

## Managing Legal Disputes through Alternative Disputes Resolution

Gunawan Widjaja<sup>1</sup>

### Abstract

*Dispute management is an attempt to resolve a dispute or conflict through alternative dispute settlement strategies in a legal context. Alternative dispute resolution methods, such as negotiation, mediation, and arbitration have been widely used in dispute settlement in a variety of situations. The method of research carried out in this research is to discuss the related literature according to the title of the research. The results of this study conclude that alternative dispute settlement strategies can be an effective alternative to litigation in settling disputes. These alternative dispute methods provide advantages such as faster processes, and lower costs, and allow the parties involved to be more active in finding mutually beneficial solutions. In addition, alternative dispute settlement strategies can also help maintain relationships between the parties involved in the dispute. In mediation and negotiation, open communication and cooperation are promoted, which can avoid greater conflict and enable the building of better relations in the future. However, it is important to remember that alternative dispute settlement strategies are not always suitable for every situation. In some cases, litigation can still be the best option, especially when a dispute involves a complex issue or if one of the parties refuses to participate in an alternative settlement effort. Overall, dispute management and alternative dispute settlement strategies are important efforts in minimizing conflict and achieving a fair and beneficial settlement for all parties involved. Understanding the advantages, disadvantages, and appropriate context for using alternative dispute settlement strategies is key in navigating the dispute settlement process well.*

**Keywords:** *Dispute Management, Settlement Strategies, Alternatives Disputes Settlement, Law.*

### Introduction

The process of settling disputes through the courts is often time-consuming, and expensive, and can burden an already tight judicial system. Disputes are caused by differences in views or perspectives, needs or interests, and values or principles. The factors that influence them are due to differences in view or viewpoints, Differences in need or interest, and differences in value or principle (Collier, J. G., & Lowe, V., 2000) (Kartasasmita, A. & Widjaja, G., 2021). Disagreement can occur when each individual feels that their views are correct and refuses to accept the views of others. It can occur in a variety of situations in everyday life, including at work (Widjaja, 2000), in interpersonal relationships, or in a political context (Bossy, J. (Ed.). 2003; Folberg et al., 2021).

Differences in needs or interests can also lead to conflict. For example, in a business relationship, a dispute between two companies can occur when one or both parties feel that their interests are not satisfied or harmed by the actions of the other party. This type of dispute can involve financial, marketing, or copyright issues, which can create tension between the parties involved, even in the field of health services (Widjaja, G. & Ayuningtyas, D., 2015; Widjaja, G., 2020).

Differences in values or principles are often a source of controversy in broader contexts, such as politics or social issues. Disagreements can occur when individuals or groups have conflicting values, or different principles, on important issues, like human rights, the environment, or religion. This type of conflict can occur at the national level, such as in international conflicts, or at a smaller level such as between individuals or groups in societies (Chen, C. 2019).

Thus, disputes or disagreements can arise when there are differences in views, needs, or values. However, with the ability to use alternative settlement strategies such as negotiation or mediation, most disputes can be resolved peacefully without having to involve courts or resort to larger conflicts. (Paikah, N., & Asriady, M. 2023; Talib, I. 2013).

Such alternative settlement strategies could be an important option to overcome the obstacles that exist in the conventional justice system. In addition, dispute management is an important part of the legal field as

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# Managing Campus Conflict Through Alternative Dispute Resolution

**Rachel Sandford**



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