

WSBA ADR DESKBOOK

DRAFT TABLE OF CONTENTS

INTRODUCTION THE EVOLUTION OF ALTERNATIVE DISPUTE RESOLUTION AS A SUBSTITUTE FOR THE CIVIL JUSTICE SYSTEM

- I. THE PRE-EMINENT FORMS OF ALTERNATIVE DISPUTE RESOLUTION
 - A. DIRECT NEGOTIATION
 - B. MEDIATION
 - C. ARBITRATION
- II. MEDIATION BEST PRACTICES
 - A. WHAT WORKS AND WHAT DOESN'T?
 - B. MEDIATOR SELECTION
 - C. EFFECTIVELY MANAGING THE MEDIATION PROCESS
 - D. EFFECTIVE ADVOCACY AT MEDIATION
 - E. ETHICAL CHALLENGES FOR MEDIATORS AND ATTORNEYS
- III. STATUTORY AND JUDICIAL REGULATION OF MEDIATION
 - A. INFLUENCE OF THE UNIFORM MEDIATION ACT, RCW 7.07
 - B. IMPACT OF WESTERN DISTRICT OF WASHINGTON LOCAL RULE 39.1
 - C. TRUST & ESTATE DISPUTE RESOLUTION ACT (TEDRA)
- IV. FAMILY LAW MEDIATION
- V. MEDIATING CONSTRUCTION CLAIMS
- VI. MEDIATING CLASS ACTIONS
- VII. ARBITRATION BEST PRACTICES
 - A. EFFECTIVE ARBITRATION MANAGEMENT
 - B. ARBITRATOR SELECTION
 - C. UNIFORM ARBITRATION ACT, RCW 7.04A.
 - D. FEATURES OF THE FEDERAL ARBITRATION ACT
 - E. IMPORTANCE OF RULES IN ARBITRATION
 - F. COMMON ETHICAL CONCERNS IN ARBITRATION
- VIII. MANDATORY ARBITRATION IN WASHINGTON
- IX. ARBITRATING CONSTRUCTION CLAIMS
- X. UNINSURED/UNDERINSURED MOTORIST ARBITRATION
- XI. ARBITRATION OF HEALTH CARE ACTIONS, RCW 7.70A
- XII. LABOR ARBITRATION
- XIII. ENFORCEMENT OF ARBITRATION AWARDS