

ALTERNATIVE DISPUTE RESOLUTION

Director's Policy 100-18 | Effective 08/22/2024

I. 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. DPOR Staff may consult the Virginia Supreme Court's Mediation Certification Program and local mediation resources for consultation and guidance on ADR Matters.

Approved By:

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II. 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. In §§ 2.24115-4119 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.

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. PROVISIONS

A. DESIGNATION OF AGENCY DISPUTE RESOLUTION COORDINATOR

1. The Director shall designate a Dispute Resolution Coordinator (DRC) for the Department, and authorize the designated DRC to attend mediation training provided in conjunction with the Virginia Supreme Court - Office of the Executive Secretary's mediation certification program. 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.

V. RELATED DOCUMENTS

N/A