Module Details

Module Title	International Commercial Dispute Resolution
Module Code	LAW7047-B
Academic Year	2024/5
Credits	20
School	School of Law
FHEQ Level	FHEQ Level 7

Contact Hours

Type	Hours
Seminars	32
Directed Study	168

Availability

Occurrence	Location / Period
BDA	University of Bradford / Semester 2

Module Aims

This module will deconstruct the process of dispute resolution in the national and international domains. The principles that lay the foundations of the various forms of Alternative (or appropriate) Dispute Resolution (ADR) will be covered. Once a thorough understanding is achieved specific focus will be placed on instances where ADR, litigation and the conflict of laws have arisen in a practical context. This module aims to provide an understanding of the legal challenges and the key issues regarding international commercial dispute resolution. Students will develop a critical understanding of the interaction between the commercial environment and the legal and regulatory frameworks in which disputes are resolved.

This module is an important element of the LLM Technology and Artificial Intelligence Law programme because the practical significance of conflict of laws issues that are associated with the application of technology in legal practice; it is part of the LLM International Corporate Law and Governance programme because of the practical significance of resolution of corporate disputes via litigation or arbitration or other schemes of dispute resolution; part of the LLM International Banking and Financial Technology Law programme because of conflict of laws issues linked to the use of legal technologies as an emerging platform for resolving legal disputes associated to financial transactions; part of the LLM International Commercial Law, due to the use of litigation, arbitration and mediation as schemes for resolving legal disputes related to commerce and trade; and part of the LLM International Legal Studies as one of the significant traditional and practical areas of legal study that students could explore. This module is also suitable for any other postgraduate programme where knowledge of legal technologies can contribute towards achieving the programme aims.

Outline Syllabus
1. An introduction and rationale in relation to the main themes behind Alternative (or appropriate) Dispute Resolution (ADR) will be provided. Comparative study of the international context and subsequent application will be undertaken with focus being placed on areas such as jurisdiction, choice of law, forum shopping, enforceability and recognition. 2. Analysis a range of current legal issues in international dispute resolution including the growing field of online dispute resolution. 3. The limitations of civil litigation and the concepts of restorative justice. Negotiation, collaboration ethics and Mediation.

Learning Outcomes	
Outcome Number	Description
01	Critically evaluate the rationale for the operation of Alternative (or appropriate) Dispute Resolution (ADR).
02	Analyse and evaluate the characteristics of each type of ADR and understand the potential for implementation in a practical context.
03	Analyse the operation of ADR within the international domain and understand the commercial environment and the legal and regulatory frameworks in which disputes are resolved
04	Evaluate and rank unfamiliar arguments in the light of established statute law, judicial decisions and authoritative legal commentary.
05	Research and apply Alternative (or appropriate) Dispute Resolution to factual situations, showing understanding of the legal challenges and the key issues regarding international commercial dispute resolution.
06	Present your work to an acceptable academic standing, both orally and in writing.
07	Write appropriately for professional and academic audiences and develop and advance reasoned advice.

Learning, Teaching and Assessment Strategy

Your learning will be directed, supported and reinforced through workshops. The sessions will use theoretical discussions and practical applications of cases and case studies, with oral feedback given in classes. Some of the sessions will be student-led presentations. Drawing on primary and secondary sources, you will complete research and presentation exercises. You will be set tasks to monitor your progress, in addition to formal assessment. All teaching will be supported by information supplied on the virtual learning environment, Canvas.

The module is assessed by one piece of coursework. The student will provide a writing sample in which a student constructs a response to a question, topic, or brief statement, and supplies supporting details or arguments. This will provide evidence that can be used to assess the student's understanding and/or ability to analyse and synthesize information.

The assessment will be suitable to help students to achieve all the learning outcomes of the module and facilitate the achievement of the learning outcomes of the relevant LLM programmes such as:
* LLM Technology and Artificial Intelligence Law: LOs 1 - 3, 7 - 8, 10
* LLM International Corporate Law and Governance: LOs 1- 3, 5, 7 - 8, 10
* LLM International Banking and Financial Technology Law: LOs 1- 3, 5, 8, 10
* LLM International Commercial Law: LOs 1 - 5, 7, 8, 10 - 13
* LLM International Legal Studies: LOs 1 - 5, 6 - 8

Mode of Assessment

Type	Method	Description	Weighting
Summative	Coursework - Written	Essay - 4000 words	100%

Reading List

To access the reading list for this module, please visit https://bradford.rl.talis.com/index.html

Please note:
This module descriptor has been published in advance of the academic year to which it applies. Every effort has been made to ensure that the information is accurate at the time of publication, but minor changes may occur given the interval between publishing and commencement of teaching. Upon commencement of the module, students will receive a handbook with further detail about the module and any changes will be discussed and/or communicated at this point.