

Federal Dispute Resolution

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Analyzing Alternative Dispute Resolution Processes in the Federal Sector F P M I Communications, Incorporated

Traditionally, parties to a government contract have sought administrative or judicial review to resolve disputes; however, appeals to these courts are costly and may take years to reach a conclusion. Congress has encouraged the use of Alternative Dispute Resolution methods to resolve disputes arising in federal government contracting. Alternative Dispute Resolution includes a broad range of techniques, including mediation; however, use of Alternative Dispute Resolution to resolve disputes in contracting has focused on arbitration. Arbitration is the Alternative Dispute Resolution method most similar to a trial. Attorneys largely lead the resolution of these contractual disputes given their expertise in contract law. This expertise in contract law as well as comfort and familiarity with the litigation process may encourage attorneys to select arbitration over other means of Alternative Dispute Resolution that may be more beneficial to all parties. "Lawyers bred in litigation may not realize when one or more of the techniques in the ADR procedural array may be far preferable to court litigation, and they may take an unnecessarily narrow view of their clients' interests" (Section of Administrative Law and Regulatory Practice, 2001). "Arbitration has become expensive and time consuming because of increasing demands for discovery (a process through which both parties exchange information prior to an administrative or judicial hearing), which results in an unintended consequence of participants not fully engaging in Alternative Dispute Resolution processes. The increased costs of arbitration associated with the discovery process encourages disputants to forgo investing in Alternative Dispute Resolution methods and proceed directly to administrative or judicial hearings where the parties can get a final ruling on the merits of the case with limited appeals options. If Alternative Dispute Resolution is to fulfill its original mandate or promise, parties must find resolution before the parties even get to arbitration. To encourage a fuller exploration of other Alternative Dispute Resolution methods, federal contracts should include mandatory dispute avoidance measures and mediation. Mediation should be required before parties can proceed with a grievance or a lawsuit.

Proceedings of the 12/3/84 Conference on State/Federal Dispute Resolution Policies--Integration Or Balkanization Jossey-Bass
States receiving IDEA funds must ensure that a free appropriate public education is made available to all children with disabilities, and IDEA has long incorporated formal methods to resolve disputes between parents and school districts. The 2004 reauthorization of IDEA expanded the availability of alternative dispute resolution by broadening the use of voluntary mediation and requiring resolution meetings prior to due process hearings. GAO was asked to examine the use of dispute resolution methods since 2004. In this report GAO (1) examines recent trends in dispute resolution methods, (2) reports stakeholders' views on alternative methods, and (3) assesses Education's related performance measures for states. GAO analyzed federal dispute resolution data from 2004 to 2012, conducted a national survey, compared Education's performance measures to leading practices, and interviewed Education officials and stakeholders selected for their knowledge of dispute resolution.

Alternative Dispute Resolution and Settlement Encouragement Act; Federal Courts Improvement Act, and Need for Additional Federal District Court Judges DIANE Publishing
Contains: reasons for using Alternative Dispute Resolution (ADR); the types of ADR that have made available to employees through procedures other than those under collective bargaining agree., & the extent to which they have put these ADR processes in place; & the results achieved by using ADR. Examines a number of private companies & fed. agencies &: their experiences in planning & implementing ADR processes; the extent to which they evaluated their ADR processes & to which they reported that these processes have been successful in resolving workplace disputes; & the lessons they learned in planning, implementing, & evaluating their ADR processes.

Federal Grant Dispute Resolution
Federal Dispute Resolution
Federal Dispute Resolution Jossey-Bass
Successful Alternative Dispute Resolution in the Federal Workplace DIANE Publishing
Federal Dispute Resolution provides a much-needed guide to using alternative dispute resolution in matters involving the federal government. This helpful resource is appropriate for anyone involved in the ADR process, including those who represent the government and those who have disputes with the government. In a highly accessible format, Federal Dispute Resolution offers valuable information about the benefits of the ADR process and outlines the laws and regulations that govern this burgeoning field. The book includes vital instructions on how to determine which disputes are best suited to ADR and how to select the type of ADR process that is most appropriate for a particular situation. It also includes step-by-step guidance on how to prepare for ADR and offers suggestions on how to advocate effectively in ADR. Received 2004 Best Book Award from the CPR Institute for Dispute Resolution
Federal Dispute Resolution American Bar Association

[Alternative dispute resolution in the federal tax arena](#)

[Sourcebook, Federal Agency Use of Alternative Means of Dispute Resolution](#)

Dispute Resolution in the Federal Government
Decision Making in Dispute Resolution

[Alternative Dispute Resolution in the Federal Courts](#)

Workplace Dispute Resolution in the Federal Sector

An Evaluation of the Merits of Mandatory Mediation in Federal Government Contracting

Technology

Annual Report - Federal Mediation and Conciliation Service

Alternative dispute resolution employers' experiences with ADR in the workplace : report to the Chairman, Subcommittee on Civil Service, Committee on Government

Reform and Oversight, House of
Representatives

New Developments in Federal Agency
Alternative Dispute Resolution

Using Alternative Dispute Resolution in the
Federal Government

Alternative Dispute Resolution in Federal District
Courts

Federal Labor Relations