

COMMUNITY DISPUTE RESOLUTION: FIRST-CLASS PROCESS OR SECOND-CLASS JUSTICE?

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INTRODUCTION

The Community Dispute Resolution Centers Program (CDRCP) was created in 1981 under the direction of the Office of Court Administration of the Unified Court System of the State of New York.¹ The CDRCP represents a culmination of four years of lobbying by dispute resolution programs, criminal justice organizations, and a number of interested individuals on the state and local level. Upon the recommendation of the Unified Court System, the New York State legislature removed the three year "sunset" clause of the initial legislation,² making the Program a permanent component of the New York State Unified Court System. This action made New York the first state to fund a network of dispute resolution centers.

The private and public sectors, and state and local government combine to form the CDRCP. Private, non-profit agencies must first contract with the Chief Administrative Judge of the Unified Court System before they can become a part of the Program and provide alternative dispute resolution services to their local communities. Up to fifty percent of the expenses for these community-based dispute resolution centers may be funded by the state.³ The remaining funding is supplied by the local community in partnership with the state.⁴ The centers work with misdemeanor criminal, civil, family, and juvenile disputes. By relieving the courts from matters that do not require formal adjudication, the CDRCP is a valuable, cost effective resource to citizens and to the justice system alike.

The Program began with centers in fifteen counties. It presently serves the citizens of fifty-three counties.⁵ Within the next three years, centers will be available in all sixty-two counties.⁶ The existing centers currently handle 77,000 referrals per year, and provide a number of services which include over 17,500 conciliations, mediations, and arbitrations annually.⁷ Each concilia-

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1. N.Y. JUD. LAW § 849 (McKinney Supp. 1986).

2. *Id.* at §§ 849-b, 849-c.

3. *Id.* at § 849.

4. *Id.*

5. 4 *The New York Mediator Newsletter*, Fall/Winter 1985, at 1 (published by the Community Dispute Resolution Centers Program, Unified Court System of the State of New York).

6. Letter from Chief Administrative Judge Joseph W. Bellacosa to Governor Mario Cuomo (Aug. 16, 1985)

7. Computer printout by The Community Dispute Resolution Centers Program of the

tion, mediation, or arbitration costs \$89, and on the average, each case is handled within fifteen days after it is first brought to the center.

The court system refers the majority of the clients handled by the CDRCP. Other public and private agencies, such as the district attorney, law enforcement, legal aid, and probation, also act as referral sources. Additionally, some clients are self-referrals or walk-ins. The services are offered on a voluntary basis, free of charge to the disputants.

A case must first go through an intake screening process to determine whether it is appropriate for mediation. At that time, the program is described to the clients, and other possible resolution mechanisms are discussed. The disputants are informed of their right to seek access to the courts either prior or subsequent to a mediation hearing, as well as their right to discuss the case with an attorney and to have one present during mediation.

If both parties opt for mediation, a scheduled hearing is conducted by a community volunteer who has received a minimum of twenty-five classroom hours of training in dispute resolution skills. The volunteer must also have completed a mediation apprenticeship before she is assigned to a case.

The mediator's goal is to work with the parties to help them develop a mutually agreeable settlement. If reached, the settlement is written as a contract and is binding on the parties. The mediation staff monitors the parties' compliance with the agreement and remains available to the disputants in case problems arise.

Community-based dispute resolution often raises two questions: are the participants satisfied with the process, and do people receive second-class justice when they forego formal adjudication? Chief Justice Warren E. Burger has offered a response to these concerns: "The notion that ordinary people want black-robed judges, well dressed lawyers and fine courtrooms as settings to resolve their disputes is not correct. People with problems, like people with pains, want relief, and they want it as quickly and as inexpensively as possible."⁸

To address these questions empirically, the CDRCP conducted research in March 1984 on the satisfaction rate of their clients. (Appendix A). The Program additionally surveyed the referring agencies to determine their experiences with the CDRCP. (Appendix B). In June 1984, a three month follow-up survey was done to determine how satisfied the disputants were regarding compliance with the agreement. (Appendix C). The methodology and results of the research are discussed below.

Unified Court System of the State of New York (1986) (on file at the New York University Review of Law & Social Change).

