www.sulross.edu/page/1568/student-services> to speak to a support service representative.

Student Services Specialist are:

Del Rio - (830) 703-4816  
Eagle Pass - (830) 758-5037  
Uvalde - (830) 279-3027

**Diversity:**

Discussion and activities will include issues of diversity as they relate to specific learning objectives. All students will be encouraged to introduce topics they deem applicable to the content and process of the course, particularly those that enhance students' awareness of diversity and multicultural understanding.

**Scholastic Misconduct:**

As with all University courses, instructors expect students to be engaged in learning the course content. Scholastic dishonesty seriously compromises this learning and is not tolerated. The penalty for scholastic dishonesty in this class depends on the circumstances. Penalties could range from consultation with the instructor and receiving a zero (0) on the assignment in question, to failing the course and facing the University charges of scholastic misconduct.

**Attendance and Participation:**

Regular class attendance and participation are required aspects of this course.

- You may be absent for up to two classes without penalty; *three points* will then be deducted from your final grade for every subsequent absence, regardless of the reason.

- If you must be absent, please notify the instructor in advance. This does not excuse your absence, but flexibility may be offered for extenuating circumstances.
- Please read the assigned material before class and be prepared to discuss it. You are expected to actively participate in classroom discussions and activities.
- Also, please consider this a friendly reminder to turn off all cell phones, pagers, and other noisemaking devices during class.

**Late Work:**

Assignments must be turned in before the beginning of next scheduled class to receive credit. If you will not be in class to turn in an assignment, it is still your responsibility to see that work is turned in on time. Late work = 0 points.

**Grading:**

	Qty.	Possible points	
Enhanced Collaborative Streaming	10	1000 (10 x 100 pts. Ea/10=100.)	<b>A= 460-520</b>  <b>B= 400-459</b>  <b>C= 340-399</b>  <b>D= &lt;339</b>
Video Reflection	9	900 (9 x 100 pts. ea./9=100)  Student must achieve at least the minimum of one (1) for each rubric segment.	
Quizzes	9	900 (9 x100 pts. ea./9=100)  Student must achieve a minimum of 80 on ea. Quiz to earn the 100 points.	
Movie Reflection Paper	1	120 pts.  Student must achieve at least the minimum of one (10) for each rubric segment.	
Final Exam	1	100 pts.	

**Blackboard Collaborate Ultra:**

As your instructor, I place heavy emphasis on Individual class participation. The interactive component to this course is critical. It will enhance your reasoning skills, which is essential to the counseling process. Your participation will facilitate others enhancing his or her reasoning skills from drawing from your wealth of experience(s).

The intercultural experiences of students add tremendously to everyone's learning in class. Our live online streaming interaction will provide us the opportunity to review the week's theme of instruction and will also help to alleviate any issues or answer any questions that often arise when taking online coursework. You will need to have high-speed Internet service, and the *Adobe Flash Player* loaded into your personal computer. The IT department has suggested that you use *Firefox* as your web browser to alleviate technical difficulties. I have placed a quick link to Adobe Flash Player for immediate download onto his or her personal computer. Students are always welcome to use the on-campus computer lab for the Collaborate interactive weekly meetings. Please make sure to have your equipment assessed by the IT Department. History will show that students might have a connection, network, microphone or video difficulties. A student's inability to connect, remain in the class or access his or her microphone or video is UNACCEPTABLE. Consistent problems will affect your letter grade significantly. Students will be required to make streaming accommodations if planning to travel out-of-town during one of our class meeting times. **I EXPECT EACH STUDENT TO ACTIVATE HIS OR HER VIDEO AND MICROPHONE FOR EACH CLASS.** However, mute your microphone when not speaking. Moreover, it is imperative that each student interacts and engage in conversation, regardless of your personality characteristics.

IT Technologist for each campus are:

Del Rio - (830)703-4818  
Eagle Pass - (830) 758-5010  
Uvalde – (830) 279-3045

**Video/Article Reflection:**

Students will access the "Video/Article Reflection" tab and review the assignment and enter a minimum of two (2) reflective paragraphs that contemplate the four rubric segments. There will be thirteen (13) graded video/article reflections, and they are each worth one-hundred (100) points each for a total of thirteen-hundred (1300) points. You are welcome to enter a personal experience(s) recalled while viewing the video. However, please consider any confidential or sensitive information before elaborating in a public setting.

