

**Washington Arbitration & Mediation Service** is a recognized leader in the field of professional conflict resolution, offering innovative, cost-effective methods to settle legal disputes throughout the Pacific Northwest.

Founded in 1981, WAMS is part of the United States Arbitration & Mediation network of dispute resolution providers. WAMS and its affiliated neutrals are recognized for their creative, successful approaches to conflict resolution and outstanding client service.

The mediators and arbitrators who are affiliated with WAMS work in conjunction with the staff attorneys and legal support professionals at WAMS whose professionalism and administrative capabilities are unparalleled in the ADR community.

## WAMS Standards of Neutral & Personal Responsibility

### IMPARTIALITY

Parties shall be provided with full and ongoing disclosure of any circumstances which could reasonably raise a question concerning impartiality or conflicts of interest regarding selection of the neutral, such as discounted fee or other contracted referral agreements involving an insurance company or law firm participant in a case.

### PROCESS INTEGRITY

An obligation exists in cases where the needs or demands of the parties so dictate, for WAMS to educate, refer for outside advice or withdraw from further case involvement in order to preserve the integrity of the dispute resolution process.

### CONFIDENTIALITY

Any attempts to circumvent the confidentiality provisions of RCW 7.07 or signed WAMS Agreement to Mediate shall be resisted to the extent allowed by law.

### FEES

Parties shall be provided with an explanation and estimate of the fees to be charged for the services provided, including any minimum, cancellation or rescheduling costs, as well as any available discounted service or program opportunities.

### INFORMATION

Disputes shall be accepted for resolution services only if sufficient information about the dispute is provided to all parties to make the process meaningful and equitable for all involved.

### QUALIFICATIONS

Any neutral assigned to a case administered by WAMS shall have met or exceeded the WAMS professional neutral training and case subject matter requirements as a prerequisite for service. All parties shall be provided with biographical information about any WAMS-affiliated neutral upon request, including prior case experience, areas of practice and law firm affiliation.

### PROCEDURES

Applicable WAMS procedural and administrative rules for arbitration, mediation and other neutral processes shall govern all cases administered by WAMS.

#### Seattle

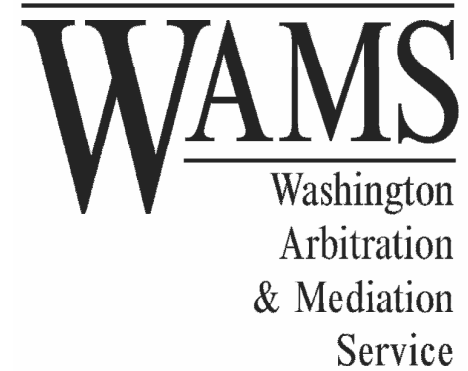
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Professional Dispute Resolution Since 1981

Mediation

Arbitration

Specialized  
Dispute  
Resolution

# Mediation

Mediation is essentially a supervised negotiation session between two or more parties. It is an informal and non-adversarial process whose objective is to reach a mutually acceptable and voluntary agreement. With mediation, all decision-making authority rests entirely with the parties. The mediator acts as a facilitator, guiding the parties in identifying issues, engaging in joint problem-solving, and exploring creative settlement alternatives.

Although the process is voluntary and nonbinding, it results in a strikingly high settlement rate. Parties are generally more satisfied with a mediated solution created by them than with an outcome imposed on them by a judge or jury.

Mediation helps parties take every step possible to settle a dispute without litigation or settle litigation prior to trial. It is a settlement tool to be considered in any dispute.

## Mediation works because:

- It brings the parties to the bargaining table.
- The process educates the participants.
- The mediator works behind the scenes to develop a settlement.

WAMS maintains a panel of professional attorney mediators and retired judges who have received training in mediation techniques. In accordance with its Mediation Rules, WAMS helps disputing parties select a mediator and handle any pre-hearing matters. Cases are then assigned to the selected mediator for the mediation session. (For more information, see the WAMS "Mediation Rules" brochure.)

*It is an undisputed fact that litigation is neither effective nor sensible for many disputes. As a result, there has been an ever increasing use of alternatives to litigation which are changing the way disputes are handled in virtually all areas of civil law. Dispute settlement has become a matter of selecting the right option rather than automatically going to court.*



For more information visit us on the web at:

[www.usamwa.com](http://www.usamwa.com)

“I must say that, as a litigant, I should dread a lawsuit beyond almost anything short of sickness and death.”

~Judge Learned Hand

# Arbitration

Parties involved in arbitration are effectively opting out of the court system and submitting their dispute for resolution by a neutral, third party arbitrator. Arbitration is generally faster, less expensive and more informal than going to court. It also has the advantage of being private and confidential.

## Arbitration is:

- *Fast*  
The arbitration process is faster than going to court. Most cases are completed within 90 days of filing with emergency cases handled even more quickly.
- *Less Formal*  
The arbitration process is less formal than litigation because strict rules of evidence, court procedures and jurisdictional requirements generally do not apply.
- *Less Expensive*  
The convenient and less formal nature of arbitration generally saves the parties time, attorney's fees, expenses and lost wages.
- *Convenient*  
The arbitration hearing is set at a convenient time and place which is agreed upon by the participants.
- *Legally Binding*  
Under Washington law, an arbitrator's decision may be enforced like a civil court judgment. Appeal rights are very limited.

WAMS maintains a panel of attorneys and retired judges who are experienced arbitrators. In accordance with its Rules of Arbitration, WAMS helps disputing parties select an arbitrator and handle preliminary matters. Cases are then referred to the selected arbitrator for hearing and award.