



# Center for Alternative Dispute Resolution

*Mediation. It Works!*



## Purpose

The Center for Alternative Dispute Resolution (Center) is dedicated to making alternative dispute resolution (ADR) processes broadly available to Hawaii citizens and state and county government. The Center provides neutral ADR processes that offer opportunities for early, party-driven, efficient, and fair conflict resolution.

## The Center

- Designs and assists with implementation of dispute resolution systems for the judicial, legislative, and executive branches of government (state and county);
- Mediates and facilitates a limited number of disputes dealing with public policy or complex litigation referred by elected or appointed government officials;
- Manages the Judiciary's Purchase of Services contract for mediation and related dispute resolution services; and
- Promotes ADR through research, training, education programs, forums, publication of newsletters, consumer guides, and other informational materials.



## What Is ADR?

Alternative Dispute Resolution (ADR) is a term used to describe different ways of solving problems that do not involve litigation. Instead of going to court and risking great expense, broken relationships, and lost time, disputing parties may try other processes, such as mediation, facilitation, and arbitration to resolve their dispute.

## Why ADR?

When appropriate settlement processes are available, many disputes can be resolved more efficiently and with greater satisfaction to all parties. Lengthy, costly litigation can be avoided, divisiveness minimized, and productive results achieved.

ADR processes have a number of advantages. They are flexible, cost efficient, time effective, and offer the parties more control over the process and the results. Parties who resolve their disputes through ADR are generally more satisfied because they may directly participate in working out their settlement terms.




## ADR Processes

**The Center focuses on two processes.**

**Facilitation** — Collaborative process used to help groups reach a goal or complete a task. The facilitator is a process expert and does not make substantive contributions. The facilitator helps the parties plan agendas, define issues and increases the likelihood of consensus.

**Mediation** — Neutrals use skills and techniques to help parties communicate and reach a mutually acceptable agreement. Mediators do not render decisions.



## History

The Center was founded by Chief Justice Herman Lum in 1985 with support and assistance from the National Institute for Dispute Resolution. Originally called the Program on ADR, it was established to help mediate complex litigation and administrative and judicial disputes that affect the public interest or that involve agencies of state and local governments.

The Center became a permanent office within the State Judiciary in 1989. ADR and the Center enjoy strong support from Chief Justice Mark E. Recktenwald, Administrative Director Rodney A. Maile, and the rest of the Judiciary.

*“We have committed substantial resources to our ADR programs because we are confident that litigants who use them conscientiously can save significant time and money, and will often obtain more satisfying results.”*

*Chief Justice  
Mark E. Recktenwald  
The Judiciary • State of Hawaii*



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