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Arbitration, much like mediation or negotiation, is an alternative dispute resolution ("ADR") method. ADR methods represent alternatives to traditional litigation. Thus, when parties agree to an arbitration, they take the matter of dispute out of a state or federal court. To better understand how arbitration works, it may be beneficial to compare arbitration to litigation and other ADR methods.

Alternative Dispute Resolution: Arbitration

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Essentially, ADR includes arbitration, mediation, neutral evaluation, and collaboration. Both parties of the dispute follow an out-of-court procedure. Rather than seeking a court decision, parties' resort to a consensus settlement for their dispute. The proceedings are similar to a court procedure, but they're less formal.

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A relatively new form of ADR, collaborative law is a process that is a kind of hybrid between litigation and mediation. In a collaborative law setting there is no third-party mediator or arbitrator. Instead, you and the other party voluntarily agree to try to settle your differences without filing a lawsuit.

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Instead, companies that provide alternative dispute resolution, or "ADR," services - namely, arbitration and mediation - are back to pre-COVID case levels. Along the way, one thing has changed dramatically: the vast majority of ADR proceedings are now being conducted virtually, with some or all of the parties, attorneys, witnesses and neutrals ...

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The German Arbitration Institute (DIS) offers a portfolio of alternative dispute resolution proceedings from which the parties can select the most suitable type of mechanism for resolving their dispute. ... A settlement agreement can also be recorded in the form of an arbitral award on agreed terms if mediation is combined with arbitration.

Alternative dispute resolution (ADR) mechanisms at a glance

Arbitration and mediation are similar in that they are alternatives to traditional litigation, and sometimes they are used in conjunction with litigation (opposing

parties may first try to negotiate, and if that fails, move forward to trial). Both arbitration and mediation employ a neutral third party to oversee the process, and they both can be binding.

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