8. Address by Chief Justice Warren E. Burger, American Bar Association National Conference (Feb. 1982).

I

CLIENT SATISFACTION

A. Immediate Follow-up Results

Each disputant was asked to complete a questionnaire regarding her experience with the dispute resolution process. A sampling of 1,399 participants was taken, consisting of 687 complainants and 697 respondents from 33 dispute resolution centers. The sampling includes people who resolved their disputes as well as those who did not. The research found that in 1984-85, 89.1% of the disputes that reached the mediation stage were successfully resolved.

Seventy-three percent of the complainants were either satisfied or completely satisfied with the resolution of their case, while 19% were somewhat satisfied; only 9% were dissatisfied or completely dissatisfied. Among the respondents, 76% were either satisfied or completely satisfied with their agreement, while 19% were somewhat satisfied; only 5% were dissatisfied or completely dissatisfied.

Three of four participants stated that they probably or definitely would bring a similar problem to a dispute resolution center, and 15% indicated that they may bring a matter to a center. Six percent responded that they probably would not use the program again, while 5% said that they definitely would not. Eighty-four percent of all the participants stated that they would recommend the dispute resolution center to others who have similar problems, while 10% indicated that they may recommend the process. Three percent checked that they probably would not recommend the process, and 3% checked that they would definitely not recommend it.

Of all the participants, 81% felt that the mediation/arbitration process was better than that of a court or another agency. Twelve percent indicated the process may be better, while 3% felt that it was probably not better. Only 5% stated that they thought the process was definitely not better. Ninety-two percent of all the participants rated the mediator(s)/arbitrator(s) as helpful. Six percent indicated they were somewhat helpful, and only 2% considered them not very helpful or not helpful at all. Ninety percent of all the participants felt that the dispute resolution center staff was helpful or very helpful. Seven percent indicated that they were somewhat helpful, while 2% viewed the staff as not being very helpful or not helpful at all.

B. Referral Sources Satisfaction

The referral sources for the community dispute resolution centers also completed surveys. Four hundred and twenty-seven sources returned the survey, representing ten different types of agencies: court, district attorney, legal aid, law enforcement (sheriff/police), private attorney, public defender, public agency, school, religious organization, and other. The referral sources were consistent in their ratings regardless of the type of agency they represented.

Seventy-one percent of the surveyed referring agents had sent matters to a dispute resolution center on two or more occasions in 1984. Twelve percent had referred at least one case, while 16% had never made a referral. Moreover, 93% of the referral sources indicated that their experience with the dispute resolution center was good to excellent, and 6% felt it was fair. One percent thought that the services were poor. Finally, 95% of the referring agencies stated that they would continue to send appropriate matters to the dispute resolution center and would recommend it to their colleagues. Four percent stated that they may not continue to refer cases or recommend the services, and 1% said that they would not.

C. Long Term Follow-up Survey

The Office of Court Administration contacted the survey participants after three months and asked them to complete five follow-up questions concerning compliance with the agreements. One hundred and eighty complainants, and 147 respondents answered the follow-up questionnaire.

Seventy-three percent of the complainants stated that they were satisfied that the major terms of their agreement were being upheld, while 23% were not satisfied in this regard. Eighty-five percent of the respondents indicated that they were satisfied with compliance, and 12% said that they were not.

Furthermore, 63% of the complainants indicated that they remained satisfied or very satisfied with mediation/arbitration as a way of resolving their problem, and 18% said that they were somewhat satisfied; 20% said that they were dissatisfied with the mediation/arbitration process. Seventy percent of the respondents indicated that they were still satisfied or very satisfied with mediation/arbitration as a way of resolving their problem, and 16% remained somewhat satisfied; 13% percent said that they were dissatisfied with the mediation/arbitration process.

Approximately two-thirds of the participants indicated that they would bring a similar problem to a dispute resolution center, while 16% stated that they may bring a problem to a center. Nineteen percent indicated that they would probably not or would definitely not use a center in the future. Almost three quarters of the participants stated that they would recommend a dispute resolution center to others who have similar problems, while 13% indicated they may recommend the center. Thirteen percent of the participants said that they would probably not or would definitely not recommend a center in the future.

