



International Mediation Institute

PRESS RELEASE: First-ever industry report on commercial dispute resolution in North America

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First-ever industry report on commercial dispute resolution in North America

- Report presents data from focus groups conducted in seven jurisdictions in North America (Toronto, Austin, Baltimore, Los Angeles, Miami, New York, San Francisco)
- Alternative dispute resolution (ADR) should be made a mandatory part of law education, and included in business schools
- Increasing demand for mechanisms such as mediation and ADR that meet the needs of the parties and their need to continue relationships, rather than litigation

The Hague, Netherlands – The International Mediation Institute (IMI, <https://www.imimmediation.org/>) have released a report on commercial dispute resolution in North America. The Global Pound Conference North America Report (GPC North America Report) is a first-of-its-kind industry snapshot that will drive change in the North American market through highlighting alternative dispute resolution mechanisms as key to saving costs, time, and relationships. Data was gathered from focus groups consisting of parties, advisors, providers, and influencers including policy-makers. The report heralds a shift to a more collaborative and holistic vision of dispute resolution.

“A fundamental finding of this report is the call for a shift from litigation as 'default' to a more encompassing field of dispute resolution that tailors solutions to the need of the parties.” – Laura Skillen, Executive Director IMI

Supported by the American Arbitration Association International Center for Dispute Resolution Foundation (<https://www.aaacdrfoundation.org/>) and authored by Resolution Resources (<https://www.resolutionresources.com.au/>), the GPC North America Report joins

seven 'city' reports released in January. It draws a comparison across the seven jurisdictions to point to key themes and recommendations. Focus group participants described a vision for the future which includes education in ADR across law and business schools, a shift towards more collaborative and problem-solving approaches to commercial dispute resolution, increased diversity and quality of ADR providers across North America, and government support and resourcing to facilitate adoption of ADR within the justice system.

"This report is particularly relevant in the era of the Singapore Convention and increased demand for the professionalization of mediation practice. It will drive policymakers and educators to develop appropriate regulations and curricula, and facilitate improved conversations between users and dispute resolution professionals." – Laura Skillen, Executive Director IMI

The report highlights that the best lawyers and practitioners provide specific advice on processes that will be a best fit for a given dispute and its context; that practitioners who provide scope for collaboration and creative problem-solving exceed parties' expectations; and that commercial arbitration routinely fails to meet parties' expectations, whereas mediation has become mainstream and is gaining increasing legitimacy. Mediation is becoming the most ubiquitous dispute resolution process.

The GPC North America Report follows earlier Global Pound Conference reports including 'The Singapore Report' and 'Global Data Trends and Regional Differences'. All reports are available for download on the IMI website at <https://www.imimmediation.org/gpc>, and responses are encouraged.

Direct link to the North America report: <https://www.imimmediation.org/NA2020>

The International Mediation Institute is a non-profit public initiative with the vision of professional mediation worldwide, promoting consensus and access to justice. To this end it convenes global stakeholders in establishing high mediation standards, promotes understanding and adoption of mediation, and disseminates skills and materials for parties, counsel, and mediators, including a professional Code of Conduct. By driving transparency and high competency standards in mediation worldwide, IMI is making a positive difference to the dispute resolution world.