The assignments mostly consist of short video clips but may consist of an article, or a guest person presentation. You will access the video by depressing the "**Video/Article Reflections**" option in the far left Blackboard Main Menu. You will then proceed to depress the **title of the video clip**; view or read the material and enter your reflection by depressing the "**Reply**" option below the video and make your entry in the message section; depress the "**Submit**" option and conclude by depressing the "**Ok**" option.

<b>Competency Min. 4</b>	<b>Advanced (3)</b>	<b>Novice (2)</b>	<b>Student (1)</b>	<b>Unacceptable (0)</b>
<b>Competency 1</b> Your version of what theme or message the author is attempting to convey to his or her audience.	Student is able to identify two or more aspects of the author's intent and the rationale that supports his or her reflection.	Student is able to identify at least one aspect of the author's intent, and the offers rationale that supports his or her reflection.	Student is able to identify at least one aspect of the author's intent from his or her general perspective.	Student only restates the video or Text content.
<b>Competency 2</b> Include any specifics the author(s) used to strengthen his or her point of view.	Student is able to identify two or more aspects that support the author's intent and the student is able to correlate his or her perceptive outlook that supports or contends the author's intent.	Student is able to identify at least one aspect that supports the author's intent and the student is able to correlation his or her perceptive outlook that supports or contends the author's intent.	Student is able to identify at least one aspect that supports the author's intent.	Student is unable to identify at least one aspect that supports the author's intent.
<b>Competency 3.</b> Describe your thoughts and emotion(s) you experienced while viewing the video.	Student I able to identify two or more aspects of the author's intent and the rationale that supports his or her reflection.	Student I able to identify one aspect of the author's intent and the rationale that supports his or her reflection.	Student is able to identify at least one aspect of the author's intent.	Student only restates the video content.
<b>Competency 4.</b> Explain your perceptions of how the information might impact future activities.	Student I able to identify two or more aspects of the author's intent and the rationale that supports his or her reflection.	Student I able to identify one aspect of the author's intent and the rationale that supports his or her reflection.	Student is able to identify at least one aspect of the author's intent.	Student only restates the video content.

### **Quizzes:**

Weekly quizzes are designed to evaluate knowledge level comprehension for each class content reviewed. Each student will complete a quiz on a weekly basis. The quizzes are intended to ensure you can grasp the substance of the assigned reading. There is a total of thirteen quizzes, and each quiz has a 100-point potential. If you do well in your quizzes, it is very probable you will do well in the final exam. You will be given the opportunity to use your quizzes to study for the final exam.

### **Movie Reflection Paper:**

The movie reflection paper is intended to move a student from passive learning to active learning. Active learning enhances reasoning and logical application skills, which are very important to a counselor. Like your video reflection assignment, this task is meant to improve your counseling skills by grasping certain content while assessing and solidifying your intrinsic assessment and logical application level processes. The paper has a potential grade value of 120-points. STUDENTS MUST reach at least the minimum ten (10) points for each of the four Rubric segments. I have provided students with a brief video that explains reflective learning and how to write a reflective paper, which can be found in the "ORIENTATION" Section in the Blackboard Menu. This approach will motivate your learning and perceptive skills. Since counseling is considered scientific,

use the APA format to write this paper. The writing lab can assist you in understanding the mechanics involved in writing an APA reflective paper. The depth of reflection must include reflection on, and personalization of, the theories, concepts, and strategies presented in the course materials to date.

Viewpoints and interpretations must be supported. Examples, when applicable, are extremely relevant and influential to strength the held philosophy or perspective. Responses must include reference to assessment, theoretical, philosophical therapeutic, mediation or coping components. Make sure writing is clear and rich in meaning. A student’s thoughts must be expressed in an organized and logical manner with accurate spelling, grammar, or syntax writing. Responses must show evidence of synthesis of ideas presented and insights gained throughout the entire course. The student must categorize inferences clearly and efficiently of his or her held insights.

