

**Helpful Early Neutral
Case Evaluation
Program:**

The Helpful Early Neutral Case Evaluation Program provides an opportunity for litigants to resolve their conflict at the early stages of their case. Litigants meet with a neutral evaluator, who as an experienced attorney with subject matter experience that relates to the specific case type, assists the litigants to reach a mutual resolution to their case.

The Helpful Early Neutral Case Evaluation Program may be appropriate when the parties want to participate in a non-adversary procedure.



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**SUPERIOR COURT OF
CALIFORNIA,
COUNTY OF SOLANO**

**CIVIL
MEDIATION
CENTER**



**DEDICATED TO
PROVIDING ACCESS
TO FAIR AND
IMPARTIAL JUSTICE
FOR ALL**

Alternative Dispute Resolution

Introduction

Alternative Dispute Resolution (ADR) is a general term for a wide variety of dispute resolution processes that are alternative to litigation. Types of ADR processes include mediation, arbitration and settlement conferences, among other forms.

Advantages of ADR

ADR can have a number of advantages.

- ADR can save time. A dispute can be resolved in a matter of months, even weeks, while litigation can take years.
- ADR can save money. Attorney fees, court costs and expert fees can be reduced.
- ADR invites more participation. Parties have more chances to express their interest and concerns instead of focusing exclusively on legal rights.

- ADR allows more control and flexibility. Parties can choose the ADR process that is most likely to bring a satisfactory resolution to their dispute.
- ADR can reduce stress. ADR encourages cooperation and communication, while discouraging the adversarial atmosphere of litigation.
- ADR can be more satisfying. For all the above reasons, many people have reported a high degree of satisfaction with ADR.

Main Form of ADR Offered by the Court

Mediation

Mediation is an informal, confidential process in which a neutral person (the mediator) assists the parties in understanding their own interests, the interests of the other parties, and the practical and legal realities of their dispute. The mediator helps each side to explore options and arrive at a mutual acceptable resolution. The mediator does not decide the dispute, the parties do.

Mediation may be appropriate when: The parties want a non-adversary procedure; the parties have a continuing business or personal relationship; communication

problems are interfering with a resolution; there is an emotional element involved; the parties are interested in an injunction, consent decree, or other form of equitable relief.

Arbitration

Arbitration is normally an informal process in which a neutral person (the arbitrator) decides the dispute after hearing the evidence and arguments of the parties. The parties can agree to binding or non-binding arbitration. Binding arbitration is designed to give each side a resolution of their dispute when they cannot agree between themselves or with a mediator. If the arbitration is non-binding, any party can reject the arbitrator's decision and request a trial.

Arbitration may be appropriate when: the action is for personal injury, property damage, breach of contract; when only monetary damage is sought; witness testimony under oath is desired; an advisory opinion is sought from an experienced litigator (if non-binding arbitration)