

ITEM 5.2: LITERATURE REVIEW – ALTERNATIVE DISPUTE RESOLUTION METHODS

Purpose

1. To provide the committee with a working draft of a literature review covering alternative dispute resolution methods (ADR).

Background

2. At the meeting of the Access to Justice Committee on 16 December 2013, the Committee instructed the Secretariat to carry out *“a literature review of materials available in respect of arrangements for party litigants and the information available to them, the arrangements for lay representation and support and the use of ADR in Scotland and other similar jurisdictions. It was also thought that it would be helpful to include information on case management.”*
3. At the last meeting of the Committee on 10 March 2014, members noted the intention of the Secretariat to provide a draft literature review on ADR for the Committee’s next meeting.

Discussion

4. **Paper 5.2A** is a working draft literature review covering alternative dispute resolution methods (ADR). **Members are invited to note the progress of the review of ADR and provide feedback in relation to its content.** In particular, members are invited to comment on any areas of the review that could be expanded on in greater detail and if there are any areas that the review has not

covered. Members' feedback will be incorporated into the draft review for the Committee's next meeting.

5. **Papers 5.2B and 5.2C** are two reports provided by the Scottish Legal Aid Board on ADR and were provided to members at the last meeting. These reports have been incorporated into the review and links will be provided to them within the review once they published.

Recommendations

6. **Members are invited to note the progress of the draft literature review covering ADR, give feedback on its content and note the intention to provide a finalised report for the Committee's next meeting.**

Scottish Civil Justice Council - Secretariat

April 2014