

# Evaluating Alternative Dispute Resolution

**A Presentation for  
the Interagency ADR Working Group  
Evaluation Seminar**

**William E. Hall  
June 18, 2008**



**CPRC**

Conflict Prevention and Resolution Center

# Overview

- What is Evaluation?
- Reasons for Evaluating ADR
- Importance of Using Evaluation
- The Evaluation Process
  - Identify Target
  - Develop Strategy
  - Collect Data
  - Conduct Analysis
  - Share Results



# Evaluation Defined



Many view  
evaluators with  
apprehension

- Systematic collection of information
- Used to make improvements and judge value
- Can also add to knowledge



# Characteristics of Evaluation

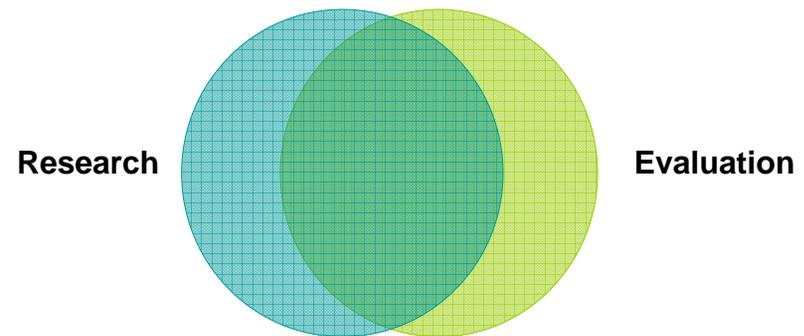
(see Robson, 1993)

- Useful – should have utility for the audience
- Feasible – should be practical in terms of time and money
- Fair/Ethical – should minimize bias and use appropriate approach for collecting information from/about people
- Technically Adequate – should utilize evaluators with appropriate level of expertise



# Evaluation vs. Research

- Different Goal  
Emphasis – Application  
vs. Theory-Building
- Different Audiences
- Similar Process Steps
- Shared Methods



# Reasons for Evaluating ADR

- Federal mandates (and guidance), including:
  - Government Performance and Results Act
  - Office of Management and Budget (OMB) Program Assessment and Rating Tool (PART)
  - OMB/Council on Environmental Quality (CEQ) environmental conflict resolution policy memorandum
  - ADR Program Evaluation Guidance (October 2000)
- Potential users require evidence that ADR is an effective alternative
  - Short-term - comparing cost-effectiveness of processes
  - Long-term - comparing ultimate outcomes
- ADR practitioners (and programs):
  - Have an interest in improving their practice and services
  - Must find ways to demonstrate outcomes that are credible to the people who provide the funding and address their key questions



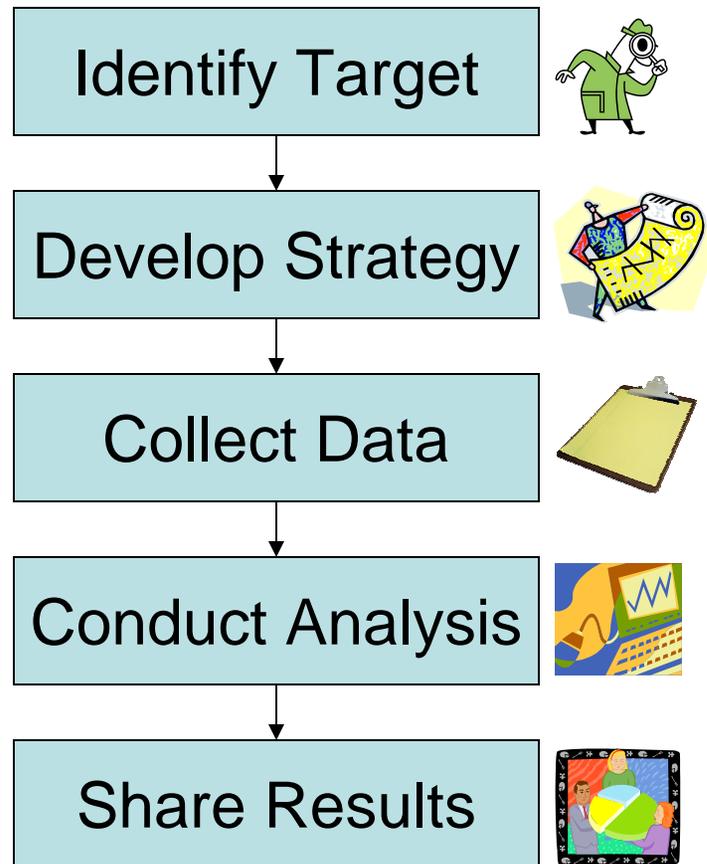
# Evaluation is Useless Unless it is Used

