

# Alternative Dispute Resolution

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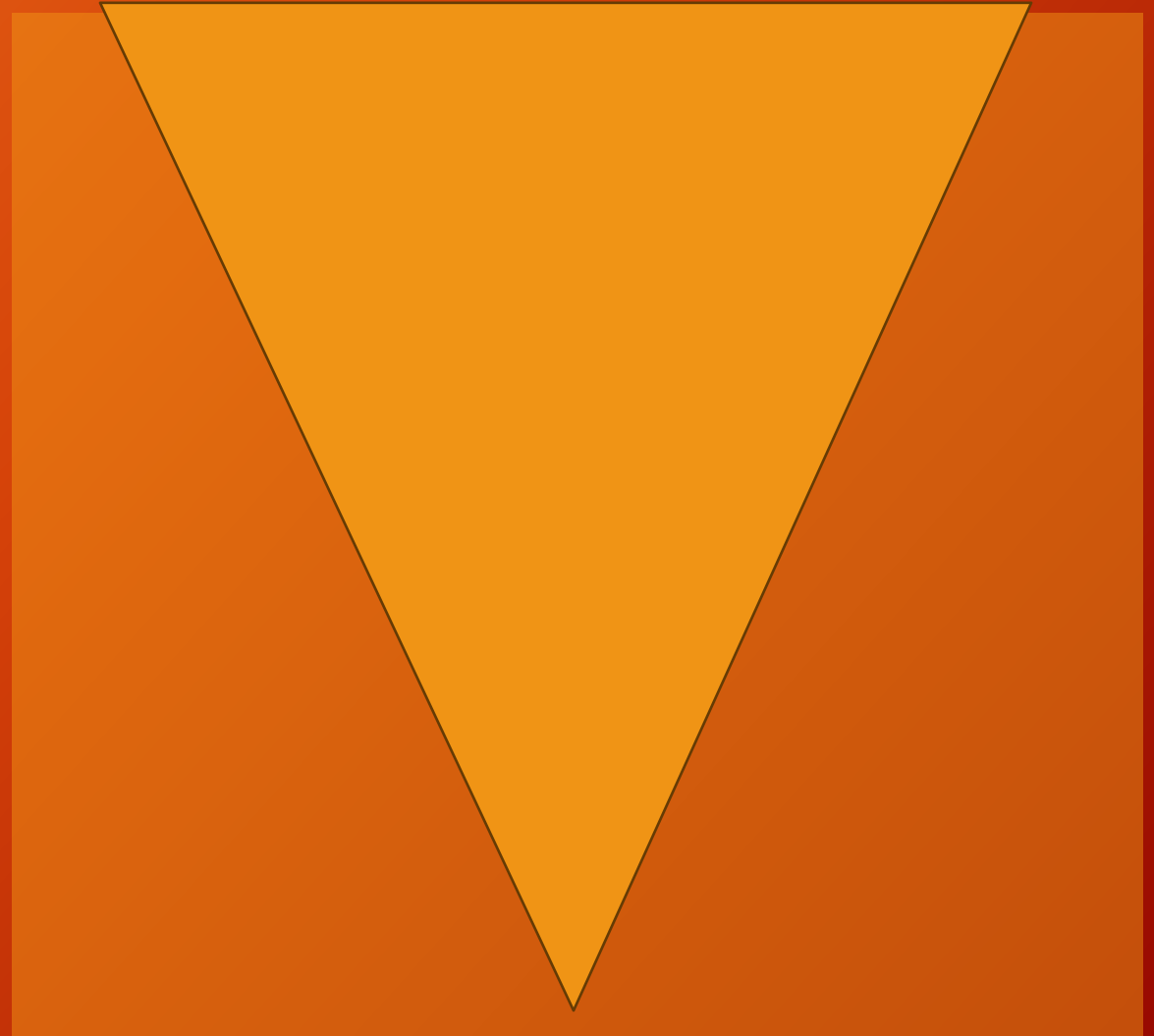
# What is ADR

Alternative Dispute Resolution: Outside court system

Alternative to the historical approach to resolving disagreement

Adversarial Process

- Why?
- Availability of Resources.
  - Better for Litigants.
  - Increased likelihood of compliance.



# Types of ADR

Mediation

Collaborative  
Divorce

Arbitration

Intensive  
Settlement

Parenting  
Coordination

Negotiation



# ADR has been used in many areas of law

- Family
- Adoption
- Child Welfare
- Neighbor Disputes
- Small Claims
- Contracts
- Foreclosures
- Schools



# Skills for ADR

- Training
- Knowledge of substantive law
- Patience
- Good listening Skills
- Problem solving skills
- Conflict Resolution Skills
- Confidence
- Think outside the box: Example





# FAMILY LAW

# Family Law: Divorce

Dissolution of the Marriage

Custody

Parenting Time

Equitable distribution of property

Support of children

Support of spouse

Compensation for harm (Tevis)



# Pre- Filing: Entire Divorce

Collaborative

Mediation

# Pre-Trial



Establishing Custody  
Agreements.

