



**DIRECTOR'S POLICY #100-18  
ALTERNATIVE DISPUTE RESOLUTION**

Effective Date: September 25, 2009

**Approved By:**

**I. PURPOSE:**

The Commonwealth of Virginia recognizes that a fundamental function of government is collaborative problem solving, including the fair and efficient management of conflict and resolution of disputes. Litigation and other adversarial means of dispute resolution, while necessary at times, are costly in terms of dollars, human resources, and good will. §§ 2.2-4115-4119 of the *Code of Virginia*, the [Virginia Administrative Dispute Resolution Act \(VADRA\)](#) establishes an alternative, non-adversarial means of addressing stakeholder concerns while minimizing the costs associated with conflict management and dispute resolution.

**II. POLICY STATEMENT:**

The Department of Professional and Occupational Regulation is committed to utilizing stakeholder collaboration and alternative dispute resolution processes, as appropriate and as set forth in the Virginia Administrative Dispute Resolution Act, as means by which the Department and affected parties may attempt to achieve mutually-agreed upon settlements of matters in controversy without incurring the costs associated with adversarial proceedings. The VADRA Interagency Council shall serve as a resource for consultation and guidance.

**III. DEFINITIONS:**

Alternative Dispute Resolution (ADR)      A structured, non-adversarial approach (e.g., mediation, conciliation) to reaching a voluntary settlement between disputing parties, which is facilitated by a neutral party.

**IV. RELATED DOCUMENTS:**      N/A

**V. GENERAL PROVISIONS:**

**A. DESIGNATION OF AGENCY DISPUTE RESOLUTION COORDINATOR**

1. The Director shall designate a Dispute Resolution Coordinator (DRC) for the Department, and authorize him or her to attend DRC training provided by the VADRA Council. The Department's Alternative Dispute Resolution Director may be designated as the agency Dispute Resolution Coordinator or may be asked to recommend another employee to the Director. In the event that the ADR Director does not serve as the DRC, the DRC shall report the information obtained during DRC training and meetings to the ADR Director.
2. The ADR Director, with the Director's approval, shall be responsible for developing agency dispute resolution procedures and training agency personnel involved in implementing any written ADR procedures.

**B. INTEGRATION OF ADR INTO DEPARTMENT OPERATIONS**

The Department shall conduct an annual review of its Strategic Plan, as well as its policies, procedures, operations, fiscal resources, and regulations to identify new opportunities for adopting collaborative practices and alternative dispute resolution processes.

Policy Title:	Director's Policy #100-18 Alternative Dispute Resolution	Effective:	09/25/2009
Submitted By:	Carol Mitchell, Alternative Dispute Resolution Director	Guidance Document:	Yes/No
Supersedes:	Director's Policy #100-18 Alternative Dispute Resolution (Effective 05/23/2005)		Page 1 of 2

C. VADRA COUNCIL

1. The Department shall cooperate with and provide assistance to the VADRA Council as requested, including providing periodic reports on the agency's activities and any associated outcomes resulting from its efforts to promote and use collaborative practices, conflict management techniques, and alternative dispute resolution processes.
2. The Department shall acknowledge the VADRA Council as a resource for:
  - a. training and briefing sessions
  - b. information and technical assistance in the development and use of such practices in state government
  - c. promoting networking among agency DRCs statewide
  - d. coordinating and collaborating with similar initiatives in other states