

Subject card

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|--|--|--|-----------------------|-------------------------------------|------------------------|------------|-----|
| Subject name and code | Workshops - legal negotiations - lecture, PG_00146401 | | | | | | |
| Field of study | Law | | | | | | |
| Date of commencement of studies | October 2021 | Academic year of realisation of subject | | | 2024/2025 | | |
| Education level | uniform Master's studies | Subject group | | | Optional subject group | | |
| Mode of study | part-time studies | Mode of delivery | | | at the university | | |
| Year of study | 4 | Language of instruction | | | English | | |
| Semester of study | 8 | ECTS credits | | | 1.0 | | |
| Learning profile | academic | Assessment form | | | credit | | |
| Conducting unit | Department of the Theory and Philosophy of Law and State -> Faculty of Law and Administration -> Rector | | | | | | |
| Name and surname of lecturer (lecturers) | Subject supervisor | | dr hab. Tomasz Wiślak | | | | |
| | Teachers | | | | | | |
| Lesson types | Lesson type | Lecture | Tutorial | Laboratory | Project | Seminar | SUM |
| | Number of study hours | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10 |
| | 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 | 10 | | 0.0 | | 15.0 | 25 |
| Subject objectives | The aim of the course is to comprehensively familiarise students with the theoretical foundations of legal negotiation. The lecture will present elements of interdisciplinary research conducted in the social sciences and legal studies on negotiation. The aim of the course will also be to familiarise students with legal negotiation techniques and strategies and to develop and practice negotiation skills. | | | | | | |

| Learning outcomes | Course outcome | Subject outcome | Method of verification |
|-------------------|---|---|--|
| | [PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities | has a structured knowledge of negotiation | [SW1] oral statement/ conversation/discussion |
| | [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 a basic knowledge of interpersonal communication | [SW1] oral statement/ conversation/discussion |
| | [PRAWOJ5_WG08] He/she has deepened knowledge of sources of Polish law, its changes and processes of law formation | has knowledge of the sources of law relating to negotiations | [SW1] oral statement/ conversation/discussion |
| | [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 able to communicate in negotiations with non-legal professionals | [SK1] 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 | is aware of his/her level of negotiation skills | [SK1] oral statement/conversation/ discussion |
| | [PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work | is able to use negotiation techniques | [SU1] oral statement/conversation/ discussion |
| | [PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work | is able to use negotiation techniques | [SU1] oral statement/conversation/ discussion |
| | [PRAWOJ5_WK12] He/she has knowledge of occupational health and safety in public administration institutions | has knowledge of the role of conversation in conflict resolution in the workplace | [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 the role of negotiation in the professional work of a lawyer | [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 observe negotiations | [SU1] 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 | is able to use knowledge from negotiations | [SU1] oral statement/conversation/ discussion |
| | [PRAWOJ5_WK11] The graduate has deepened knowledge of the principles of creating and developing basic forms of individual entrepreneurship. | has knowledge of the role of negotiation in individual entrepreneurship | [SW1] oral statement/ conversation/discussion |
| | [PRAWOJ5_KR06] He/she behaves in ethical and professional way, follows the principles of ethics | knows the principles of negotiating ethics | [SK1] oral statement/conversation/ discussion |
| | [PRAWOJ5_WG02] He/she knows wide terminology and concepts in the scope of law and connected disciplines | Is familiar with the terminology of legal regulation of legal negotiation | [SW1] oral statement/ conversation/discussion |

| 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 knowledge of the place and role of legal negotiation theory in legal studies | [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 take on professional challenges using negotiation | [SK1] oral statement/conversation/ discussion |
| [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 negotiation techniques | [SU1] oral statement/conversation/ discussion |
| [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 from a discursive perspective | [SU1] oral statement/conversation/ discussion |
| [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 | is able to use negotiation techniques | [SU1] oral statement/conversation/ discussion |
| [PRAWOJ5_KR05] He/she prepares responsibly to his/her work; can determine priorities in work and plan work appropriately | is able to use negotiation techniques | [SK1] 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 an in-depth knowledge of the role of negotiation | [SW1] oral statement/ conversation/discussion |
| [PRAWOJ5_UK08] The graduate has wide skills to prepare written works connected with the work of a lawyer in Polish and foreign language | can prepare a letter of intent | [SU1] 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 a structured knowledge of negotiation | [SU1] oral statement/conversation/ discussion |
| [PRAWOJ5_UU12] He/she acquires knowledge efficiently and develops his/her professional skills using various sources (in native and foreign language) and modern technologies | is able to acquire negotiating competence and expand knowledge efficiently | [SU1] oral statement/conversation/ discussion |
| [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, | Knows the role of legal negotiation in the operation of power institutions in Poland | [SW1] 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 need to develop knowledge and competences in the field of negotiation | [SK1] oral statement/conversation/ discussion |

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|---------------------------------|---|---|---|
| | [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 | Knows and understands basic concepts of negotiation | [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 | is willing to undertake projects that require 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. | can negotiate in a team environment | [SU1] 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 negotiation techniques | [SW1] oral statement/ conversation/discussion |
| | [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 | knows the regulation of negotiations in Polish law | [SW1] oral statement/ conversation/discussion |
| Subject contents | <p>1. The concept of alternative dispute resolution (ADR). Comparison of alternative and formal methods. The place of negotiation in law.</p> <p>2. Ethical conditions for resolving disputes by negotiation. The professional role of a negotiator.</p> <p>3. Social and psychological determinants of resolving disputes by negotiation. Fundamentals of social communication theory. Fundamentals of cognitive science and cognitive heuristics.</p> <p>4. Verbal and non-verbal communication in negotiations. Multicultural negotiations.</p> <p>5. Negotiations and their legal regulation. The importance of procedural and formal elements in negotiations.</p> <p>6. Negotiation strategies. Basic communication techniques of universal use in conflict situations.</p> <p>7. Cooperative techniques in negotiations (simulations).</p> <p>8. Confrontation techniques in negotiations (simulations).</p> | | |
| Prerequisites and co-requisites | | | |
| Assessment methods and criteria | Subject passing criteria | Passing threshold | Percentage of the final grade |
| | workshop | 100.0% | 100.0% |

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

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