Post Early Settlement  
Economic Mediation

Parties are stuck



# POST DIVORCE

- Court ordered
- Via MSA/PSA
- By Agreement

Parenting Agreement

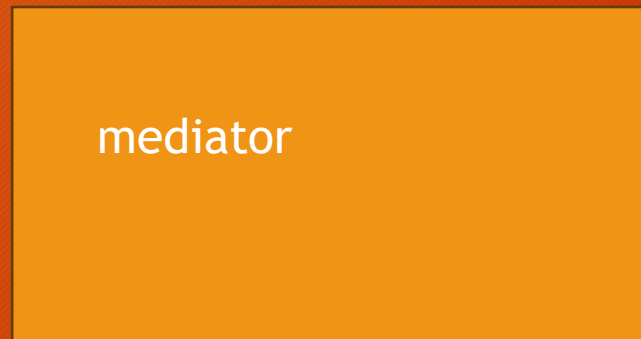
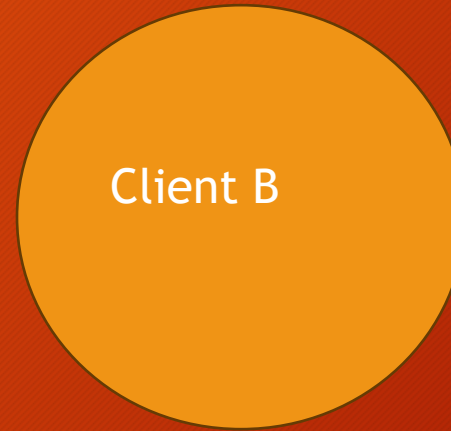
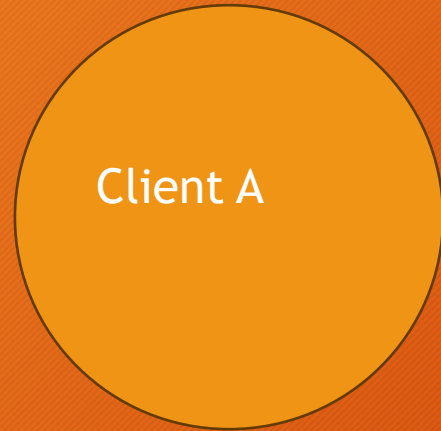
Mediation

