

Subject card

Subject name and code	Legal Negotiations - lecture, PG_00173237						
Field of study	Law						
Date of commencement of studies	October 2022		Academic year of realisation of subject		2025/2026		
Education level	uniform Master's studies		Subject group		Optional subject group		
Mode of study	full-time studies		Mode of delivery		at the university		
Year of study	4		Language of instruction		Polish		
Semester of study	7		ECTS credits		2.0		
Learning profile	academic		Assessment form		credit		
Conducting unit	Faculty of Law and Administration -> Rector						
Name and surname of lecturer (lecturers)	Subject supervisor		dr hab. Tomasz Widlak				
	Teachers						
Lesson types	Lesson type	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	Number of study hours	15.0	0.0	0.0	0.0	0.0	15
	E-learning hours included: 0.0						
Learning activity and number of study hours	Learning activity	Participation in didactic classes included in study plan		Participation in consultation hours		Self-study	SUM
	Number of study hours	15		0.0		35.0	50
Subject objectives	The aim of the course is to comprehensively familiarise students with the theoretical foundations of Alternative Dispute Resolution (ADR), with particular emphasis on negotiation. The lecture will present elements of interdisciplinary research conducted in the social sciences and legal studies on negotiation and mediation. The aim of the course will also be to familiarise students with legal negotiation and mediation techniques and strategies as well as to develop and practice negotiation skills.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_WG01] The graduate demonstrates deepened and systematic knowledge about the character of legal science, its place in the system of sciences and mutual relations.	has in-depth knowledge of legal sciences and their place in relation to other social sciences in the analysis of negotiation processes	[SW1] oral statement/ conversation/discussion
	[PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work	applies the principles of legal negotiation	[SU6] demonstration of practical skills
	[PRAWOJ5_WG02] He/she knows wide terminology and concepts in the scope of law and connected disciplines	knows the terminology used in legal negotiations	[SW1] oral statement/ conversation/discussion
	[PRAWOJ5_WG07] The graduate knows methods and tools, including techniques of data and information acquisition, as well as research methods appropriate for the field of study and the related disciplines	knows research methods in the field of legal negotiation theory	[SW1] oral statement/ conversation/discussion
	[PRAWOJ5_KO04] The graduate is ready to prepare own projects connected with the creation, application and interpretation of legal regulations, including projects co-financed by the European Union's funds	not applicable	[SK1] oral statement/conversation/ discussion
	[PRAWOJ5_UW02] The graduate utilizes theoretical knowledge in legal science and the connected academic disciplines to analyze and interpret complex legal issues	can use knowledge of negotiation to solve complex legal problems	[SU6] demonstration of practical skills
	[PRAWOJ5_UW06] The graduate is able to assess the usefulness of typical procedures and good practice in the implementation of tasks connected with various spheres connected with law and related fields	can assess the usefulness of negotiations in selected areas related to law	[SU5] implementation of a problem task
	[PRAWOJ5_KR06] He/she behaves in ethical and professional way, follows the principles of ethics	is convinced of the importance of acting in accordance with ethical principles during negotiations	[SK6] demonstration of practical skills
	[PRAWOJ5_WK11] The graduate has deepened knowledge of the principles of creating and developing basic forms of individual entrepreneurship.	not applicable	[SW1] oral statement/ conversation/discussion
	[PRAWOJ5_WK13] He/she has advanced knowledge of the functioning of professional self-governments in legal professions, is familiar with the principles of judges' and prosecutors' professions, and has knowledge of the organization of the judiciary in Poland.	has knowledge of how negotiations work within the scope of competence of persons practising traditional legal professions	[SW1] oral statement/ conversation/discussion
	[PRAWOJ5_KR07] The graduate is ready to take up professional challenges, takes up efforts and is persistent in the implementation of individual and group activities in the creation, application or interpretation of legal regulations and related sciences	is ready to conduct team negotiations	[SK8] observation of student's independent or team work
	[PRAWOJ5_UK08] The graduate has wide skills to prepare written works connected with the work of a lawyer in Polish and foreign language	has the ability to draft documents during legal negotiations	[SU5] implementation of a problem task

Course outcome	Subject outcome	Method of verification
[PRAWOJ5_UW03] The graduate demonstrates deepened skills of using complex theoretical points of view to analyze, interpret and plan strategies of legal activities; solves concrete problems connected with the creation, application and interpretation of legal regulations, anticipates the course of their solution and predicts the effects of planned activities	is able to use complex theoretical approaches to legal negotiations	[SU6] demonstration of practical skills
[PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work	has the ability to diagnose moral and legal dilemmas arising in the course of legal negotiations	[SU1] oral statement/conversation/discussion
[PRAWOJ5_KK02] He/she is aware of the necessity to widen professional competences and qualifications, to improve skills, is able to indicate the direction of own development and education independently in widened and deepened way	is aware of the importance of expanding professional competences in the area of negotiation skills	[SK1] oral statement/conversation/discussion
[PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities	has structured knowledge of the role of negotiation in shaping legal relations	[SW1] oral statement/conversation/discussion
[PRAWOJ5_UK09] He/she demonstrates wide skills in preparing speeches in the field of law in Polish and foreign language	has advanced skills in preparing oral presentations in the course of amicable dispute resolution methods, including conducting oral negotiations	[SU5] implementation of a problem task
[PRAWOJ5_UU12] He/she acquires knowledge efficiently and develops his/her professional skills using various sources (in native and foreign language) and modern technologies	can develop their negotiation skills using the latest knowledge	[SU5] implementation of a problem task
[PRAWOJ5_KO03] He/she is prepared for active participation in groups, organizations and institutions connected with law, is also able to communicate with specialists and non-specialists in the field of law	is ready to communicate during negotiations with people who are not legal experts	[SK8] observation of student's independent or team work
[PRAWOJ5_WG08] He/she has deepened knowledge of sources of Polish law, its changes and processes of law formation	has in-depth knowledge of the sources of Polish law in the field of alternative dispute resolution methods	[SW5] implementation of a problem task
[PRAWOJ5_UW07] He/she has the skills in understanding and analyzing social phenomena and utilizing this analysis in his/her professional work.	has the ability to analyse social phenomena in terms of the applicability of alternative dispute resolution methods	[SU6] demonstration of practical skills
[PRAWOJ5_WG04] He/she knows the system of Polish law, mutual connections within the system and connections of Polish law with the European Union law and international law	is familiar with Polish law regulations in the area of legal negotiations	[SW1] oral statement/conversation/discussion
[PRAWOJ5_KR05] He/she prepares responsibly to his/her work; can determine priorities in work and plan work appropriately	can prepare for negotiations	[SK6] demonstration of practical skills
[PRAWOJ5_WG06] He/she has systematic knowledge about the man as the subject establishing social structures and principles of their operation and about the man as the individual operating in these structures	has structured knowledge about human behaviour in social conflicts	[SW5] implementation of a problem task

