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**CONTACTS**

**Ellie Vilendrer, Esq., ABA EDR Committee, Co-Chair**  
[Ellie@VilendrerLaw.com](mailto:Ellie@VilendrerLaw.com) | (949) 975-9992

**Felicia Harris Hoss, Esq., ABA EDR Committee, Co-Chair**  
[Felicia@HarrisHossPLLC.com](mailto:Felicia@HarrisHossPLLC.com) | (281) 686-7927

**ABA Unanimously Adopts Policy Encouraging Early Dispute Resolution**

*Louisville, KY:* At its recent Mid-Year Meeting, the American Bar Association (ABA) House of Delegates (House) unanimously approved Resolution 500 urging lawyers and all interested parties to increase the informed and voluntary use of Early Dispute Resolution (EDR). The Resolution is a significant and timely policy statement that simultaneously highlights the benefits non-adjudicative dispute resolution processes afford parties and the importance of preserving the jury trial.

The Resolution was researched, backed by statistics, and thoughtfully worded. Data reveals staggering backlogs at courthouses that not only slow down the speed at which lawsuits progress through court systems, but also increase the costs. “Between 2019 and 2023, the backlog in federal civil trial courts grew more than 80%, from 359,472 to 656,689 cases at year-end 2023,” said Felicia Harris Hoss, Co-Chair of the ABA EDR Committee. With criminal cases taking precedence, many state courts also saw growing backlogs on their civil dockets.

Studies, however, reveal that civil disputants most often resolve disputes through non-adjudicative processes, but that use of such processes is often delayed or employed only upon court-order. “The Resolution encourages disputants and their counsel to proactively consider the benefits of EDR – party self-determination, time-efficiency, cost-effectiveness, relationship preservation, and non-binary and creative solutions – early in the life cycle of the dispute and at a time when their value to the parties is greatest,” said Ellie Vilendrer, Co-Chair of the ABA EDR Committee.

The Resolution acknowledges that EDR is not right for every civil dispute, and that the right to a jury trial is important and to be protected. In those disputes for which judicial resources are a necessity, the Resolution seeks to reduce the growing backlogs at the courthouse so that valuable limited judicial resources may be reallocated to enable more expeditious and less costly judicial decisions.

The Resolution was spearheaded and drafted by ABA Section of Dispute Resolution EDR Committee Co-Chairs Ellie Vilendrer (California), Felicia Harris Hoss (Texas), and Mary Cullen (Minnesota) and Co-Chair of the Ombud’s Committee Meg Willoughby (Pennsylvania). Underscoring the importance and value of early dispute resolution intervention, before the Resolution was presented to the House for a vote, several ABA sections and divisions co-sponsored the Resolution, including the ABA Section of State and Local Government and the ABA Senior Lawyers Division. The Resolution also received support from the ABA Business Law Section, the ABA Section of Labor and Employment Law, the ABA Young Lawyers Division, and the ABA Section of Government and Public Sector Lawyers.

To access Resolution 500, its supporting documents, and video of the presentations made at the Mid-Year Meeting, visit the ABA website's [House of Delegates Resolution 500](#).

*About the ABA Section of Dispute Resolution EDR Committee:* The mission of the ABA EDR Committee is to expand the voluntary and informed practice, general knowledge, and scholarship of early dispute resolution methods that preserve party-autonomy in resolving conflicts in a time-efficient and cost-effective manner.

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