

Alternative Dispute Resolution at Sullivan, Tabaracci & Rhoades, PC

Alternative Dispute Resolution (ADR) describes methods of dispute resolution that seek to avoid or limit the substantial time and expense involved in litigating disputes in court.

Mediation is a method of non-binding dispute resolution involving a neutral third-party mediator who tries to help the disputing parties reach a mutually acceptable resolution. Although it is non-binding, mediation has a remarkably high success rate. An agreement to mediate a dispute can avoid the need for litigation and save disputing parties substantial time and money. Even if disputing parties become involved in litigation, courts frequently order the parties to attempt to mediate a resolution before their dispute can proceed to trial. Mediators in court-ordered mediations are often referred to as settlement masters.

Arbitration is a method of dispute resolution in which the parties agree to a neutral third party hearing each party's position and then formulating a binding resolution of the dispute. Arbitration is particularly useful in the business setting because it provides a prompt, cost-efficient resolution and may preserve or restore the business relationship between the parties. The parties also benefit from the ability to select an arbitrator who may be more knowledgeable or pragmatic about their business concerns than a judge or a jury.

The ST&R ADR Practice Group:

Our ADR Practice Group consists of experienced and knowledgeable attorneys who focus on serving as mediators, settlement masters or arbitrators in disputes involving **real estate, business, employment, personal injury and probate matters**. Our Missoula offices provide a spacious, comfortable setting for ADR meetings. However, we provide ADR services throughout Montana. Please contact any of the members of our ADR Practice Group for additional information:

William (Rusty) Babington. Mr. Babington has over thirty years of legal experience. He has acted as a settlement master in numerous civil matters involving business disputes, employment issues, and real estate matters. Rusty has also acted as an arbitrator in personal injury cases. He has acted as hearing officer for governmental entities involved in personnel actions. He has represented clients in mediation and settlement conferences at both the state and federal level. While in the Navy, he acted as a general courts-martial judge trying over two hundred courts-martial. He is a member of the Montana and New Mexico bars. He is willing to act as a settlement master in all civil litigation with the exception of family law.

Scott Manning. Mr. Manning has seven years of civil litigation experience emphasizing real estate, business, construction and probate disputes. In particular, he has significant experience with contested probate matters. He is available to serve as a mediator, settlement master or arbitrator in any of these areas. Prior to becoming an attorney, Mr. Manning was a scientist and he brings his analytical and problem solving skills to dispute resolution. He is committed to diligently serving ADR participants by exploring innovative approaches to conflict resolution. He offers a flat-rate mediation fee option when parties involved in litigation agree to begin ongoing mediation efforts prior to initiating formal discovery. He also offers a flat-rate ADR fee option for specific types of disputes including residential real estate disputes.

Aleea Sharp. Ms. Sharp is trained in small claims, landlord/tenant, family law, and some victim/offender dispute resolution. With a background in sociology, focusing on gender, culture, and religious issues, she is uniquely trained to help mediate disputes that arise out of differing values and perspectives. Ms. Sharp is also available to help mediate community or neighborhood disputes, which require balancing a wide variety of needs and personality types. She focuses on both resolving conflict and rebuilding relationships with a creative and common-sense oriented approach.

Chris Johnson. Mr. Johnson has over fifteen years of legal experience in real property, transactional, and business law, starting in Washington and now in his home state of Montana. He is licensed in both states. He spent two years with Montana Legal Services Assoc., during which time he participated in over 40 hours of training in mediation and alternative dispute resolution theory and practice. He has supervised, advised, and operated real estate closing offices, and has represented and advised many real estate brokerages. His transactional experience has run the gamut from residential transactions to large business asset sales. He firmly believes ADR to be one of the most valuable tools available to the legal profession.