



CBA Legal Health Check

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Resolving Everyday Conflicts

A Canadian Bar Association series supporting legal wellness

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Life is full of conflicts. Dispute resolution offers ways to deal with them, often for less money and less time than going to court.

Choices of Dispute Resolution:

Mediation – a neutral facilitator helps resolve a conflict in a way both parties can support. You have more control and are involved in designing the solution.

Arbitration – a qualified arbitrator provides usually binding decisions, outside of court. It is often used for commercial, contractual and labour relations situations.

Collaborative family law – parties commit to negotiating outside of court, each with their own specially trained lawyer at the table. Parties share their documents and make best efforts to find solutions, while each lawyer protects their client's rights.

Dispute Resolution might help when (just examples, see above to decide which choice is best for you):

- Lise's noisy neighbour has turned her new condo from a dream home to a real nightmare. A friend tells her about *condo mediation* to try and fix the problem.
- Carey has to leave work early, again – his dad has fallen. The family disagrees on what to do. A friend recommends a *family mediator* that helped her family when their mom declined.
- Shoshanna's new car is a real lemon. Her boss suggests free *binding arbitration* offered by the Canadian Motor Vehicle Arbitration Plan (CAMVAP).
- Jerry tries to represent himself in court, but it's frustrating and intimidating. He sees a posting for *informal mediation* available in the courthouse, and the other side agrees to try.
- Terry and Joe have agreed to separate, but not how to parent their kids. They try *collaborative family law*, both with a specialized lawyer at their side, to make a parenting plan.
- Nancy hates going to work, as her co-worker makes her life miserable. The Human Resources contact suggests a *company mediation process* that might help.

To get help on dispute resolution options:

- Ask your provincial/territorial law society for lawyers specializing in dispute resolution.
- Check websites like ADR Institute of Canada, Collaborative Family Law or Family Mediation Canada.
- Check services offered by community and cultural associations.
- See options for particular problems, like car manufacturing problems or insurance disputes.

For links and resources visit CBA.org/healthcheck

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Put contact information here.