(see Patton, 1997)

- Know your audience
- Focus on the intended use by the intended users
- Involve stakeholders frequently throughout each step of the evaluation process to build ownership
- Engage in reality testing
- Take advantage of the “personal factor”



# The Evaluation Process



# Identify the Evaluation Target



**CPRC**

Conflict Prevention and Resolution Center



# Types of Evaluation

(see Robson, 1993)

- **Formative vs. Summative Evaluation**
  - Formative evaluation concerns information useful in developing a program or service
  - Summative evaluation is about the results of a program or service
- **Process vs. Outcome Evaluation**
  - Process evaluation is targeted at improving a program or service, including outputs
  - Outcome evaluation is focused on results





# Evaluating ADR

- Two evaluation targets for ADR:
  - Practice of ADR – how well do we adhere to best practice (e.g., the role of neutrals, appropriate involvement of parties)
  - Results of ADR – what outcomes does ADR provide compared to an alternative (e.g., cost/benefit, environmental results)
- Two levels of evaluation:
  - Individual ADR cases
  - ADR/Client programs





# Program/Process Theory

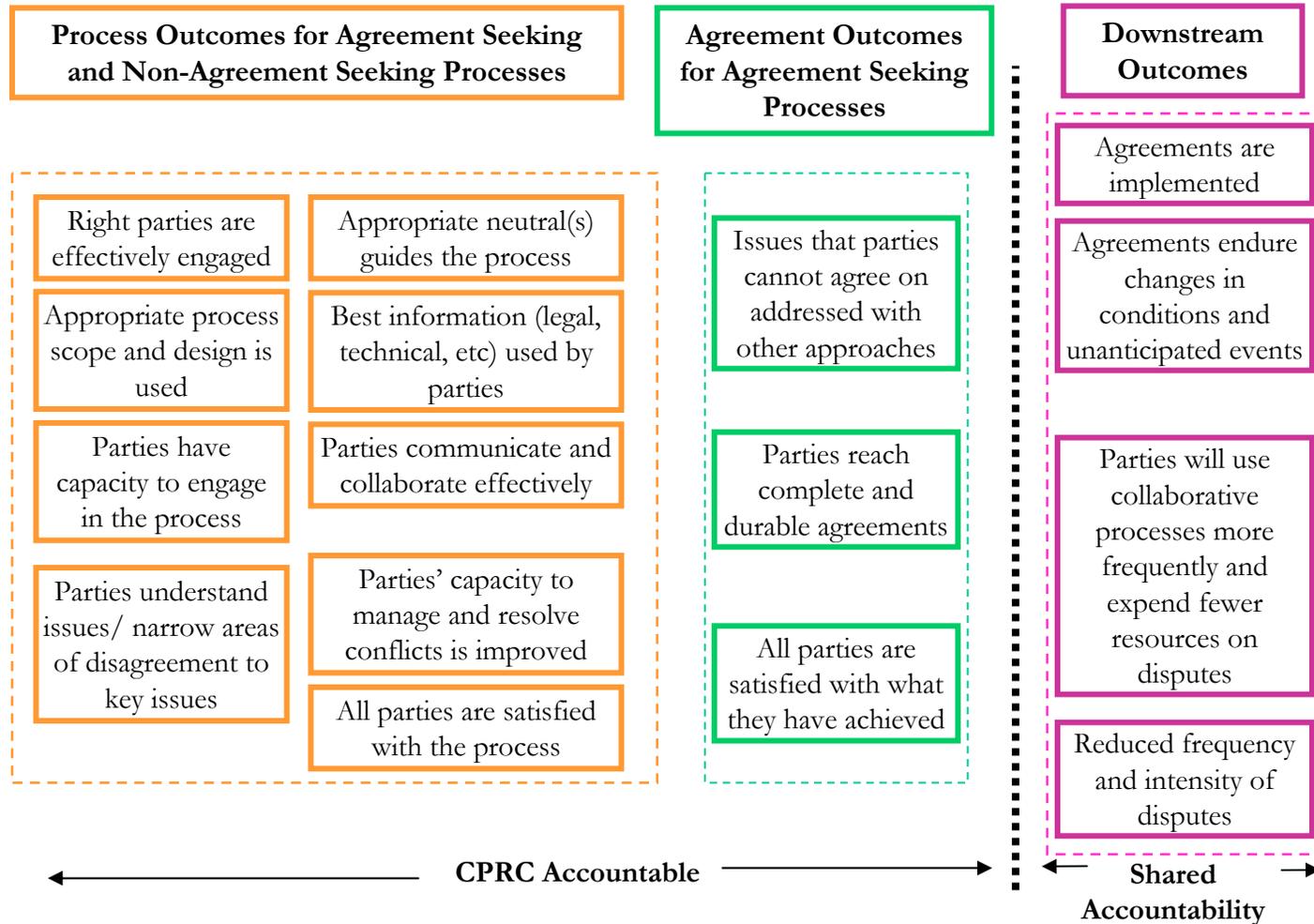
- Important Questions:
  - How do we expect a program or process to work?
  - What does it produce?
- Logic modeling/outcome charting is a frequently used technique