Sixty-two percent of the complainants felt that mediation/arbitration provided a better method to solve their problem than a court or another agency, while 14% answered that the mediation/arbitration process may be better. Seven percent said that the process was probably not better, and 16% said it was definitely not better.

Finally, 79% of the respondents felt that the mediation/arbitration process was a better way to solve their problem than taking it to court or another

agency, while 8% answered that it may be better. Two percent said that the process was probably not better than that used in a court or another agency, and 10% believed that it was definitely not better.

D. Summary of the Survey

In both the initial and the follow-up surveys, the vast majority of the participants were satisfied with the dispute resolution process, and felt that it was an effective way to resolve disputes. A parallel study on how the public perceives the courts⁹ notes that forty to fifty percent of those who have been parties in a court case viewed their experience unfavorably.¹⁰ The disparity between these two surveys may be due to the fact that mediation provides the opportunity for face-to-face communication, a constructive expression of emotions, and the preset goal of mutually agreeable solutions (which may or may not be legally obtainable in court).

II

FIRST-CLASS PROCESS WITH SECOND-CLASS JUSTICE?

The aforementioned survey indicates that the majority of people who use the CDRCP believe that the process of mediation/arbitration is a first-class approach to problem solving. However, the question remains: Do people who go through the Program receive second-class justice? Are all the rights of the disputants protected when a mediation session is chosen? These questions raise the very issue of the nature of justice. What is first-class or second-class justice and when is it obtained?

A. Community Justice and the Formal Justice System

Robert Coulson, President of the American Arbitration Association, has suggested that Americans no longer expect neighbors, families, or religious bodies to provide community justice. Instead, our society looks to the courts for formal dispute resolution.¹¹ America's litigiousness is demonstrated by the following two facts: the United States has ten to fifteen times as many attorneys as any other country, and the caseload in civil court has increased by more than fifty percent over the last five years.¹²

An overreliance on the formal justice system results in certain problems. First, there are lengthy delays in the adjudication process, which result in a

9. NATIONAL CENTER FOR STATE COURTS, *The Public Image of Courts*, in *THE STATE COURTS: A BLUE PRINT FOR THE FUTURE* 22 (1978).

10. *See generally*, M. FEELEY, *THE PROCESS IS THE PUNISHMENT: HANDLING CASES IN A LOWER CRIMINAL COURT* (1979).

11. Telephone interview with Robert Coulson, President, American Arbitration Association (1986) [hereinafter cited as Coulson].

12. S. KESSLER, *CREATIVE CONFLICT RESOLUTION: MEDIATION 1* (National Institute for Professional Training) (1978).

“justice delayed, justice denied” syndrome.¹³ Moreover, high legal fees, combined with the loss of wages while the participants attend court may be prohibitive for many.¹⁴ Another problem is the inherent mystique of the legal system. Individuals who do not trust or are confused by the justice system are often reluctant to use it.¹⁵ Additionally, formal adjudication is often not equipped to deal with disputes that involve ongoing relationships and complex motives. The solutions that are generated by the courts may therefore fail to rectify the situation.¹⁶ Finally, the disempowering nature of the formal justice system may rob individuals of their decision-making power and can foster an overreliance on its use.¹⁷

B. *The Community Dispute Resolution Movement*

In response to the problems inherent in the formal justice system, courts, federal and state agencies, and private groups began to “experiment” with informal, community-based mediation as an alternative to the courts for the resolution of minor civil and criminal disputes.¹⁸ These efforts have been referred to as the community dispute resolution movement.¹⁹

The birth of this movement can be regarded as an attempt to return power to the community by alternative methods to the formal legal system.²⁰ More importantly, it is part of a more broad-based effort to “delegalize” our society.²¹ One task force report²² states that “we appear to be moving inevitably in the direction of a drastically revised system of dispute resolution . . . a justice system [that is] more than a judicial system . . . and one in which nonjudicial forums will occupy an important place.”²³

This effort can truly be regarded as a nationwide “movement” because of the rapid growth in the number of programs over the last decade. By some estimates, there were only three community dispute resolution centers in existence in 1971, twelve in 1975, and over one hundred in 1980. Presently, there are approximately 300 offices in at least thirty states.

