

LAWYER TO LAWYER MENTORING PROGRAM
WORKSHEET LL
INTRODUCTION TO ALTERNATIVE DISPUTE RESOLUTION (“ADR”)

Worksheet LL is intended to facilitate a discussion about the types of alternative dispute resolution (such as mediation, binding and non-binding arbitration, high-low arbitration, early neutral evaluation, court-annexed arbitration, summary jury trials, etc.) and the benefits and disadvantages of each.

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- Discuss when it is appropriate to counsel clients on how to resolve disputes by alternative methods. Should an attorney try to influence his/her clients to pursue a method of alternative dispute resolution?
- Describe situations where a client may be better served by avoiding litigation. Discuss the principles in the attached article. Stewart Levine, *Developing the Attitude of Resolution*, LAW PRACTICE TODAY, Sept. 2005.
<http://www.abanet.org/lpm/lpt/articles/mba09061.shtml>
- Discuss the following types of alternative dispute resolution (among others you think of), the types of cases for which those forms of ADR are typically used, and the benefits and disadvantages of each:
 - Mediation
 - Binding and non-binding arbitration
 - High-low arbitration
 - Early neutral evaluation
 - Court-annexed arbitration
 - Summary jury trials
 - Private judges
- Share with the new lawyer stories of your successes with ADR.
- Discuss when to consider ADR as a possible means for resolving a case (particularly in the new lawyer’s practice area) and how to talk to your client about it.
- Identify local resources for attorneys who would like to use ADR for resolving cases, including local ADR programs, court programs, mediation or arbitration services, etc.
- Discuss training opportunities and other resources for lawyers who are interested in becoming mediators or arbitrators.