

Alternative dispute resolution essays examples

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Alternative Dispute Resolution is a sequence of constructive and effective procedures for resolving disputes through joint consent of the parties involved. I conducted an interview in which I involved an ADR officer. This article contains the questions I asked and the responses that were given by the interviewee as well as my own commentary on the same matter of Alternative Dispute Resolution. (Dauer, 2004)

- What kind of work do ADR specialists do?

They do the work of conducting the resolve conflict between the conflicting parties by encouraging them to engage in interest-based negotiation where the problem solving procedure develops a solution mutually. They ensure compliance with the law by encouraging settlements outside the court.

- How do the ADR specialist engage in ADR?

Once a case is approved for Alternative Dispute resolution process, the respondent is notified and the ADR office arranges for mutual discussion of dates and times of engaging in either negotiations or discussions. The ADR specialist may engage in negotiation where the ADR specialist engages the respondent in interest-based collaboration or Mediation where an impartial mediator facilitates the negotiation between ADR specialist and respondent to reach a mutually accepted resolution. Finally, when the dispute is settled the settlement is submitted to the commission for approval so that it becomes a public record.

- What if settlement is not reached?

The case is referred for usual processing of complaints and referrals. The statute of limitations begin to run again.

- How long does it take to handle a case in ADR?

It varies depending on the respondent's willingness to cooperate in ADR process, complexity of the case and the size of the commission's case load.

- Can respondent opt out of ADR

Yes, by informing the ADR office

- Are complainants involved in the ADR process?

No

- What are the challenge to ADR specialist face in the process?

The major challenge is the unwillingness of the respondents to cooperate in the ADR process brought about by selfishness.

Summary

The Federal Election Commission is an established office for Alternative Dispute Resolving. The process is best suited for resolving administrative complaints and referrals. The process is advantageous in that it reduces the cost as well as bringing cases to mutually satisfactory solution. (Dauer, 2004)

References

Edward A Dauer, Alternative Dispute Resolution and Law, 2004, Juris Publishing Inc.