

A COURSE SYLLABUS – DOCTORAL SCHOOL
regarding the qualification cycle from 2022/2023 to 2025/2026

GENERAL INFORMATION ABOUT COURSE				
Course title	OPTIONAL SPECIALISED SUBJECT: <i>Amicable resolution of civil disputes.</i>			
Name of the unit running the course	Doctoral School at University of Rzeszów			
Type of course (<i>obligatory, optional</i>)	compulsory - optional specialist			
Year and semester of studies	year IV, semester VII			
Discipline	legal sciences			
Language of Course	Polish language/English language			
Name of Course coordinator	dr hab. Aneta Arkuszewska, prof. UR			
Name of Course lecturer	dr hab. Aneta Arkuszewska, prof. UR			
Prerequisites	Knowledge in the field of the creation,, validity, functioning, interpretation and application of applicable civil law and civil procedure, as well as knowledge in the field of interpersonal skills.			
BRIEF DESCRIPTION OF COURSE (100-200 words)				
OPTIONAL SPECIALISED SUBJECT: Amicable resolution of civil disputes, conducted in the form of a seminar, aims to systematise issues related to applicable law and civil proceedings. Particular attention will be paid to amicable methods used in resolving civil disputes. Dispute resolution in civil law is based on alternative methods of ADR (Alternative Dispute Resolution), such as mediation and arbitration. ADR are methods of dispute resolution that are faster, cheaper and less formal, allowing the parties greater control over the course of the case. Mediation focuses on reaching a settlement with the participation of an impartial mediator, while arbitration leads to a binding decision issued by an arbitrator. In the course of civil proceedings, the parties may also enter into a court settlement, including during a conciliation hearing.				
COURSE LEARNING OUTCOMES AND METHODS OF EVALUATING LEARNING OUTCOMES				
Learning outcome	The description of the learning outcome defined for the course	Relation to the degree programme outcomes (symbol)	Learning Format (Lectures, classes,...)	Method of assessment of learning outcomes (e.g. test, oral exam, written exam, project,...)
Knowledge (no.)	knows and understands, has knowledge			
P8S_WG1	He has in-depth theoretical knowledge supported by practical experience in the field of law and civil procedure. He is familiar with the current state of civil law and the main trends in the use of law in dispute resolution. He has the knowledge to objectively assess the appropriateness of the chosen method of civil dispute resolution.	P8S_WG	Seminar	Written assignment /discussion
P8S_WG2	He/she has in-depth knowledge of the directions of development and the latest case law in civil law and civil procedure.	P8S_WG	Seminar	Written assignment /discussion
P8S_WG3	Knows legal terminology, including in	P8S_WG	Seminar	Written

	the field of civil law and civil procedure, communicates in a professional and academic environment using legal terminology in Polish and a foreign language.					assignment /discussion
P8S_WK1	Knows the fundamental dilemmas of the modern world.			P8S_WK	Seminar	discussion
Skills (no.)	can					
P8S_UW1	Is able to use interdisciplinary knowledge from various fields of science to set ambitious research goals related to legal issues, is able to identify, define and formulate research hypotheses and select the appropriate tools for conducting research, is able to draw constructive conclusions based on the research results obtained.			P8S_UW	Seminar	Written assignment /discussion
P8S_UW2	Based on available professional scientific literature, able to identify and solve research and scientific problems related to law, including civil law and procedure and alternative dispute resolution methods.			P8S_UW	Seminar	Written assignment
P8S_UW3	Is able to objectively analyse and evaluate the results of scientific research, expert publications and available scientific materials, formulating a critical opinion on this basis.			P8S_UW	Seminar	Written assignment /discussion
P8S_UK6	Is able to communicate in an international professional and scientific environment in a foreign language at CEFR level B2.			P8S_UK	Seminar	Written assignment
Social competence (no.)	is ready to					
P8S_KK3	Is ready to actively participate in substantive scientific discussions and consciously use their knowledge of law, including civil law and civil procedure, to solve cognitive and practical problems.			P8S_KK	Seminar	Written assignment /discussion
Semester (no.)	Lectures	Seminar	Conversatory/ Lab classes	Internships	others	ECTS
VII	-	15 hrs.	-	-	-	2

METHODS OF INSTRUCTION

SEMINAR WITH MULTIMEDIA PRESENTATION. AN ACTIVATING METHOD THAT ENCOURAGES STUDENTS TO INDEPENDENTLY PRESENT THEORETICAL ISSUES AND DRAW CONCLUSIONS AND ASSESS THE LEGAL SITUATION. PROVOKING CONVERSATIONS AND DISCUSSIONS DURING WHICH PARTICIPANTS EXPRESS OPINIONS SUPPORTED BY

THEIR KNOWLEDGE. CASE STUDY METHOD. PREPARATION OF WRITTEN ASSIGNMENTS COVERING ISSUES RELATED TO THE SUBJECT.

