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Donna Shestowsky's Presentation on Litigants' Views of Court ADR Options

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DONNA SHESTOWSKY'S PRESENTATION ON LITIGANTS' VIEWS OF COURT ADR OPTIONS

OCTOBER 3, 2020 | JOHN LANDE | LEAVE A COMMENT

Donna Shestowsky recently gave a presentation to the CPR Mediation Committee about litigants' knowledge of courts' ADR options in their cases. She presented her research showing that litigants seem to be unaware of ADR options, and that knowing about some of these options – specifically, mediation – improves litigants' opinions of the court itself. Shockingly, having a lawyer did not make litigants more aware of ADR options, even when those options were offered, or even mandated, by the court system.

I am a big fan of Donna's research because she focuses on the parties' perspectives. Parties should be the ultimate decision-makers and beneficiaries in dispute resolution, and it's important to understand their views about complex and confusing DR systems. It's all the more important considering that litigation often involves disputes between powerful repeat-players and weaker one-shotters. To increase fairness for weaker parties, we need to understand their perspectives.

The [CPR blog posted this piece summarizing her presentation](#), including links to a law review article and a short summary in CPR's *Alternatives* magazine.

Take a look.

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