



## Understanding Common Dispute Resolution Terms

Navigating a dispute as an individual or small business can feel complex. Even when you're handling it yourself, you'll encounter terms that might seem confusing. This guide cuts through the legal jargon, explaining the common words you'll hear as you work towards a resolution.

Term	Definition
<b>Admission</b>	When someone says or agrees that something is true.
<b>Agreement</b>	A shared understanding, usually written down, where both sides promise to do (or not do) certain things.
<b>Answer</b>	A formal written document filed in court by the Defendant (or Respondent) to reply to the Complaint. It usually admits or denies each point in the complaint and may include defenses.
<b>Appeal</b>	Asking a higher court to review and change a decision made by a lower court.
<b>Arbitration</b>	A private process where a neutral person (called an <b>arbitrator</b> ) listens to both sides and makes a final decision to solve the problem. This decision is usually <b>binding</b> , meaning everyone must follow it.
<b>Binding</b>	Legally required to follow. If something is binding, you must do what was agreed.
<b>Breach</b>	When someone breaks a promise or fails to do what they agreed to in a contract or settlement.
<b>Claim</b>	A formal request or demand for money, property, or action, usually because someone believes they were harmed or have a legal right.
<b>Complainant</b>	The person or organization who files a formal complaint, whether in court or with an agency. Similar to a <b>Plaintiff</b> in a lawsuit.



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<b>Complaint</b>	The first formal document filed to start a lawsuit in court or a formal process with an agency. It explains the problem and what the person or business filing it is asking for.
<b>Confidentiality</b>	A promise to keep certain information private. In settlements, this often means keeping the details of the agreement a secret.
<b>Counteroffer</b>	A new offer made in response to an earlier offer, showing that the first offer was not accepted and suggesting different terms.
<b>Damages</b>	Money that a court awards or that parties agree to pay to someone who has been harmed, to compensate them for their losses or injuries. This harm can be physical, emotional, or financial.
<b>Deadlines / Timing</b>	Specific dates by which each person or business must do what they promised in an agreement. Missing these dates can be considered a <b>breach</b> .
<b>Default</b>	Failing to do what you promised or meet a deadline in an agreement.
<b>Defendant</b>	The person or organization who is being sued or who is responding to a legal demand. Similar to a <b>Respondent</b> in some judicial processes.
<b>Demand Letter</b>	A formal letter sent by one person or party to another, explaining a problem, stating a claim, and requesting a specific action (like payment or a fix) to avoid further legal steps.
<b>Discovery</b>	The process in a lawsuit where both sides exchange information, documents, and evidence before a trial.
<b>Disparagement</b>	Speaking or writing negative things about another person or company, especially in public.



Term	Definition
<b>Dismissal</b>	An order by a court or agency to end a lawsuit or complaint. Sometimes it means the case cannot be brought again, and sometimes it can be refiled later.
<b>Dispute</b>	A disagreement, conflict, or problem between two or more people or organizations that needs to be resolved.
<b>Dispute Resolution</b>	Different ways people try to solve disagreements, like talking it out ( <b>negotiation</b> ), using a neutral helper ( <b>mediation</b> ), having a private judge make a decision ( <b>arbitration</b> ), or going to court ( <b>litigation</b> ).
<b>Enforcement</b>	The process of making sure a court order or agreement is actually followed, especially if one side isn't cooperating.
<b>Evidence</b>	Information, documents, photos, or witness statements used to prove facts in a legal case.
<b>Final Agreement</b>	When everyone involved signs the settlement agreement. Once signed, it becomes legally <b>binding</b> , and it's usually very hard to change your mind or back out.
<b>Good Faith</b>	Acting honestly and fairly, with sincere intentions, which is often expected in negotiations and agreements.
<b>Hearing</b>	A formal meeting before a judge, arbitrator, or agency official where arguments are heard and evidence is presented.
<b>Judgment</b>	The official, final decision made by a court.
<b>Lawsuit (Litigation)</b>	A legal case started in court to solve a disagreement between parties. This involves formal steps like filing papers, exchanging information, and sometimes having a trial.



Term	Definition
<b>Mediation</b>	A voluntary process where a neutral person (the <b>mediator</b> ) helps people or businesses in conflict talk to each other and find their own solution that they both agree to. The mediator does not make a decision for them.
<b>Motion</b>	A formal written request asking a court or judge to make a specific decision or order in a case.
<b>No Admission of Fault</b>	A common statement in settlement agreements where paying money or agreeing to something does not mean anyone is admitting they did anything wrong legally.
<b>Non-Disparagement Clause</b>	A part of a settlement agreement that stops one or both sides from making harmful public statements about each other.
<b>Offer</b>	A proposal made by one party to another, showing their willingness to enter into an agreement or resolve a dispute on specific terms.
<b>Party</b>	A person, group, or organization directly involved in a legal problem, agreement, or lawsuit.
<b>Payment Terms</b>	The details about how money will be paid in a settlement: who pays, how much, how (e.g., one lump sum or over time), and when.
<b>Penalty</b>	A consequence for breaking the terms of a legal agreement, often involving paying money or facing other ways to make you follow the agreement.
<b>Pleadings</b>	Formal written documents filed with the court (like the initial complaint and the answer) that explain what each side is claiming and why.
<b>Plaintiff</b>	The person or organization who starts a lawsuit or makes the initial legal claim. Similar to a <b>Complainant</b> .



Term	Definition
<b>Release (of Claims)</b>	A part of a settlement agreement where one or both sides agree to give up their right to sue each other again about the same problem. This often includes giving up rights to sue for problems they know about and even problems they <i>don't</i> know about yet from the same situation.
<b>Remedies</b>	What can be done to fix a problem or make up for a loss when an agreement is broken or a legal right is violated. This often includes specific actions, payments, or other ways to enforce the agreement or compensate for harm.
<b>Respondent</b>	The person or organization who is responding to a complaint or demand in certain judicial processes (like an appeal, agency complaint, or arbitration). (Similar to a <b>Defendant</b> in a lawsuit).
<b>Return or Destruction of Property or Information</b>	A section in an agreement that might require people to give back items (like documents, data, physical things) or prove that they've deleted digital information.
<b>Settlement</b>	An agreement that solves a legal dispute without needing a full trial. It often involves money being paid or other promises made by one or both sides.
<b>Small Claims Court</b>	A special, simplified court where individuals or small businesses can sue for smaller amounts of money without needing a lawyer. The rules are simpler and cases are usually resolved faster than in regular court.
<b>Specific Performance</b>	A legal requirement in a settlement that someone must do (or stop doing) something specific, not just pay money. For example, returning property, completing a task, or deleting online posts. These promises are legally enforceable.
<b>Statute of Limitations</b>	A law that sets a deadline for how long you have to file a lawsuit after a problem happens. If you miss this deadline, you usually lose your right to sue.