

# Litigation, mediation, arbitration response

Business



Responses Responses Responses to the Posts As Dimino (1st post) purports, litigation gives chances to youth get out of abusive relationships. However, it is not reasonable to count litigation as the best means to ensure justice in this regard, because litigation usually takes much time and extensive procedures based on the prevailing laws. Moreover, to what extent the attorneys approached would be sensitive to the pain and suffering of victims involved is uncertain. There are situations when cases on abusive relationships are effectively resolved through mediation as well. Admittedly, one of the major advantages of litigation is that it empowers people to come forward to take legal actions against abusers even after several years of the real incident. When the term 'abuse' is taken in broader sense, it involves physical abuse, sexual abuse, psychological abuse, verbal abuse, financial abuse, social abuse etc. In that context, many of these issues can be sensibly resolved through arbitration and mediation.

Hoffman (2nd post) has logically pointed out the swiftness of arbitration in his post. Arbitration in many situations increases the scope of immediate conclusion and reasonable settlement as compared to other alternatives. Hoffman's view on litigation seems right, for all that matter in litigation is 'to win over the other' rather than getting justice.

Ferdinand (3rd post) has technical knowledge in all forms of dispute resolutions. Although people consider litigation as the final alternative of resolution, it does not mean that a party cannot later return to an arbitrator or mediator for settlement.

## Answers

1. The major function of the agency in which I work is to help people resolve issues associated with rent arrears. Admittedly, the dispute resolution <https://assignbuster.com/litigation-mediation-arbitration-response/>

service is operational, and it often replaces the formal courts and tribunal hearings with mediation and arbitration. How efficiently and swiftly an issue is settled depends on numerous factors including but not limited to the complexity of the issue, its nature, time required for documentation, position of the parties concerned etc. However, the average time taken for arbitration is three or four months whereas cases that deemed to be more serious are often given priority. since ' seeking possession' (The legal way of getting a person evicted) involves several procedures like getting a court order, notice of possession, notice of eviction etc landlords tend to choose third party arbitration. Hence, with regard to rent arrears issues, arbitration has been found more effective way when compared to other forms of dispute settlement.

2. The answer to the question if litigation is the final alternative to dispute resolution depends on clients' outlook, and therefore it varies from person to person. What I would say is that litigation must be a resort that has to be avoided often for several reasons. Litigation is time consuming and expensive. It takes months and years to reach a conclusion. In litigation, no claim is given priority as courts generally deals with every case in a similar manner based on the same rules and procedures. Evidently, a very limited percent of lawsuits filed go to trial, among which a few attain verdict. And the law suits that finally come to settlements often cost high price and time. Hence, litigation is not simply the final alternative but an alternative that could be avoided if possible.