Criteria	Advanced (30 pts.)	Novice (20 pts.)	Student (10 pts.)	Unacceptable (0 pts.)
<b>Depth of Reflection</b>  ___ points	Response demonstrates an in-depth reflection on, and personalization of, the theories, concepts, and/or strategies presented in the course materials to date. Viewpoints and interpretations are insightful and well supported. Clear, detailed examples are provided, as applicable.	Response demonstrates a consistent reflection on, and personalization of, the theories, concepts, and/or strategies presented in the course materials to date. Viewpoints and interpretations are supported. Appropriate examples are provided, as applicable.	Response demonstrates a minimal reflection on, and personalization of, the theories, concepts, and/or strategies presented in the course materials to date. Viewpoints and interpretations are unsupported or supported with flawed arguments. Examples, when applicable, are not provided or are irrelevant to the assignment.	Response demonstrates a lack of reflection on, or personalization of, the theories, concepts, and/or strategies presented in the course materials to date. Viewpoints and interpretations are missing, inappropriate, and/or unsupported. Examples, when applicable, are not provided.
<b>Required Components</b>  ___ points	The response includes all components and meets or exceeds all requirements indicated in the instructions. Examples are strategically provided to support a mediation plan.	The response includes sufficient assessment, theoretical, philosophical therapeutic, mediation or coping components. Each question or part of the assignment is addressed. Examples are provided.	The response includes minimal assessment, theoretical, philosophical therapeutic, mediation or coping components. Each question or part of the assignment is addressed.	The response excludes essential components and/or does not address the requirements indicated in the instructions. Many parts of the assignment are addressed minimally, inadequately, and/or not at all.
<b>Structure</b>  ___ points	Writing is clear, concise, and well organized with excellent sentence/paragraph construction. Thoughts are expressed in a coherent and logical manner. There are no more than three spelling, grammar, or syntax errors per page of writing.	Writing is mostly clear, concise, and well organized with good sentence/paragraph construction. Thoughts are expressed in a coherent and logical manner. There are no more than five spelling, grammar, or syntax errors per page of writing.	Writing is clear, but vague. Thoughts are not expressed in a logical manner. There are more than five spelling, grammar, or syntax errors per page of writing.	Writing is unclear and disorganized. Thoughts ramble and make little sense. There are numerous spelling, grammar, or syntax errors throughout the response.
<b>Evidence and Practice</b>  ___ points	Response shows strong evidence of synthesis of ideas presented and insights gained throughout the entire course. The implications of these insights for the	Response shows evidence of synthesis of ideas presented and insights gained throughout the entire course. The implications of these insights for the respondent's overall	Response shows little evidence of synthesis of ideas presented and insights gained throughout the entire course. Few implications of these insights for the respondent's overall	Response shows no evidence of synthesis of ideas presented and insights gained throughout the entire course. No implications for the respondent's overall teaching practice

	respondent's overall teaching practice are thoroughly detailed, as applicable.	teaching practice are presented, as applicable.	teaching practice are presented, as applicable.	are presented, as applicable.
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**Final Exam:**

The final exam is a 50-question True/False and multiple-choice exam that is designed to assess comprehensive knowledge gained over the semester. The final exam primarily derives from the weekly quizzes, forum activities and collaborate content and has a 100-point potential. The exam will be posted on Blackboard on the designated date, and each student will have two hours to complete the exam.

**PROPOSED COURSE OUTLINE**

<b>Jun 02</b>	<p><b>Introduction:</b> Syllabus and Assignments</p> <p><b>Book:</b> Ch. 1 The Evolution of Divorce and Family Mediation</p> <p><b>Quiz 1:</b> Ch. 1 The Evolution of Divorce and Family Mediation</p> <p><b>Video Reflection 1:</b> Mediation Process &amp; Leonard Riskin: Changing Lawyers' Understanding of Resolving Disputes</p>
<b>Jun 07</b>	<p><b>Book:</b> Ch. 2 Facilitative Mediation</p> <p><b>Quiz 2:</b> Ch. 2 Facilitative Mediation</p> <p><b>Video Reflection 2:</b> Alternative Dispute Resolution: Facilitative Mediation</p>
<b>Jun 09</b>	<p><b>Book:</b> Ch. 3 Transformative Mediation</p> <p><b>Quiz 3:</b> Ch. 3 Transformative Mediation</p> <p><b>Video Reflection 3:</b> Transformative Dialogue</p>
<b>Jun 14</b>	<p><b>Book:</b> Ch. 4 Evaluative Mediation</p> <p><b>Quiz 4:</b> Ch. 4 Evaluative Mediation</p> <p><b>Video Reflection 4:</b> Zena Zumeta: Evaluative Approach</p>



