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Alternative Dispute Resolution

Clients with civil disputes in the state and federal judicial systems must contend with crowded court dockets and the inherent expense of litigation. As a result, business disputes and other civil matters are often subject to long and frustrating delays. Because of the inherent limitations of our judicial system, dispute resolution is no longer confined to courtrooms. There are many cases in which alternative dispute resolution procedures provide both a cost-effective and timely solution for parties in dispute.

Through alternative dispute resolution (ADR) processes like mediation or arbitration, parties often can avoid the expense and delays of the court system, limit discovery, and tailor hearing schedules to their own convenience, and put the resolution of their disputes on a fast track in a confidential forum. Sheehan Phinney offers both independent mediation and arbitration services.

Mediation is a consensual and non-binding service that can be shaped to the individual needs of the parties. Our attorneys serve as neutral mediators who structure a process to allow the parties to discuss their dispute and transmit settlement communications in a non-binding and confidential fashion to facilitate settlement. In the arbitration process, the parties in a dispute agree to have that dispute resolved by a qualified neutral individual, other than a judge. When acting as neutral arbitrators, members of the group structure whatever discovery schedule the parties deem appropriate, and then hear formal presentations from the parties at a final arbitration hearing, where the arbitrator's findings and decision are binding on both parties.

The members of our Alternative Dispute Resolution Group are seasoned lawyers with years of trial or business experience. They repeatedly have been recognized by their peers in such professional publications as *Chambers USA* and *Best Lawyers in America*. The group supports all of Sheehan Phinney's practice areas in disputes involving:

- Mergers and acquisitions
- Covenants not-to-compete
- Shareholder and partnership issues
- Contracts
- Unfair trade practices
- Intellectual property
- Employment law issues
- Personal injury claims
- Product liability suits
- Zoning and planning differences

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- Administrative law issues