Does alternative dispute resolution deliver second-class justice by estab-

13. Cf. McGillis, *Delivering Everyday Justice*, 31 PUB. WELFARE 34-39 (1981) [hereinafter cited as McGillis].

14. NATIONAL INSTITUTE FOR DISPUTE RESOLUTION, *PATHS TO JUSTICE: MAJOR PUBLIC POLICY ISSUES OF DISPUTE RESOLUTION* 9 (1984).

15. *Id.* at 10.

16. Underhill, *A Manual for Community Dispute Settlement*, in BETTER BUSINESS BUREAU OF WESTERN NEW YORK 14 (1981).

17. See Coulson, *supra* note 11.

18. McGillis, *supra* note 13.

19. Ray, *The Alternative Dispute Resolution Movement*, 8 PEACE & CHANGE 44 (1982).

20. Coulson, *supra* note 11.

21. McGillis, *supra* note 13.

22. Johnson, *Toward a Responsive Justice System: Report of the Task Force on the Courts and the Community*, in THE STATE COURTS: A BLUEPRINT FOR THE FUTURE (1978).

23. *Id.* at 122.

lishing a judicial system exclusively for the poor?²⁴ By dealing with minor disputes will alternative dispute resolution keep the poor out of the courts which will then be reserved for the affluent? Or, will the rich turn to alternative dispute resolution as a quicker and more responsive method of dispute resolution and thereby create a "luxury class" of justice outside the courts?

Justice is commonly defined as:

a. the maintenance or administration of what is just especially by the impartial adjustment of conflicting claims or the assignment of merited rewards or punishments; b. the administration of law, especially the establishment or determination of rights according to the rules of law or equity; c. the quality of being just, impartial or fair; d. conformity to truth, fact or reason.²⁵

The definition of "just" upon which two of the above definitions are contingent is "having a basis in or conforming to fact or reason, acting or being in conformity with what is morally upright or good, what is merited."²⁶ Finally, "to do justice" means to treat fairly or adequately.²⁷

Mediation conforms to all but the second definition of justice which concerns the establishment of rights according to the rules of law. A mediator does not give legal advice. Those cases where legal rights are at issue are therefore not appropriate for mediation. However, the alternative dispute resolution process is designed to screen out such disputes and parties are always encouraged to seek counsel.

Moreover, it is not always the case that when a party goes through the "normal" justice system with legal representation, first-class justice is obtained. Those who enter the formal justice system with adequate representation may seem to receive justice, but they often confront lengthy delays and inconvenience, loss of income, high attorney fees, and the possibility of losing the case or not obtaining a satisfactory settlement. They may encounter antagonistic adversaries who will give more trouble in the future.

Second, those who enter the system with limited representation, usually the poor, will also encounter all the problems listed above. Additionally, they may suffer from hurried representation from an attorney who has a heavy caseload and cannot adequately prepare the case.

Finally, those individuals who bring problems that are regarded as too petty by the court may also suffer. They either are denied entry, are dismissed, or are given the "don't do it again" lecture. Such treatment is in spite of the fact that their disputes may escalate into serious matters if they are not

24. J. MARKS, E. JOHNSON & P. SZANTON, *DISPUTE RESOLUTION IN AMERICA: PROCESSES IN EVOLUTION* (1984).

25. WEBSTER'S NINTH NEW COLLEGIATE DICTIONARY (1984).

26. *Id.*

27. *Id.*

properly dealt with initially.²⁸

Mediation can achieve justice in all of the aforementioned cases. The key lies with a clarification of the rights of the parties which can be accomplished during intake. If a specific legal issue or a question of due process is found to be at stake, then the disputants may opt for the courts. However, if no significant issue of "rights" is involved, or if the disputants are willing to waive them based on informed consent, mediation can deliver first-class justice.