COURSE CONTENT

1. The concept and functions of alternative dispute resolution methods.
2. Types of basic and derivative forms of dispute resolution.
3. Mediation: legal basis for mediation in Poland.
4. Mediation in civil cases:
 - a) extrajudicial and judicial mediation,
 - b) legal status and rights and obligations of the mediator,
 - c) rules of mediation proceedings
 - d) course of mediation proceedings
 - e) nature of the mediation settlement and forms and methods of its conclusion
 - f) participation of the court in the approval of the mediation settlement
5. Proceedings before an arbitration court (arbitration):
 - a) normative basis,
 - b) concept, types and form of arbitration clause,
 - c) position of the arbitrator, rules for selecting arbitrators,
 - d) summons to arbitration,
 - e) course of arbitration proceedings,
 - f) conclusion of arbitration
 - g) means of challenging arbitration awards
6. Conciliation and its place in the ADR system – comparison with mediation and arbitration.
7. Court settlement in civil cases – legal and practical analysis
8. Computerisation of alternative dispute resolution methods.

COURSE ASSESSMENT CRITERIA

The examination takes place after each semester of the course (semester 7)

Requirements for passing the course:

In order to pass the course, students must actively and regularly participate in classes, prepare a multimedia presentation on topics assigned by the lecturer, defend their position during discussions, and demonstrate the ability to lead discussions and formulate constructive conclusions. Examination - preparation and presentation of a paper on a topic indicated by the lecturer, consistent with the subject matter of the course.

Very good grade:

- substantive activity and engagement during classes,
- visible ability to lead discussions and draw constructive conclusions,
- very high substantive value of written work;
- attendance at all classes;
- active use of the proposed literature and instructional materials, expanded and deepened on one's own.

Grade plus good:

- substantive activity during classes;
- high substantive value of written work;
- attendance at least 4/5 of the total number of classes;
- visible satisfactory ability to lead discussions and draw conclusions;
- active use of the recommended literature and instructional materials.

Good grade:

- satisfactory substantive activity during classes;
- satisfactory substantive value of written work;
- attendance at least 4/5 of the total number of classes;
- moderate ability to lead discussions and draw conclusions;
- satisfactory use of the recommended literature and instructional materials.

Pass with distinction:

- moderate level of substantive activity during classes
- relatively poor substantive value of written work;
- attendance at least 3/5 of the total number of classes;
- moderately poor ability to lead discussions and draw conclusions;
- moderate use of the suggested literature and instructional materials.

Satisfactory grade:

- low level of activity during classes
- poor substantive value of written work;
- attendance at least 3/5 of the total number of classes;
- poor ability to lead discussions and draw conclusions;
- sporadic use of the recommended literature and instructional materials.

Fail:

- lack of activity during classes;
- unacceptable substantive value of written work;
- lack of ability to lead discussions and draw conclusions;
- absence from more than 3/5 of the total number of classes;
- lack of use of the recommended literature and instructional materials.

**TOTAL PhD STUDENT WORKLOAD REQUIRED TO ACHIEVE THE INTENDED LEARNING
OUTCOMES
– NUMBER OF HOURS AND ECTS CREDITS**

Activity	Number of hours
Scheduled course contact hours	15
Other contact hours involving the teacher (consultation hours, examinations)	1
Non-contact hours – student`s own work (preparation for classes or examinations, project, etc.)	40
Total number of hours	56
Total number of ECTS credits	2

INSTRUCTIONAL MATERIALS

Compulsory literature:	1) Gmurzyńska E., Morek R. (red.), <i>Mediacja. Teoria i praktyka</i> , Warszawa 2024, 2) Arkuszewska A, Plis J. (red.), <i>Zarys metodyki pracy mediatora w sprawach cywilnych</i> , Warszawa 2014, 3) Ereciński T., Weitz K., <i>Sąd arbitrażowy</i> , Warszawa 2008, 4) Arkuszewska A. <i>Informatyzacja postępowania arbitrażowego</i> , Warszawa 2019,
Complementary literature:	1) Kalisz A., Zienkiewicz A., <i>Mediacja sądowa i pozasądowa. Zarys wykładu</i> , Warszawa 2014, 2) Szwiec J., <i>Mediacja i ugoda mediacyjna w polskim prawie cywilnym</i> , Warszawa 2025, 3) Korybski A., <i>Alternatywne rozwiązywanie sporów w USA. Studium teoretycznoprawne</i> , Lublin 1993, 4) Moore Ch. W., <i>Mediacje. Praktyczne strategie rozwiązywania konfliktów</i> , Warszawa 2009,

*(1 ECTS CREDIT CORRESPONDS TO 25 - 30 HOURS OF THE TOTAL WORKLOAD OF A DOCTORAL STUDENT, NEEDED TO ACHIEVE THE ESTABLISHED EFFECTS).

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Date and signature of the Course lecturer

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Approved by the Head of the Department or an authorised person