Parenting Coordination

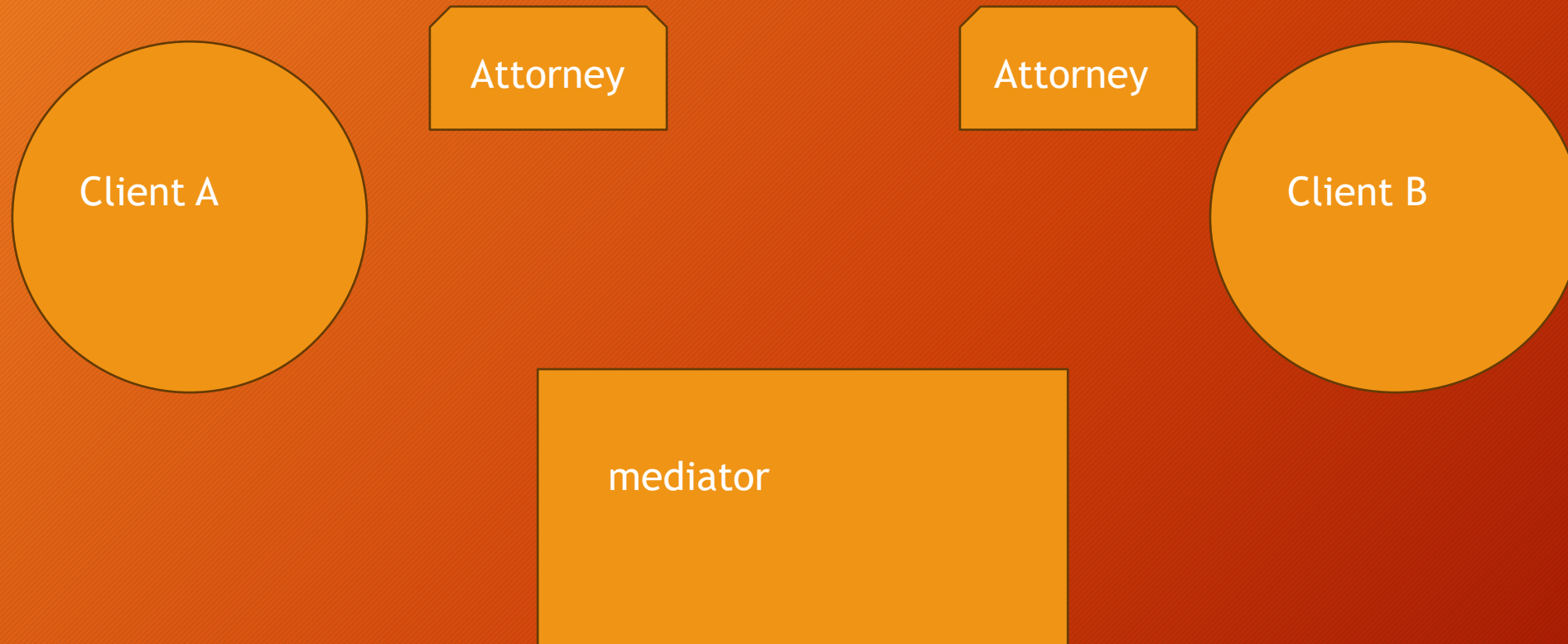
Change in Circumstances



# Mediation

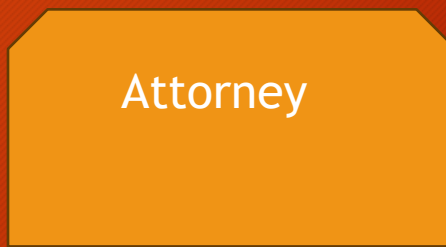
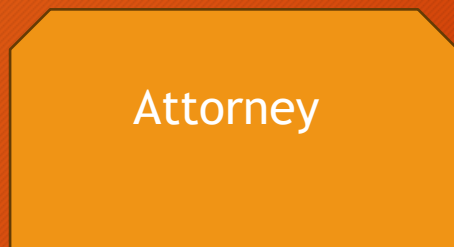
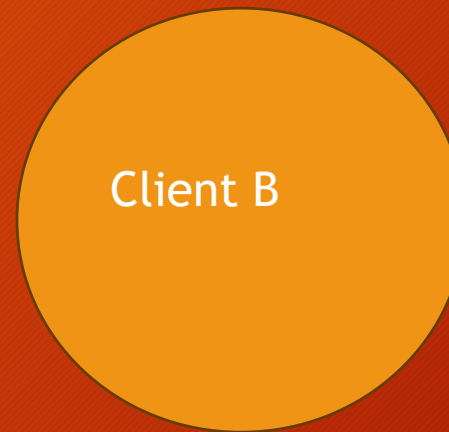
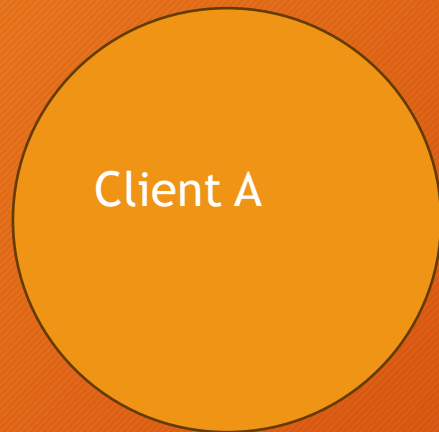


# Mediation



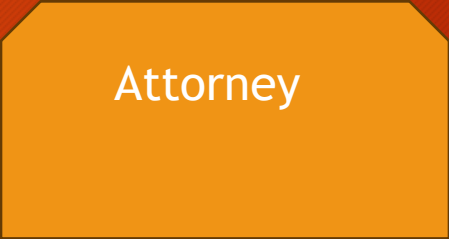
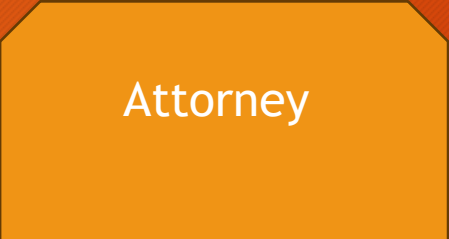
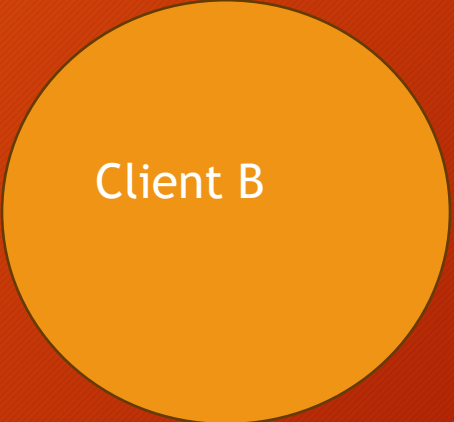


# Collaborative





# Collaborative



# Costs

Every situation is different.

- Litigation: \$\$-----\$\$\$\$\$
- Collaborative: \$\$
- Mediation: \$

# Time

Mediation:  
<Three  
months

Collaboration  
6-9 months

Litigation 1-  
2+ years



# Role of the Paralegal in ADR

- Research Law
- Draft ESP Statement
- Draft Agreements
  - Custody
  - Property
  - MSA/PSA
- Assist in completion of CIS
- Draft memorandum of Understanding
- Draft Quit claim Deeds
- Draft Lien releases
- Be a mediator

# Questions