

## WHO ARE THE MEDIATORS AND ARBITRATORS?

They are your neighbors. Cochise County's volunteer mediators and arbitrators are trained, certified and appointed by the Presiding Judge.

In all cases, the appointed arbitrator or mediator is impartial and has no stake in the outcome of the conflict or dispute.

## WHY MEDIATE OR ARBITRATE?

Mediation is successful because people tend to be happier with the solutions they have had a voice in making, rather than those decisions imposed upon them by a judge.

Even arbitration frequently proves to be a more satisfactory experience because the parties have a greater opportunity to be heard, and the process is less formal.

Either method provides an alternative to courtroom litigation. Mediation and arbitration can greatly reduce the time and expense involved in settling many disputes. And, because both mediation and arbitration are less formal than court, parties in an already difficult situation may suffer less anxiety and still effectively resolve their conflicts.

## Our Mission:

To provide convenient access to resolution processes that are fair, efficient, economical and expeditious.

## SUPERIOR COURT JUDGES

THE HONORABLE JAMES L. CONLOGUE,  
*Presiding Judge, Division V*

The Honorable Wallace R. Hoggatt,  
*Judge, Division III*

The Honorable Charles A. Irwin,  
*Judge, Division I*

The Honorable John F. Kelliher, Jr.,  
*Judge, Division II*

The Honorable Karl D. Elledge,  
*Judge, Division IV*

The Honorable Terry L. Bannon,  
*Judge Pro-Tempore, Division VI*

## JUSTICES OF THE PEACE

The Honorable Adam Ambrose,  
*Precinct 1, Bisbee*

The Honorable Alma Vildosola,  
*Precinct 2, Douglas*

The Honorable Bruce Staggs,  
*Precinct 3, Benson*

The Honorable Trevor Ward,  
*Precinct 4, Willcox*

The Honorable Timothy Dickerson,  
*Presiding Justice of the Peace,  
Precinct 5, Sierra Vista*

The Honorable Leslie Sansone,  
*Pro-Tempore, Precinct 5, Sierra Vista*

The Honorable Michael Skiles,  
*Precinct 6, Bowie*

For more information, call or write:

<https://www.cochise.az.gov/alternative-dispute-resolution/home>

Email: [ADRDiretor@cochise.az.gov](mailto:ADRDiretor@cochise.az.gov)

## ALTERNATIVE DISPUTE RESOLUTION PROGRAM



## JUSTICE COURT ARBITRATION AND MEDIATION SERVICES

*Resolving conflicts quickly, fairly and effectively*

SUPERIOR COURT OF ARIZONA  
COCHISE COUNTY  
PO Box 204  
4 LEDGE AVENUE,  
COURT ADMINISTRATION BUILDING  
BISBEE, ARIZONA 85603

PHONE: 520-432-8483

FAX: 520-432-8487

## WHAT IS ALTERNATIVE DISPUTE RESOLUTION (ADR)?

ADR is a term that includes a variety of legal methods used nationwide to resolve conflicts and disputes between people *without* going to trial. Arbitration and mediation are two techniques that can be helpful but they are not the same.

## WHAT IS ARBITRATION?

When the judge sends your case to ADR, our office assigns an arbitrator and schedules a hearing. The arbitrator is not a judge, but they will hear your case much like a judge would. At the hearing, both sides (plaintiffs and defendants) will be given an opportunity to speak. As the plaintiff you will explain why you filed the claim and present any evidence that may prove the other party owes you money. As a defendant you will also have a chance to explain your side of the story and present evidence to prove that you don't owe the plaintiff. Both of you will be allowed to cross examine each other to clarify facts that are important for the arbitrator to understand. After you have presented your cases, the arbitrator will consider all the evidence and testimony from the hearing and make a decision (an 'award') similar to what a judge would.

An arbitrator's decision can be appealed up to 20 days after your copy of the decision is mailed to you. Either side can appeal. If no one appeals, the Justice of the Peace will order that the arbitrator's decision becomes the final judgment of the court. If either person does not comply with the Judge's order, the judgment can be legally enforced.



## WHAT IS MEDIATION?

If arbitration is like a trial, mediation is more like negotiation. Mediation lets you and the other person decide the outcome of your dispute on your own terms, right then and there, but no one will be forced to mediate an agreement.

All that is needed to switch from arbitration to mediation is the parties' mutual cooperation. If it seems that you and the other litigant are willing to work together, the arbitrator's role can change. He or she can help you consider options to resolve your dispute and think about details that may be important to include in your new, legally enforceable agreement. If after your best efforts you cannot agree, the case must be returned to the court to be set for trial or possibly returned to ADR.

In contrast to arbitrators, mediators will not decide who is right or wrong or make an award.

Statistics show that most people who participate in an ADR program are glad they did. Only about 10% of arbitrated cases are appealed, and more than 85% of mediations result in mutually acceptable agreements signed by all parties.

## WHAT KINDS OF CONFLICTS CAN BE SETTLED THROUGH JUSTICE COURT ARBITRATION OR MEDIATION?

Arbitration is the first option for cases referred to ADR. It is best suited for cases where one person believes they are owed money from the other person. An arbitrator can only award monetary compensation.

Mediation on the other hand, can involve an agreement for almost anything that will resolve the dispute. Mediation is not restricted to only monetary awards and can frequently help resolve all sorts of issues from contracts to neighborhood problems.

## WHAT SHOULD I EXPECT?

If your case is heard through arbitration, the arbitrator's decision will be made within 5 days of your hearing. The ADR office will send your copy the decision to you by mail within another 5 days.

If your case was concluded with a mediated agreement, you will sign that agreement and the arbitrator/mediator will return it to us to be filed with the court. Once the agreement is received here, your copy will be in the mail within 5 days.

Last, the court cannot help you collect any money due to you. You will be responsible for collecting the debt. If you need additional information about that part of the process, you may want to consult an attorney.