Mediation does not focus on formal rights. The emphasis is on the process by which the individual parties are encouraged to solve their problems in a spirit of compromise. Therefore, precedents, rules, and a legalized conception of the facts are not only irrelevant; they also constrain the mediator's goal of helping the parties to reorient their perception of the problem to the point where an agreement can be reached.²⁹

Does mediation offer equal access to justice? Earl Johnson, a former professor of law at the University of Southern California Law Center and presently a justice of the Supreme Court of California, suggests two criteria for evaluating the equality of justice: a legally enforceable right to counsel, and the opportunity to have disputes resolved in an effective forum.³⁰ In other words, equal access to justice is more than being prevented from entering the courtroom. Access to other forums must be included to embrace disputes that cannot be adjudicated in court. Although mediation provides a right to counsel as part of its process, it does not guarantee access to counsel. However, New York residents are able to gain immediate access to a community dispute resolution program by a phone call or by walking into a center. Normally, interviews are done quickly, and the average time from intake to final disposition is fifteen days. A 1984 study by the Cincinnati Institute of Justice³¹ showed that dispositions for cases in Cleveland Municipal Court that are similar to those sent to mediation required one hundred and five days and took three court appearances for a final disposition.³² The average New York mediation takes one hour and twenty minutes, and is settled in one session.³³ In that amount of time, both parties fully develop and clearly state their positions, and listen to each other in a constructive environment.

Moreover, community dispute resolution centers serve women and men of all ages, and of all racial and ethnic backgrounds. Participants come from

28. *Neighborhood Justice Centers: An Alternative to the Courts?*, 56 J. OF AM. INS. 111 (1980).

29. J. FOLBERG & A. TAYLOR, *MEDIATION: A COMPREHENSIVE GUIDE TO RESOLVING CONFLICTS WITHOUT LITIGATION* (1984).

30. E. Johnson, Jr., *Equal Access to Justice: America's Unfulfilled Promise to the Common Citizen* 4-3,4-4 (Oct. 14, 1982) (unpublished manuscript) (on file at the offices of the New York University Review of Law & Social Change).

31. CINCINNATI INSTITUTE OF JUSTICE, *REPORT ON THE CLEVELAND PROSECUTOR MEDIATION PROGRAM* (1984) [hereinafter cited as CINCINNATI INSTITUTE OF JUSTICE].

32. *Id.*

33. Christian, *The Community Dispute Resolution Centers Program: A Progress Report*, in *NEW YORK STATE UNIFIED COURT SYSTEM* (1985).

varied income and educational levels.³⁴ Many of the centers also have satellite offices that provide convenient locations so that the actual mediation can be scheduled in a location convenient to the parties. This location may be a library, school, church or synagogue, community room, fire station, or even the home of one of the individuals if she is elderly or immobile. Mediations can also be scheduled at the convenience of the parties so they do not have to miss work.

Most court proceedings involve a forum which is both adversarial and public. In contrast, mediation offers disputants confidentiality and an opportunity to shape solutions through an open and non-threatening process. In New York, parties to a mediation are generally able to discuss their problems without fear of reprisals in future court actions, with the exception of matters involving child abuse.

Finally, people are more inclined to live up to an agreement if they were instrumental in generating the terms. For example, our New York 1984 survey showed a 78% compliance rate after a three month follow-up. In the Cincinnati Institute of Justice 1984 study of the Cleveland Prosecutor Mediation Program, there was a 77% compliance rate after one year.³⁵

CONCLUSION

Mediation is a first-class process that provides first-class justice. Based on a voluntary agreement between the parties, it is the one form of dispute resolution that is applicable to virtually every type of dispute. Mahatma Gandhi stated that "my experience has shown me that we win justice quickest by rendering justice to the other party."³⁶ Properly exercised, mediation provides this win-win forum.

34. *Id.*

35. CINCINNATI INSTITUTE OF JUSTICE, *supra* note 31.

36. M. GANDHI, GANDHI: AN AUTOBIOGRAPHY 182 (1957).

Appendix A
**COMMUNITY DISPUTE RESOLUTION CENTERS
PROGRAM
IMMEDIATE FOLLOW-UP
EVALUATION
TOTAL SUMMARY FOR ALL PROGRAMS**