# Process Theory Example: CPRC ADR Process

agreement made easier



# Develop the Evaluation Strategy



**CPRC**

Conflict Prevention and Resolution Center



# Strategic Considerations

- Causation vs. Correlation
- Reliability – similar results under similar conditions at different times
- Validity
  - Internal Validity – measuring what you expect to measure
  - External Validity – generalizable results

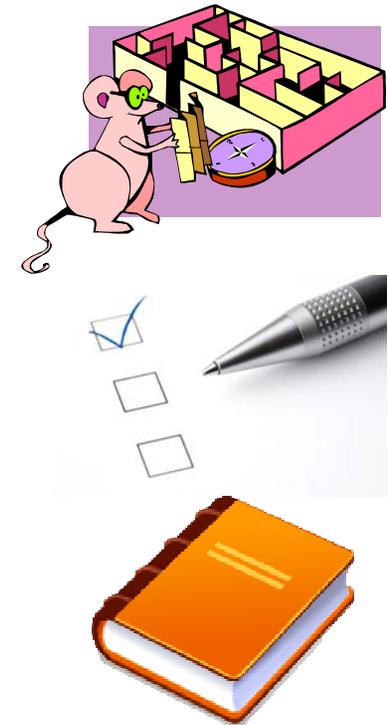




# Three Basic Strategies – Different Strengths

(see Robson, 1993)

- Experiments – assignment to conditions, manipulation of independent variable, measurement of dependent variable, control of other factors
- Surveys – collection of small amount of data in a standardized form, selection of sample from known population
- Case Studies – empirical study of current phenomenon with multiple sources of evidence



# Collect Data



**CPRC**

Conflict Prevention and Resolution Center



# Data Collection Methods

- Observations
- Interviews and Questionnaires
- Other methods, including documents and data archives





# Questionnaires Are Common in ADR Evaluation

OMB Number: 3320-0004  
Approval Expiry Date: 06/30/2008

**IMPROVING COLLABORATION AND  
DISPUTE RESOLUTION SERVICES**  
*(Mediation and Facilitation)*

**A Survey for Participants**

*Bringing People Together*



*For a Better Environment*

Name of Project: \_\_\_\_\_

The Conflict Prevention and Resolution Center (CPRC) evaluates all EPA Alternative Dispute Resolution (ADR) projects and cases. As a part of this evaluation we ask the various parties who have been involved in an EPA ADR project or case to provide us with information about their experiences. Your responses will be part of the CPRC's ongoing evaluation effort, and the data compiled will provide much-needed information that will be used to improve our programs and services. The average estimated reporting burden for this questionnaire is 20 minutes. This estimate includes time for reviewing the instructions, gathering the data needed, completing, and reviewing the questionnaire. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the CPRC. This questionnaire has an identifying number so that we can track who has responded. The CPRC will not report information from this evaluation in a way that respondents or organizations can be identified. The Office of Management and Budget (OMB) number that is displayed on the cover is currently valid and authorizes this collection of information.

