

# INTRODUCTION TO THE BIBLIOGRAPY ISSUE

## I. CONTENTS OF EACH BIBLIOGRAPHY ENTRY

Each bibliography entry is an article or book written in the area of alternative dispute resolution. Each entry includes the legal citation of the article or book followed by a brief summary paragraph. Search terms, listed below the summary paragraph, highlight key topics covered by the article, and are cross-referenced with the Subject Heading Outline. Sample entries are provided below.

### A. *Sample Book Entry*

**F. PAUL BLAND ET AL., CONSUMER ARBITRATION AGREEMENTS: ENFORCEABILITY AND OTHER TOPICS (2002).**

Directed at consumers, the authors focus on methods of arbitration. The book addresses the limitations on the applicability of the Federal Arbitration Act, contract defenses to pre-dispute arbitration clauses, limitations imposed upon arbitration clauses by federal statutes, constitutional challenges to such clauses, and procedural issues that arise over the enforcement of arbitration clauses.

{44} ARBITRATION—GENERAL  
{79} SUBJ MATTER: CONSUMER  
{127} REQUIREMENTS: MANDATE TO USE

### B. *Key to the Sample Book Entry*

Author(s) ..... F. PAUL BLAND ET AL  
Title of book ..... CONSUMER ARBITRATION AGREEMENTS:  
ENFORCEABILITY AND OTHER TOPICS  
Date of Publication ..... 2002  
Summary ..... Abstract of book provided  
Search Terms ..... {44} ARBITRATION—GENERAL

### C. *Sample Article Entry*

**Robert M. Ackerman, *Disputing Together: Conflict Resolution and the Search for Community*, 18 OHIO ST. J. ON DISP. RESOL. 27 (2002).**

Both alternative dispute resolution (ADR) processes and litigation can be conducive to community building, according to the author. ADR's collaborative nature often benefits the community more than adversarial techniques. However, difficulties arriving at collaboration during mediation lead to mediations that resemble adversarial litigation. The author also notes that adjudicative litigation benefits society by providing force to the ideals of justice and order.

{21} MEDIATION—GENERAL

{73} SUBJ MATTER: GENERAL

#### D. Key to the Sample Article Entry

Author(s) .....	Robert M. Ackerman
Title of article .....	<i>Disputing Together: Conflict Resolution and the Search for Community</i>
Volume number .....	18
Name of Journal .....	OHIO ST. J. ON DISP. RESOL.
Date of Publication .....	2002
Page number .....	27
Summary .....	Abstract of article provided
Search Terms .....	{21} MEDIATION—GENERAL

## II. HOW TO USE THE BIBLIOGRAPHY

Refer to the *Subject Heading Outline* starting on page 973 to select the area of alternative dispute resolution that you want to research. After selecting an area, note the search term to the right of the subject heading, and use the Index Number to the left of the heading to locate the search term in the *Article & Book Entries by Search Terms & Index Numbers* beginning on page 1115. Under each search term, there is a list of authors for the articles identified by that search term. The complete entry can then be located by the author's last name (or Journal name if there is no Author) in the *Alphabetized Bibliography Entries* starting on page 1013. A bibliography entry may contain multiple search terms; if you want to find the corresponding Index Number for any of the search terms, use the *Subject Heading Outline* starting on page 973.

## SUBJECT HEADING OUTLINE WITH SEARCH TERMS AND INDEX NUMBERS

- I. NEGOTIATION (strategies and theories)**
- {1} General NEGOTIATION—GENERAL
- II. MEDIATION**
- {21} General MED:RELATED PROCESSES—GENERAL
- III. NON-BINDING RECOMMENDATION PROCEDURES**
- {38} General NON-BINDING  
RECOMMENDATION PROC—  
GENERAL—PROC—EARLY  
NEUTRAL EVAL
- IV. ARBITRATION**
- {44} General ARBITRATION—  
GENERAL
- {45} Mandatory, Court-  
Annexed Arbitration ARB: MANDATORY, COURT-  
ANNEXED—GENERAL
- VI. SUBJECT MATTER APPLICATIONS**
- {73} General—  
Alternative Dispute  
Resolution Processes SUBJ MATTER: GENERAL
- {74} Antitrust SUBJ MATTER: ANTITRUST
- {75} Commercial SUBJ MATTER: COMMERCIAL
- {76} Civil Rights SUBJ MATTER: CIVIL RIGHTS
- {77} Community SUBJ MATTER: COMMUNITY

