

Litigation Encyclopedia Article

Litigation

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Litigation

Litigation, a case, controversy, or lawsuit, is a contest authorized by law, in a court of justice, for the purpose of enforcing a claimed right. Participants (plaintiffs and defendants) in lawsuits are called litigants. Litigation is often highly adversarial and can take a great deal of time, energy, and money, even when the case does not go to court (90 percent of all lawsuits are settled without trial). Many states and governments have enacted, or are considering, reforms directed at avoiding litigation, shortening the time a case takes to go to trial and minimizing the expense traditionally associated with litigation. Among these reforms are requiring that certain types of cases be arbitrated or directed to alternative dispute resolution procedures such as mediation and regulatory negotiation.

Internet Resource

U.S. Institute for Environmental Conflict Resolution Web site. Available from <http://www.ecr.gov>.