	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_WK10] He/she understands and knows the basic concepts and principles of industrial property protection and copyright law, as well as understands the need for proper protection of intellectual property and managing its resources	not applicable	[SW1] oral statement/ conversation/discussion
	[PRAWOJ5_WG09] He/she demonstrates deepened and systematic knowledge about the processes of changes of political systems and of individual authorities, as well as the consequences of these changes	has structured knowledge of the role of alternative dispute resolution methods in democratic processes	[SW5] implementation of a problem task
	[PRAWOJ5_WG03] He/she demonstrates deepened knowledge about the political system in Poland, about individual authorities with particular consideration of legislative authority and the judiciary,	not applicable	[SW1] oral statement/ conversation/discussion
	[PRAWOJ5_WK12] He/she has knowledge of occupational health and safety in public administration institutions	not applicable	[SW1] oral statement/ conversation/discussion
	[PRAWOJ5_UW01] He/she has advanced skills in observation and interpretation of social phenomena, analyzes their connections with various areas, activity of legal science and the related disciplines	has the ability to recognise opportunities for the use of amicable dispute resolution methods in social situations	[SU1] oral statement/conversation/ discussion
	[PRAWOJ5_KK01] The graduate is deeply aware of the level of his/ her knowledge and skills, and also understands the need of lifelong learning	has a deepened awareness of their level of knowledge in the field of negotiation	[SK1] oral statement/conversation/ discussion
	[PRAWOJ5_UO11] He/she can work well in a team and can coordinate the team's work when solving legal problems, interpreting legal acts, and preparing written or oral opinions on a matter.	the student is able to cooperate within a negotiation team	[SU8] observation of student's independent or team work
Subject contents	1. The concept of alternative dispute resolution (ADR). Comparison of alternative and formal methods. The place of negotiation and mediation in administration. 2. Ethical conditions for resolving disputes by negotiation. The professional role of a negotiator. 3. Social and psychological determinants of resolving disputes by negotiation. Fundamentals of social communication theory. Fundamentals of cognitive science and cognitive heuristics. 4. Verbal and non-verbal communication in negotiation. Multicultural negotiations. 5. Negotiations and mediation and their legal regulation. The importance of procedural and formal elements in negotiation. 6. Negotiation strategies. Basic communication techniques of universal use in conflict situations. 7. Cooperative techniques in negotiations (simulations). 8. Confrontation techniques in negotiations (simulations).		
Prerequisites and co-requisites			
Assessment methods and criteria	Subject passing criteria	Passing threshold	Percentage of the final grade
	workshop	100.0%	100.0%

Recommended reading	Basic literature	Ch. Voss, Never split the difference. Negotiating as if your life depended on it, 2016. S. Fish, Winning arguments, 2016. J. Stelmach, Foundations of Legal Negotiations, Copernicus Centre Press, Kraków 2014. R. Fisher, W. L. Ury, B. Patton, Getting to Yes: Negotiating Agreement Without Giving In, Penguin Publishing Group 2011. J. Jabłońska-Bonca, K. Zeidler (red.), Prawnik a sztuka retoryki i negocjacji, wyd. 2, Wolters Kluwer, Warszawa 2016. J. Stelmach, B. Brożek, Negocjacje, Copernicus Center Press, Kraków 2018. T. Wiślak, Negocjacje i mediacje z perspektywy prawoznawstwa, [w:] A. Szmyt, J. Boszycki, J. Stelina, W. M. Iwanow (red.) Aktualne problemy prawa Polski i Ukrainy, Wydawnictwo Uniwersytetu Gdańskiego, Gdańsk 2018. M. Tabernacka, Negocjacje i mediacje w sferze publicznej, Wolters Kluwer, Warszawa 2018.
	Supplementary literature	P. Rybiński, K. Zeidler, Leksykon retoryki prawniczej. 100 podstawowych pojęć, wyd. 2, Warszawa 2018. S. Kubiś, Przedkontraktowa odpowiedzialność odszkodowawcza z tytułu nieuczciwych negocjacji, C. H. Beck, Warszawa 2015. A. Zienkiewicz, Holizm prawniczy z perspektywy Comprehensive Law Movement, Difin, Warszawa 2018.
	eResources addresses	
Example issues/ example questions/ tasks being completed		
Work placement	Not applicable	

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