{78}	Computer/Internet	SUBJ MATTER: COMPUTER
{79}	Consumer	SUBJ MATTER: CONSUMER
{80}	Construction	SUBJ MATTER: CONSTRUCTION
{81}	Corporate	SUBJ MATTER: CORPORATE
{82}	Criminal	SUBJ MATTER: CRIMINAL
{83}	Education	SUBJ MATTER: EDUCATION
{84}	Environment	SUBJ MATTER: ENVIRONMENT
{85}	Family (Domestic Rel.)	SUBJ MATTER: FAMILY (DOMESTIC REL.)
{86}	Farm	SUBJ MATTER: FARM
{87}	Government	SUBJ MATTER: GOV'T
{88}	Government Contracts	SUBJ MATTER: GOV'T CONTRACTS
{89}	Hospitals	SUBJ MATTER: HOSPITALS
{90}	Housing—Rental	SUBJ MATTER: RENTAL HOUSING
{91}	Insurance	SUBJ MATTER: INSURANCE
{92}	International	SUBJ MATTER: INT'L
{93}	Labor—General	SUBJ MATTER: LABOR— GENERAL
{94}	Labor—Discrimination	SUBJ MATTER: LABOR— DISCRIMINATION
{95}	Labor—Management (Union)	SUBJ MATTER: LABOR— MANAGEMENT (UNION)
{96}	Labor—Employment (Non-union)	SUBJ MATTER: EMPLOYMENT (NON-UNION)
{97}	Maritime	SUBJ MATTER: MARITIME
{98}	Medical Malpractice	SUBJ MATTER: MEDICAL MALPRACTICE
{99}	Other Professional Malpractice	SUBJ MATTER: OTHER PROF MALPRACTICE
{100}	Prisons	SUBJ MATTER: PRISONS
{101}	Probate	SUBJ MATTER: PROBATE
{102}	Public Policy	SUBJ MATTER: PUBLIC POLICY
{103}	Public Utilities	SUBJ MATTER: PUBLIC UTILITIES
{104}	Regulatory	SUBJ MATTER: REGULATORY
{105}	Science & Technology	SUBJ MATTER: SCIENCE & TECHNOLOGY
{106}	Securities	SUBJ MATTER: SECURITIES

## 2002 BIBLIOGRAPHY: INTRODUCTION

- |                              |                                     |
|------------------------------|-------------------------------------|
| {107} Sports & Entertainment | SUBJ MATTER: SPORTS & ENTERTAINMENT |
| {108} Tax                    | SUBJ MATTER: TAX                    |
| {109} Toxic Torts            | SUBJ MATTER: TOXIC TORTS            |
| {110} Torts—Other            | SUBJ MATTER: TORTS—OTHER            |

### VII. THIRD PARTY ISSUES

- |  |                           |
|--|---------------------------|
| {114} Practice of Law by Third-Party Neutral | 3D PARTY: PRACTICE OF LAW |
|--|---------------------------|

### IX. SETTLEMENT

- |  |  |
|--|--|
| {121} Authority to Settle                  | SETTLEMENT: AUTHORITY                          |
| {122} Enforcement of Settlement or Award   | SETTLEMENT: ENFORCEMENT OF SETTLEMENT OR AWARD |
| {123} Pressures to Settle or Not Challenge | SETTLEMENT: PRESSURES TO SETTLE                |

### X. COMPARISONS

- |                      |                             |
|----------------------|-----------------------------|
| {124} Cross-cultural | COMPARISONS: CROSS-CULTURAL |
| {125} Historical     | COMPARISONS: HISTORICAL     |

### XI. REQUIREMENTS TO USE

- |  |                                   |
|--|-----------------------------------|
| {126} Contractual Clauses to Use             | REQUIREMENTS: CONTRACTUAL CLAUSES |
| {127} Mandate to Use                         | REQUIREMENTS: MANDATE TO USE      |
| {128} Statutory or Rules Requirements to Use | REQUIREMENTS: STATUTORY OR RULES  |

**XII. MISCELLANEOUS**

{132} Confidentiality	CONFIDENTIALITY
{133} Court Reforms to Accommodate Dispute Resolution Process	COURT REFORMS
{134} Dispute Prevention	DISPUTE PREVENTION
{136} Economic Advantages of ADR	ECONOMIC ADVANTAGES OF ADR
{137} Effect of Process on Non-Participatory Parties	EFFECT OF PROCESS ON NON- PARTICIPATORY PARTIES
{138} Ethics—General	ETHICS: GENERAL
{139} Ethics—Misrepresentation & Failure to Disclose	ETHICS: MISREPRESENTATION & FAILURE TO DISCLOSE
{144} Legislation	LEGISLATION
{145} Ombudsperson	OMBUDSPERSON
{146} Organization Policies & Rules	ORGANIZATION POLICIES & RULES
{147} Power Imbalance	POWER IMBALANCE
{149} Quality Control	QUALITY CONTROL
{151} Role of Lawyers	ROLE OF LAWYERS
{155} Teaching	TEACHING