<b>Jun 16</b>	<p><b>Book:</b> Ch. 5 Therapeutic Mediation with High-Conflict Parents</p> <p><b>Quiz 5:</b> Ch. 5 Therapeutic Mediation with High-Conflict Parents</p> <p><b>Video Reflection 5:</b> High Conflict Divorce with Dr. Richard Warshak</p>
<b>Jun 21</b>	<p><b>Book:</b> Ch. 10 Understanding and Responding to Power in Mediation</p> <p><b>Quiz 6:</b> Ch. 10 Understanding and Responding to Power in Mediation</p> <p><b>Video Reflection 6:</b> 1) How to redirect Power Struggles 2) Power Struggles Don't Take the Best</p>
<b>Jun 23</b>	<p><b>Book:</b> Ch. 11 Managing the Communication Process in Mediation</p> <p><b>Quiz 7:</b> Ch. 11 Managing the Communication Process in Mediation</p> <p><b>Video Reflection 7:</b> Mediation Skills Communication in Mediation, Prof. Greenberg</p>
<b>Jun 28</b>	<p><b>Book:</b> Ch. 12 Strategies for Managing Impasses</p> <p><b>Quiz 8:</b> Ch. 12 Strategies for Managing Impasses</p> <p><b>Video Reflection 8:</b> 1) Mediation Secrets Exposed- Three Tips 2) William Ury Explains How to Win Any Negotiation</p>
<b>Jun 30</b>	<p><b>Book:</b> Ch. 14 Mediation and Domestic Violence</p> <p><b>Quiz 9:</b> Ch. 14 Mediation and Domestic Violence</p> <p><b>Video Reflection 9:</b> Domestic Violence &amp; Mediation, FIF-TV</p>
<b>Jul 05</b>	<p><b>Movie Reflection Paper Due</b></p> <p><b>Final Exam Due</b></p>

### **Readings and Resources:**

- Ballard, H. R., Holtzworth-Munroe, A., Applegate, G. A., & D'Onofrio, B. (2011). Factors affecting the outcome of divorce and paternity mediations. *Family Court Review*, 49(1): 16-33.
- Beck, J. A. B., Walsh, E. M., & Ballard, H. R., Holtzworth-Munroe, A., Applegate, G. A., & Putz, W. J. (2010). Divorce mediation with and without legal representation a focus on intimate partner violence and abuse. *Family Court Review*, 48(4): 631-645.
- Beck, J. A. B., Walsh, E. M., & Weston, R. (2009). Analysis of mediation agreements of families reporting specific types of intimate partner abuse. *Family Court Review*, 47(3): 401-415.
- Bollen, N. K., Verbeke, A., & Euwema, C. M. (2013). Money or children? Power sources in divorce mediation. *Journal of Family Studies*, 19(2): 15-173.
- Camp, C. C. (2012). Mediating the Indissoluble Family: Mediator style in domestic relations case. *BYU Journal of Public Law*, 26(2): 187-213.
- Emory, E. R. (1995). Divorce Mediation: Negotiating agreements and renegotiating relationships. *Family Relations*, 44(4): 377-383.
- Pruett, E. C. (2001). Model standards of practice for family and divorce mediation: Guidelines for a mature profession. *American Journal of Family Law*, 15(4): 276.
- Ross, T. J., & Wynne, S. (2010). Parental depression and divorce and adult children's well-being: The role of family unpredictability. *Journal of Child Family Studies*, 19(6):757-761.
- Silver, B. R., & Silver, C. D. (2008). Practice Note: Divorce mediation with challenging parents. *Conflict Resolution Quarterly*, 25(4): 511-520.
- Singer, B. Jana. (2009). Dispute resolutions and the postdivorce family: Implications of a paradigm shift. *Family Court Review*, 47(3): 363-370.
- Soubourne, A. (2003). Motivations for mediation: An examination of the philosophies governing divorce mediation in the International context. *Texas international Law Journal*, 38(2): 381.
- Stalford, H. (2010). Crossing boundaries: Reconciling law culture and values in individual family mediation. *Journal of Social Welfare and Family Law*, 32(2): 155-168.
- Zaidel, S. (2004). Taking divorce out of the context of dispute resolution. *Family Court Review*, 42(4): 678-680.

