

WHAT IS DISPUTE RESOLUTION?

Dispute resolution means using mediation, arbitration, and other processes to resolve a dispute as opposed to going to court.

MEDIATION:

Informal meetings in which a neutral mediator assists the people involved in the dispute to negotiate a mutually acceptable agreement. A mediator facilitates or referees the meeting, and does not take sides nor decides who is right or wrong.

ARBITRATION:

Similar to a hearing at court, but less formal. An independent arbitrator hears both sides of the dispute and decides on the outcome. An arbitration decision can be made based on written documents alone, or can be based on both written and/or verbal evidence at a hearing.

Both Mediations and Arbitrations can include multiple parties (more than two parties). For example, a broker, an insurance company, and a consumer.

MINI TRIALS:

A mock trial in which a retired judge hears from both sides, as in an arbitration, and gives his or her opinion on the probable outcome if the case went to court. The parties are then free to agree on whether to accept the opinion, or come to their own agreement.



BENEFITS OF INSURANCE DISPUTE RESOLUTION

SPEED:

A mediation or arbitration can be scheduled by the parties and the panelist as soon as they are able to meet. Compared to the court process, where waits of 2-3 years are normal, dispute resolution is as fast as the parties wish it to be.

CONTROL:

The parties control the entire process including the selection of the mediator; the scheduling of the time and place for the meeting; and the stating of your own perspective at a mediation or arbitration, rather than being questioned by lawyers in court.

CONFIDENTIALITY:

Disputes resolved in court are public and any judgments awarded are also public. Mediation and arbitration are conducted in private and in strict confidentiality.

LOWER COST:

Costs are normally shared equally between the parties and are customarily much lower than court costs. IDRS fees include an administration fee plus an hourly rate for the mediator or arbitrator.

EXPERIENCED MEDIATORS & ARBITRATORS:

Our panelists are professional mediators and arbitrators with training and expertise in dispute resolution and insurance.

COOPERATIVE APPROACH:

The cooperative approach of mediation allows the parties to create their own solution to the conflict and is often the process of choice when the preservation of the business relationship is important.

INFORMAL ATMOSPHERE:

Many of the tensions and stresses of the adversarial litigation process are avoided.

MEDIATION VS. ARBITRATION:

	<i>Mediation</i>	<i>Arbitration</i>
<i>Are you able to choose the neutral party?</i>	Yes	Yes
<i>Your level of control over process</i>	Very High	Moderate
<i>Is the ruling/agreement binding?</i>	Yes	Yes
<i>Are the proceedings confidential?</i>	Yes	Yes
<i>Mediator/Arbitrator's control over outcome</i>	None	Very High
<i>Mediator/Arbitrator's control over the process</i>	High	High

WHY CHOOSE ALTERNATIVE DISPUTE RESOLUTION?

Disputes settled in the courts can take two to three years on average to be tried. Legal fees associated with litigation can sometimes also be very substantial. In many cases the court's judgement is determined by someone who may not even have a background in insurance or insurance matters.

Alternative dispute resolution can take as short or long as the parties want it to. Often deadlines for agreements are set. Mediation and arbitration cost significantly less than litigation- one of the main reasons many choose alternative dispute resolution over the court system. Additionally, participants in the dispute are able to choose who they think would best understand the dispute, and are often provided with a list of mediators or arbitrators that specialize in the area of their dispute. At IDRS, all of our selected "neutral parties" are experts in the area of insurance and can provide knowledgeable insight when helping you settle your dispute.

WHAT KINDS OF DISPUTES ARE HANDLED?

Insurance Dispute Resolution Services provide services for any dispute relating to insurance. Our panelists have a range of expertise from dealing with claims between an individual and insurance company, to complex multi-party disputes. Examples include:

- Coverage, quantum, or liability issues
- Insured- Insurance company
- Insurance company- Broker
- Broker- Adjuster
- Adjuster- Insurance company
- Life or disability insurance

WHAT IS IDRSBC?

IDRS is a neutral, objective, non-profit dispute resolution facility which provides services in consultations, negotiations, mediation, arbitration, mini-trials, and multi-party disputes to the insuring public and the insurance industry.

Staff will explain your options and assist you in selecting the appropriate process and panelist for your dispute. We will also contact the other parties and coordinate the session itself.

IDRS has helped more than 600 insurance related disputes find amiable solutions. Often disputes can be resolved within a few hours, depending on how complex the issue is.

OUR SERVICES:

We offer the following lower cost alternatives to court for all types of insurance disputes.

- Principled Negotiation
- Mediation
- Arbitrations
- Mini-Trials
- Multi-Party Disagreements

These services are provided by an independent panel of qualified professionals with experience in resolving insurance disputes.

CONTACT US:

Please contact us if you have any questions or concerns regarding Alternative Dispute Resolutions. We would be happy to discuss how it can be appropriately applied to your particular situation.

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