

MEDIATION/DISPUTE RESOLUTION



OVERVIEW

The growth and diversification of American business and society created the burgeoning dockets that plague our courts. Case loads, both civil and criminal, commonly burden court dockets to the point that civil cases routinely have life spans of more than one year. The net result is that, in some cases, litigation may be less desirable because of the cost, delay, publicity, and lack of control over the outcome. At Foulston Siefkin, we work with businesses and individuals who prefer to settle disputes sooner rather than later, with the least expense and disruption to their businesses and lives.

Mediation is a confidential and consensual process of negotiation in which a neutral third party (the mediator) meets with disputing parties and attempts to help them reach an agreement that either resolves their differences completely or that allows them to protect their respective interests in spite of their differences. Foulston Siefkin attorneys have extensive experience in the Mediation and Dispute Resolution process and the skill to recognize which cases merit litigation and which are more suitable for mediation. Our litigators routinely serve as our clients' advocate before mediators in privately initiated, pre-litigation mediations and in mediations which have been ordered by the court. Lawyers in our group have also served as the neutral party in disputes between parties we do not represent.

Arbitration involves a hearing before one or more non-judges that results in a binding decision which may be judicially enforced. Less formal than court proceedings, arbitration is often quicker and more cost effective. Our lawyers have represented clients in arbitration in a wide variety of matters including business transactions and business torts, commercial disputes, employment controversies, insurance disputes, personal injury cases, securities disputes, aviation matters, computer law disputes, construction projects, and e-commerce matters.

AREAS OF REPRESENTATION

- Mediation

FOULSTON

ATTORNEYS AT LAW

- Arbitration
- Mini-trials

RELATED LINKS

- Kansas Judicial Branch

PUBLICATIONS

2023

Consideration of Mediation and Arbitration Provisions in Wills and Trusts
-The Journal of the Kansas Bar Association

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ATTORNEYS/OTHER PROFESSIONALS

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