*Please return your completed questionnaire in the enclosed envelope to the Program Evaluation Administrator at:*

**CONFLICT PREVENTION AND RESOLUTION CENTER**  
U.S. Environmental Protection Agency (MC: 2388A)  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
Telephone: 202-564-2922  
Fax: 202-501-1715  
Website: [www.epa.gov/adr](http://www.epa.gov/adr)  
Email: [adr@epa.gov](mailto:adr@epa.gov)



**CPRC**

Conflict Prevention and Resolution Center



# Triangulation



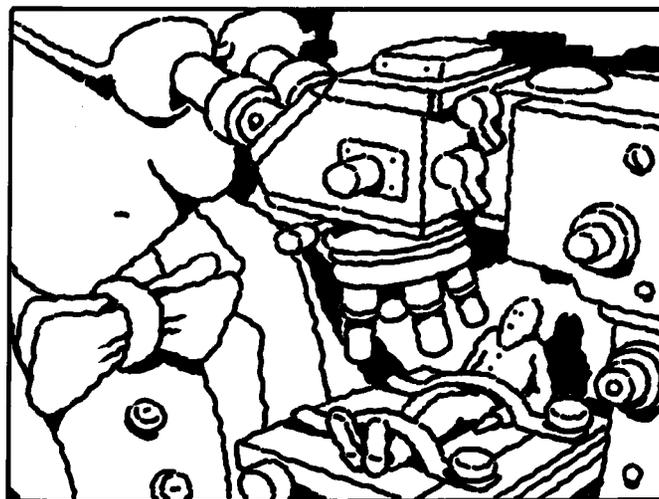
- Multiple sources of data
- Multiple data collection methods
- Particularly useful for qualitative data





## Some Ethical/Legal Considerations

- Informed Consent
- Anonymity
- Confidentiality
- ADRA/Paperwork Reduction Act



The ADRA of 1996 does “not prevent the gathering of information for research or educational purposes, in cooperation with other agencies, governmental entities, or dispute resolution programs, so long as the parties and the specific issues in controversy are not identifiable.”



# Conduct Analysis





# Types of Analysis

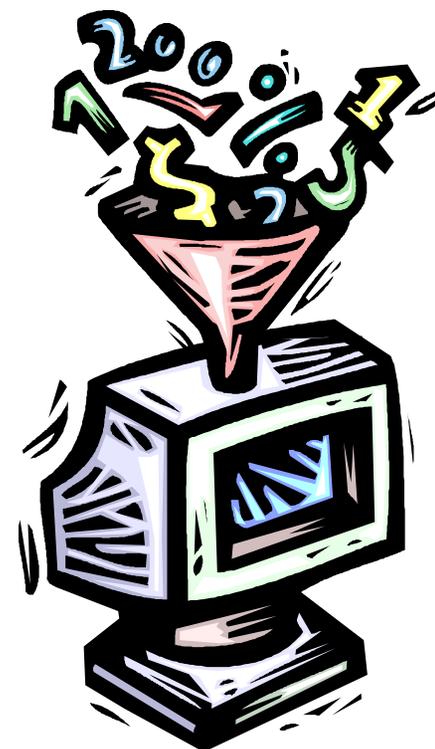
- Quantitative - NUMBERS
- Qualitative - WORDS
- In practice, this is a false dichotomy -  
Be prepared to do both





# Considerations for Quantitative Analysis

- Creating and cleaning the data set
- Frequencies and descriptive statistics
- Exploring relationships among variables





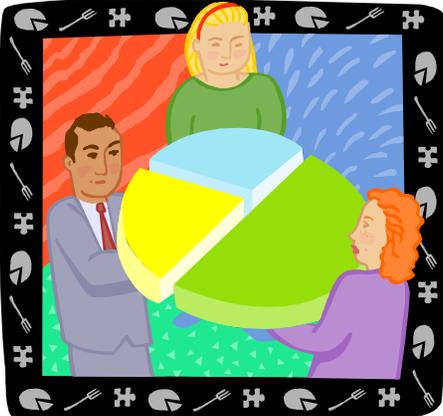
# Examples of Qualitative Analysis

(see Robson, 1993)

- Reference to theoretical propositions
- Using descriptive frameworks
- Chronologies
- Time series
- Triangulation
- Key events



