



ALTERNATIVE DISPUTE RESOLUTIONS

PRACTICE AREA

There are certain points in the litigation process where alternative dispute resolution may be of interest to both parties. Nemeth Bonnette Brouwer's team includes certified mediators experienced with alternative dispute resolution options such as face-to-face meetings, mediation/facilitation, arbitration, and mediation/arbitration. We can employ these approaches to resolve a case in a timely manner without costly and time-consuming litigation.

Sometimes, individuals involved in an employment dispute can resolve their differences by having a face-to-face meeting. Such a meeting can occur before litigation ensues or at optimal points for resolution during the litigation process.

Individuals can also voluntarily submit their dispute to a mediator to facilitate a negotiated resolution. With mediation/facilitation, the parties meet with a trained mediator who facilitates discussion to guide both parties to resolution. At mediation, the attorneys representing the clients act in a collaborative mode rather than a litigation mode in order to reach a creative solution. If the participants reach a settlement, the settlement can be enforced in court. If a settlement is not reached, nothing that occurred in the mediation can be disclosed, as it is a confidential process.

Another alternative dispute resolution mechanism that can be used is combined mediation-arbitration (med-arb). With this approach, one person is selected to attempt to both mediate and arbitrate the dispute. If the mediation is successful, the case settles. If the mediation is unsuccessful, the same person who mediated the dispute sits as the arbitrator to render a binding decision.