	COMPLAINANT		RESPONDENT		UNDETERMINED		TOTAL*	
	Number	%	Number	%	Number	%	Number	%
1. How satisfied were you with mediation/arbitration as a way of resolving your problem?								
Completely satisfied	265	39%	290	42%	3	20%	558	40%
Satisfied	232	34%	236	34%	6	40%	474	34%
Somewhat satisfied	130	19%	133	19%	5	33%	268	19%
Dissatisfied	32	5%	16	2%	0	0%	48	3%
Completely dissatisfied	28	4%	22	3%	1	7%	51	4%
Total	687	100%	697	100%	15	100%	1399	100%
2. Would you bring a similar problem to our dispute resolution center?								
Definitely	332	49%	325	47%	5	33%	662	48%
Probably	194	29%	169	24%	7	47%	370	27%
Maybe	82	12%	120	17%	0	0%	202	15%
Probably not	36	5%	48	7%	1	7%	85	6%
Definitely not	32	5%	35	5%	2	13%	69	5%
Total	676	100%	697	100%	15	100%	1388	100%
3. Would you recommend this dispute resolution center to others who have similar problems?								
Definitely	403	60%	390	56%	3	20%	796	56%
Probably	174	26%	183	26%	7	47%	364	26%
Maybe	58	9%	74	11%	4	27%	136	10%
Probably not	20	3%	26	4%	1	7%	47	3%
Definitely not	20	3%	20	3%	0	0%	40	3%
Total	675	100%	693	100%	15	100%	1353	100%
4. Did you feel mediation/arbitration was a better way to solve this problem than taking it to court or another agency?								
Definitely	387	58%	439	63%	8	53%	534	61%
Probably	143	21%	124	18%	4	27%	271	20%
Maybe	80	12%	78	11%	3	20%	161	12%
Probably not	25	4%	20	3%	0	0%	45	3%
Definitely not	35	5%	32	5%	0	0%	67	5%
Total	670	100%	693	100%	15	100%	1378	100%
5. How would you rate the mediator(s)/arbitrator who worked with you on this dispute?								
Very helpful	463	69%	470	68%	5	33%	938	68%
Helpful	155	23%	174	25%	6	40%	335	24%
Somewhat helpful	39	6%	38	5%	2	13%	79	6%
Not very helpful	12	2%	6	1%	1	7%	19	1%
Not helpful at all	4	1%	8	1%	1	7%	13	1%
Total	673	100%	696	100%	15	100%	1384	100%

* Total percentages have been rounded off to the nearest percent. Also, all statistics reflect cases handled by the New York Community Dispute Resolution Centers Progress for the month of March, 1984.

Appendix A—cont'd.

**COMMUNITY DEFENSE RESOLUTION CENTERS PROGRAM
IMMEDIATE FOLLOW-UP EVALUATION
TOTAL SUMMARY FOR ALL PROGRAMS**

	COMPLAINANT		RESPONDENT		UNDETERMINED		TOTAL*	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
6. The dispute resolution center staff was:								
Very helpful	406	61%	430	62%	4	27%	840	61%
Helpful	196	30%	191	28%	9	60%	396	29%
Somewhat helpful	46	7%	49	7%	2	13%	97	7%
Not very helpful	10	2%	10	1%	0	0%	20	1%
Not helpful at all	4	1%	9	1%	0	0%	13	1%
Total	662	100%	689	100%	15	100%	1366	100%

* Total percentages have been rounded off to the nearest percent. Also, all statistics reflect cases handled by the New York Community Dispute Resolution Centers Progress for the month of March, 1984.

