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Alternative Dispute Resolution (ADR)


- Alternative Dispute Resolution (ADR) is an informal process with an ADR specialist facilitating a resolution to the dispute.
- All claims with unrepresented applicants (pro se) are referred to ADR for review.
- Completely voluntary for all parties.
- Any party can decide not to participate in ADR at any time – claim will then go to pre-hearing conference as long as the applicant is still unrepresented.


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What ADR is *Not*

- A replacement for a hearing
- Partial to any party involved
- Winner takes all



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Claims Appropriate for ADR

- Lower value claims
- Limited issues in dispute
- Claims and amounts are well defined
- End of healing has been reached
- No future issues, such as need for additional medical treatment, are indicated



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Claims Not Appropriate for ADR

- Perm totals
- Death claims
- Some hearing loss and vision claims
- Head injuries
- Complex injuries
- Claims with ongoing care or other issues
- Claims that require an interlocutory order



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Why Is ADR a Good Option?

- Saves money
- Saves time
- May help close claims more quickly
- Is a neutral third party



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The ADR Process

- Can the parties reach settlement outside of a hearing (if there is an actual dispute)?
- Educate all parties as needed
- Gather necessary information (bills, med reports, etc.)
- Reach out to parties for possible resolution
 - If agreement is reached and appropriate, compromise drawn up and sent to ADR specialist to submit to an ALJ for approval and an order
 - If no resolution, case moved to pre-hearing if appropriate



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What Else Does the ADR Specialist Do?

- Explain to injured workers the need for support
- Explain steps of the hearing process to applicant so they can prepare
- Clarify issues
- Help with amended applications if necessary
- Estimate the value of the claim
- Aid in dismissal of claims when appropriate



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Questions?

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