# Share Results





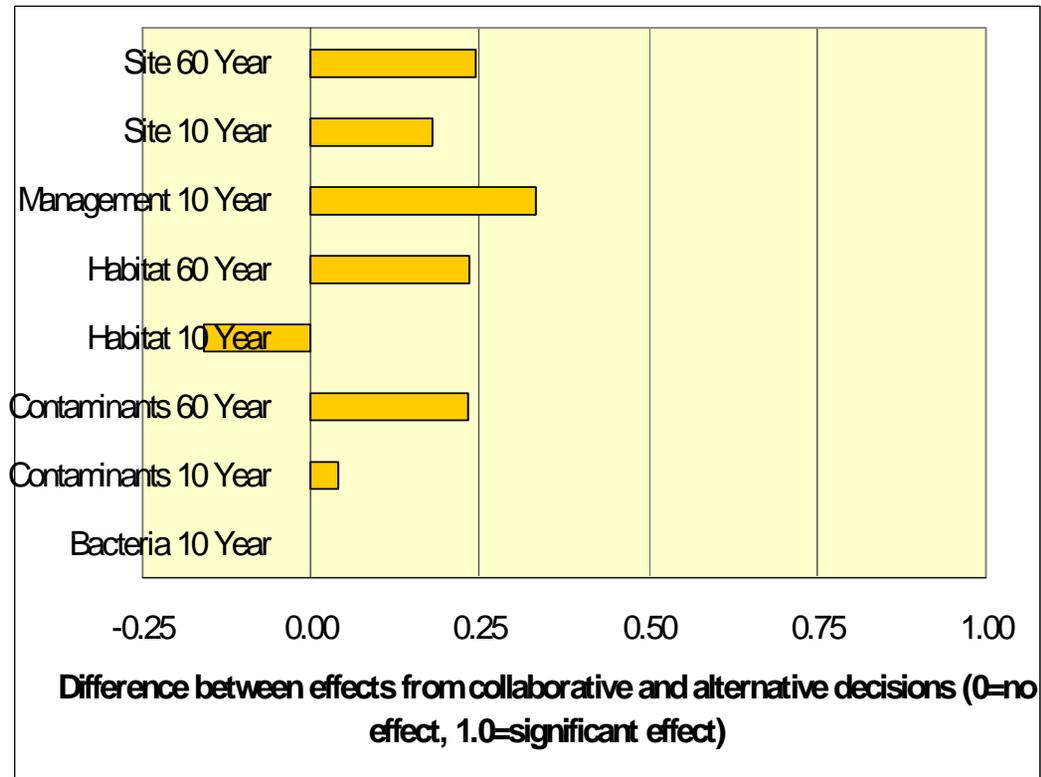
# Presenting Results

- Involve potential users as early as possible
- Tailor the presentation to audience needs
- Be clear and accurate
- Be honest and direct
- Keep the presentation simple
- Provide an executive summary/fact sheet
- Make data collection tools available
- Note limitations
- Anticipate need for follow-up





# ADR Leads to Better Environmental Results\*



\*preliminary results from the Systematic Evaluation of Environmental and Economic Results project





# ADR Took Less Time and Money to Reach a Decision\*

	Superfund GE Pittsfield	Permitting Washington Navy Yard	Permitting Washington Aqueduct	Enforcement Philadelphia Prisons
Change in hours per week	-27	-56	-41	5
Number of weeks over which savings occur	78	13	13	13
Estimated hours saved per week	-2106	-728	-533	65
Estimated value of time saved	(\$133,731)	(\$46,228)	(\$33,846)	\$4,128

\*preliminary results from the Systematic Evaluation of Environmental and Economic Results project



# Concluding Thoughts

- “Each agency should engage in an up-front and ongoing evaluation of its ADR programs”
- Evaluation should be designed and implemented so it will be used
- The evaluation process provides a path for moving forward
- Remember to secure appropriate evaluation expertise
- Now let’s look at some examples ...



# References

- Druckman, D. (2005). Doing research: methods of inquiry for conflict analysis. Thousand Oaks, Calif.: Sage Publications.
- Patton, M. Q. (1997). Utilization-focused evaluation: the new century text (3rd ed.). Thousand Oaks, Calif.: Sage Publications.
- Robson, C. (1993). Real world research: a resource for social scientists and practitioner-researchers. Oxford, UK ; Cambridge, Mass., USA: Blackwell.