Appendix B
REFERRAL SOURCES (All Programs)
March 1984

	Court	District Attorney	Legal Aid	Law Enforcement	Private Attorney	Public Defender	Public Agency	School	Religious Organization	Other	Total
1. My role as a referral agent is:	86-20%	20- 5%	7- 2%	120-28%	17- 4%	6- 1%	76-18%	10-27%	15- 4%	70-16%	427
2. I have referred matters to your dispute resolution center in the past year	52-60%	17- 85%	6- 86%	55-46%	3- 18%	4- 67%	26-34%	2-20%	1- 7%	33-47%	199-47%
4 or more times	5- 6%	0- 0	1- 14%	20-17%	3- 18%	1- 17%	11-14%	1-10%	2-13%	6- 9%	50-12%
3 times	6- 6%	0- 0	0- 0	18-15%	8- 47%	1- 17%	10-13%	2-20%	0- 0%	7-10%	52-12%
2 times	10-12%	0- 0	0- 0	9- 8%	2- 12%	0- 0	13-17%	3-30%	1- 7%	-14-20%	52-12%
Once	12-14%	2- 10%	0- 0	16-13%	1- 6%	0- 0	14-18%	2-20%	11-73%	10-14%	68-16%
Never											
3. My experience with your dispute resolution center regarding my referrals has been	40-47%	16- 80%	1- 14%	34-28%	9- 53%	5- 83%	34-45%	5-50%	1- 7%	36-51%	181-54%
Excellent	22-26%	2- 10%	5- 71%	58-48%	6- 35%	0- 0	17-22%	3-30%	3-20%	15-21%	131-39%
Good	1- 1%	0- 0	0- 0	14-12%	1- 6%	1- 17%	3- 4%	0- 0	0- 0	0- 0	20- 6%
Fair	1- 1%	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	1- 3%
Poor	0- 0	0- 0	0- 0	1- 1	0- 0	0- 0	0- 0	0- 0	0- 0	1- 1%	2- 6%
Very Poor											
4. Will you continue to send appropriate matters to the dispute resolution center?	59-69%	20-100%	7-100%	68-57%	17-100%	6-100%	65-86%	9-90%	3-20%	31-44%	285-74%
Definitely	12-14%	0- 0	0- 0	43-36%	0- 0	0- 0	7- 9%	0- 0	9-60%	9-13%	80-21%
Probably	3- 3%	0- 0	0- 0	6- 5%	0- 0	0- 0	1- 1%	1-10%	2-13%	1- 1%	14- 4%
Maybe	3- 3%	0- 0	0- 0	0- 0	0- 0	0- 0	1- 1%	0- 0	0- 0	0- 0	4- 1%
Probably Not	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	1- 1%	1- 3%
Definitely Not											
5. Would you recommend our dispute resolution center to your colleagues?	60-70%	20-100%	5- 71%	68-57%	17-100%	6-100%	66-87%	9-90%	7-47%	58-83%	316-76%
Definitely	14-16%	0- 0	2- 29%	42-35%	0- 0	0- 0	5- 7%	0- 0	6-40%	9-13%	78-19%
Probably	2- 2%	0- 0	0- 0	9- 8%	0- 0	0- 0	2- 3%	1-10%	2-13%	1- 1%	17- 4%
Maybe	2- 2%	0- 0	0- 0	0- 0	0- 0	0- 0	1- 1%	0- 0	0- 0	0- 0	3- 7%
Probably Not	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	0- 0	1- 1	1- 2%
Definitely Not											

Appendix C
LONG TERM FOLLOW-UP
ALL PROGRAMS
June 1984

	<u>Complainant</u>	<u>Respondent</u>	<u>Total</u>
How are the major terms of your agreement being upheld?			
Fully	56-31%	63-43%	119-36%
Satisfactorily	75-42%	62-42%	137-42%
Not at all	42-23%	17-12%	59-18%
How satisfied were you with mediation/ arbitration as a way of resolving your problem?			
Very satisfied	64-36%	58-39%	122-37%
Satisfied	48-27%	46-31%	94-29%
Somewhat satisfied	32-18%	24-16%	56-17%
Dissatisfied	15- 8%	13- 9%	28- 9%
Not satisfied at all	21-12%	6- 4%	27- 8%
Would you bring a similar problem to our dispute resolution center?			
Definitely	79-44%	59-40%	138-42%
Probably	35-19%	38-26%	73-22%
Maybe	32-18%	21-14%	53-16%
Probably not	10- 6%	13- 9%	23- 7%
Definitely not	24-13%	14-10%	38-12%
Would you recommend this dispute resolution center to others who have similar problems?			
Definitely	102-57%	84-57%	186-56%
Probably	25-14%	30-20%	55-17%
Maybe	24-13%	18-12%	42-13%
Probably not	11- 6%	4- 3%	15- 5%
Definitely not	17- 9%	10- 7%	27- 8%
Did you feel mediation/arbitration was a better way to solve this problem than taking it to court or another agency?			
Definitely	88-49%	95-65%	183-55%
Probably	24-13%	21-14%	45-14%
Maybe	25-14%	12- 8%	37-11%
Probably not	12- 7%	3- 2%	15- 5%
Definitely not	29-16%	15-10%	44-13%