**Texas Mediator Credentialing Association:**

<https://www.txmediator.org/training/>

**Credentials in Accordance to Texas Mediation Credentialing Association (TMCA)**

Level	<b>CREDENTIALLED DISTINGUISHED MEDIATOR</b>	<b>CREDENTIALLED ADVANCED MEDIATOR</b>	<b>CREDENTIALLED MEDIATOR</b>	<b>CANDIDATE FOR CREDENTIALLED MEDIATOR</b>
Annual Dues	\$150	\$125	\$100	\$50
Training	Candidate must meet all requirements for Credentialed Mediator and, in addition, must have completed an additional 40 hours advanced course work in mediation theory, practice or skills building pursuant to the standards for TMCA Credentialed Mediator.	Candidate must meet all requirements for Credentialed Mediator and, in addition, must have completed an additional 20 hours advanced course work in mediation theory, practice, or skills building pursuant to the standards for TMCA Credentialed Mediator.	The candidate must have completed a minimum of 40 classroom hours of training pursuant to Chapter 154.052 (a) Texas Civil Practice and Remedies Code and the standards of the Texas Mediator Trainer's Roundtable.	The candidate must have completed a minimum of 40 classroom hours of mediation training pursuant to Chapter 154.052 (a) Texas Civil Practice and Remedies Code and the standards of the Texas Mediation Trainer's Roundtable.
Experience	Candidate must meet all requirements for Credentialed Mediator and, in addition, must have conducted an additional minimum of 180 mediations or an additional 875 hours in mediation.	Candidate must meet all requirements for Credentialed Mediator and, in addition, must have conducted an additional minimum of 30 mediations or an additional 175 hours in mediation.	The candidate must have completed 20 mediations or 125 hours in mediation after the basic 40-hour training, which can include observing a Credentialed Mediator for 5 mediations or 30 hours.	Candidates who have completed less than 20 mediations or 125 hours in mediation after the basic 40-hour training are eligible for the designation of candidate for credentialed mediator.
Adherence to TMCA Standards, Rules and Procedures	Regardless of level, all candidates must affirm that they have read, understand and will adhere to the TMCA Standards of Practice and Code of Ethics as well as the TMCA Grievance Rules and Procedures.			
Maintenance of TMCA Credential, to maintain a credential, a credential holder must meet the following standards on an annual basis:				
Annual experience	Conduct a minimum of 25 mediations or 150 hours mediation experience per year.	Conduct a minimum of 10 mediations or 60 hours mediation experience per year.	Conduct a minimum of 3 mediations or 15 hours of mediation per year.	N/A

Continuing Education	Complete 15 hours of continuing education per year of which 3 hours must consist of an approved ethics course. Five hours may be substantive course material. Four hours of the total 15 hours may be self-study and/or up to 5 hours by serving as an instructor of mediation training.	Complete 15 hours of continuing education per year of which 3 hours must consist of an approved ethics course. Five hours may be substantive course material. Four hours of the total 15 hours may be self-study and/or up to 5 hours by serving as an instructor of mediation training.	Complete 15 hours of continuing education per year of which 3 hours must consist of an approved ethics course. Five hours may be substantive course material. Four hours of the total 15 hours may be self-study and/or up to 5 hours by serving as an instructor of mediation training.	Complete 10 hours of continuing education annually of which 3 hours must consist of an approved ethics course. This requirement may be partially satisfied by 4 hours of self-study and/or by serving as an instructor for up to 5 hours of mediation training.
Other	Make him/herself available to the courts and/or to the public to conduct 5 pro-bono mediations per year.	Make him/herself available to the courts and/or to the public to conduct 2 pro-bono mediations per year.	N/A	Candidate status may be maintained for a maximum of four years in order to allow the candidate time to complete the requirements for TMCA Credentialed Mediator.
Renewal fee	\$150	\$125	\$100	\$50