



SSM -BUSINET INTERNATIONAL WEEK

I. COURSE OVERVIEW

Title: “Bridging Borders & Resolving Conflicts: Global Strategies for Commercial Dispute Resolution”

Curriculum: 1 ECTS combining both academic instruction with workshops for skill building development. On the final two days of the course, students will participate in a mediation competition where they will have the opportunity to utilize skills presented during the course.

Date/Location: 4 – 8 November 2024; Milan, IT @SSM Milan Learning Center.

Participants: Course is open to all Businet partner universities with an anticipated limit of 40 students. Our event is unique in that we have invited both business and law students to participate in this learning week. We have also invited American law schools to send students and faculty to the event to create a multi-cultural learning opportunity and exchange for our students. Professors from participating schools will be invited to serve on the teaching faculty for the program. We will also invite practitioners (lawyers, mediators, business professionals) to participate as workshop instructors and judges for the mediation competition.

Accommodations: SSM will work with its service provider to arrange for appropriate hotel accommodation in Milan at “student friendly” rates.

Tuition: cost per student for the program is € 350.00 which includes tuition, welcome aperitivo, dinner, and closing awards ceremony & reception.

II. **COURSE OBJECTIVES & LEARNING OUTCOMES**

A. Need & Importance. In recent years, global trade and cross-border transactions have increased steadily. This trend has also resulted in a surge in international commercial disputes. The International Chamber of Commerce, for example, has reported a record number of cases before its International Court of Arbitration in recent years. These developments illustrate the growing reliance on international arbitration and ADR as the preferred method for resolving cross border disputes. Effective collaboration between business and legal professionals is essential to achieving effective outcomes in these complex international disputes.

A joint program aimed at international commercial dispute resolution is both innovative and essential for law and business students. It mirrors the collaborative nature of real-world dispute resolution challenges and scenarios. In the professional world, lawyers and business professionals regularly work together to resolve commercial disputes, drawing on their respective interests and expertise to achieve favorable outcomes for their clients and organizations. A joint program would introduce students to the complimentary roles of legal and business professionals in the dispute resolution process. They would learn various strategies for effective communication and teamwork skills for effectively navigating the complexities of cross-border disputes. Through collaborative exercises and interdisciplinary discussions, participants will gain practical experience in working cooperatively to analyze complex legal issues, formulate strategic negotiation strategies, and articulate

innovative solutions that align with broader business strategies. In summary, joint participation in an international dispute resolution program not only builds the student's individual skills, but also prepares him/her to work synergistically in the real world where collaboration between business and legal professionals is paramount in obtaining optimal results for all stakeholders.

B. Learning Outcomes. After successfully completing the program, students will acquire essential skills and competencies for managing complex and cross-border commercial disputes. Specifically, they will learn the following:

- Strategies for navigating complex cross border disputes.
- Analytical and critical thinking skills for evaluating and resolving multi-faceted commercial disputes.
- Soft skills development.
- Strategies for fostering teamwork and collaboration.
- Strategies for effective cross-disciplinary collaboration.

III. OUTLINE OF PROPOSED CURRICULUM

<u>SCHEDULE</u>	<u>ACTIVITY</u>
<p>DAY 1 – 5 November 2024 PROGRAM INTRODUCTION</p>	
9:00 – 9:30	*Registration & Check-in
9:30 – 10:00	*Welcome to Program & Icebreaker Exercise
10:00 – 10:45	Keynote Address
10:45 – 11:00	*Morning Break
11:00 – 12:15	*Introduction to Conflict Resolution, ADR & International Commercial Disputes
12:15 – 13:30	*Lunch Break
13:30 – 14:45	*Legal frameworks & Cultural Considerations in Cross Border Disputes
14:45 – 15:00	*Afternoon Break
15:00 – 16:30	*Strategic Empathy – Analyzing the Dispute from Multiple Perspectives
16:30 – 17:00	*Day 1 Recap & Brainstorming Session *Distribution of Case for Mediation Competition & Team Assignments
18:00	*Welcome Aperitivo <i>(Location To Be Announced)</i>

<p>DAY 2 – 6 November 2024 NEGOTIATION STRATEGIES</p> <p>9:00 – 9:15 9:15 – 10:30</p> <p>10:30 – 10:45</p> <p>10:45 – 12:30</p> <p>12:30 – 14:00</p> <p>14:00 – 15:30</p> <p>15:30 – 17:00</p> <p>17:00 – 18:00</p>	<p>*Welcome & Announcements *Building the Tools for Conflict Analysis</p> <p>*Morning Break</p> <p>*Overview of Negotiation Strategies ~Interest-based ~BAFTA ~Principled (getting to “yes”) *Interactive Exercise</p> <p>*Lunch Break</p> <p>*International ADR & Mediation – “<i>a Mediator’s Perspective</i>” – Panel Presentation</p> <p>*Overview of the Mediation Competition ~Review rules of competition ~Review Schedule for Day 1 of Mediation Competition</p> <p>*Faculty meeting to review competition, evaluation & scoring</p>

<p>DAY 3 – 7 November 2024 MEDIATION COMPETITION ROUND I</p> <p>9:00 – 9:15 9:30 – 10:30</p> <p>10:30 – 11:00</p> <p>11:15 – 12:15</p> <p>12:30 – 13:30</p> <p>13:45 – 14:45</p> <p>14:45 – 15:15</p> <p>15:15 – 16:15</p> <p>16:30 – 17:00</p>	<p>*Announcements *Round 1 of Competition</p> <p>*Morning Break</p> <p>*Round 2 of Competition</p> <p>*Lunch Break</p> <p>*Round 3 of Competition</p> <p>*Afternoon Break</p> <p>*Round 4 of Competition</p> <p>*Recap & Review of Schedule for Day 2 of Mediation Competition</p>
<p>Day 4 – 8 November 2024 MEDIATION COMPETITION ROUND II</p> <p>9:00 – 9:15 9:15 – 10:15</p> <p>10:15 – 10:45</p> <p>10:45 – 11:00</p>	<p>*Announcements *Round 5</p> <p>*Morning Break</p> <p>FINALISTS ANNOUNCED (Top 2 teams advance)</p>

11:00 – 12:15	FINAL ROUND All participants to observe
12:30 – 14:00	*Participants Appreciation Luncheon Closing & Awards Ceremony

IV. **MEDIATION COMPETITION**

A. Overview

The mediation competition will consist of 5 rounds. In these rounds, each student team will be paired with its counterpart in the case problem to conduct one hour mediation sessions. Faculty members, local arbitrators and attorney volunteers will serve as the mediators for this round. The remaining faculty and attorney volunteers will be assigned to judge each mediation session. Judges will receive a scoring sheet and evaluation form for assessing student performances. At the conclusion of the individual mediation sessions, judges and evaluators will give their feedback to the students.

The faculty will meet at the end of the first day of the competition to review the evaluations/scores and rank the teams going into the final day. After the results from Round 5 are tabulated, the two best teams will be selected to advance to the final round. The final round will then be held with all students having the opportunity to observe.

B. Case Scenario

The case will be a cross-border commercial dispute between two companies. It will be a balanced problem that includes relevant background information, conflicting interests, potential risk exposures, etc. that will encourage robust negotiations. "Secret" facts or instructions will be given to each side that pertain to a weakness in their case/bargaining position. Students will be instructed that they must adhere to the facts in the problem and cannot make up favorable facts or other information to improve their claim or defense. Students will receive the case problem and their respective "secret" facts on Day 1.