


The ABCs of ADR

Understanding Michigan's Alternative Dispute Resolution System


Presented by
Kelsey M. Hall
Robert A. Marzano

1

Today's Presenters



Kelsey M. Hall
(248) 433-7176
khal@plunkettcooney.com



Robert A. Marzano
(248) 594-6357
rmarzano@plunkettcooney.com

2

What is ADR?

- A series of techniques that can be used to avoid the necessity of having a dispute heard by a panel of jurors
- A series of techniques that can be used to avoid the necessity to initiate litigation
- A series of techniques that be used to resolve a dispute no matter what stage the case is at during litigation, even up to and before a Michigan Supreme Court ruling on the case.

3

Why use ADR?

- Final resolution of dispute
- Removes risk of having a judge (or panel of judges) issue a ruling on a key issue in the case, including dismissal of the lawsuit.
- Cost effective
- Discovery tool

The ABCs of ADR

Principles of ADR

4

ADR Options in Michigan

- Case Evaluation (mandatory)
- Facilitation (voluntary, but can made mandatory)
- Binding Arbitration (voluntary, typically contract driven)



The ABCs of ADR

Principles of ADR

5

Case Evaluation

- Mandatory under Michigan Court Rules
- Costs
- Case evaluation panel
- Selection of case evaluators
- Submission of case evaluation summary
- Case evaluation hearing
- Case evaluation award
- Accepting or rejecting the case evaluation award
- Removing a case from case evaluation



The ABCs of ADR

Principles of ADR

6

Facilitation

- Typically, voluntary
- Court's power to order facilitation
- Costs
- Selection of facilitator
- Submitting the facilitation summary
- Facilitation hearing
- Facilitator's proposal
- Next step after facilitation
- Finality



The ABCs of ADR

Principles of Conflict Resolution

7

Binding Arbitration

- Typically, mandated by contract
- Details of contract provision making binding arbitration mandatory
- Arbitrator section (including number of arbitrators)
- Costs
- Hi-lows
- Arbitration agreement
- Arbitration award
- Post-arbitration award activities
- Finality (waiver of appeal opportunity)



The ABCs of ADR

Principles of Conflict Resolution

8

What ADR Process is Best for you?

- What is your goal in going to ADR?
- Do you want to settle the case?




The ABCs of ADR


Principles of Conflict Resolution

9



Questions?



Kelsey M. Hall
(248) 433-7176
khall@plunkettcooney.com






Robert A. Marzano
(248) 594-6357
rmarzano@plunkettcooney.com



10

Online Survey





11

Visit our Blog!



LITIGATION DEFENDERS
Risk management resources and insights

Subscribe


 RSS

 Email

 Twitter

 LinkedIn

Businesses can Bolster Lack of Notice Defense by Documenting Premises Inspections

 **Robert A. Marzano**
Attorney

Lack of notice defense on the rise in Michigan following the loss of the open and obvious defense for premises liability claims.

[Continue Reading](#)



Topics

Premises Liability

Get updates

Read our [latest premises liability](#) article.

[Subscribe](#)

Share    



12

Check out the Event Recording

Events

ATTORNEYS
Katie M. Hall
Robert A. Mariano

PRACTICE AREAS
Alternative Dispute Resolution
Torts & Litigation


The ABCs of ADR webinar

Understanding Michigan's Alternative Dispute Resolution System

04/24/2025 | 11 a.m. to Noon

Share

Click here for recording



The ABCs of ADR

Understanding Michigan's Alternative Dispute Resolution System

Date: April 24, 2025
Time: 11 a.m. to Noon
Cost: Complimentary


Dispute resolution in Michigan can be complicated. Litigation alone is daunting but overlaying it from a cost and complexity standpoint is the state's compulsory Alternative Dispute Resolution (ADR) system.
You are invited to join us for an informative webinar on Michigan's ADR system and how business owners and insurance professionals can effectively navigate it. This session will provide valuable insights you can use to resolve disputes more quickly, efficiently and cost-effectively.

The ABCs of ADR

Pratt & Whitney

13

Thank You For Attending!



The ABCs of ADR

Pratt & Whitney

14

5