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MANDATORY ADR IN CIVIL LITIGATION

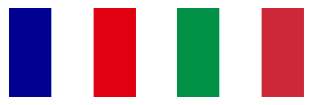
Procedural efficiency requirements before filing a civil lawsuit

Technical guidance on statutory pre-action settlement requirements.



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THE END OF AUTOMATIC LITIGATION

Civil courts now require a verified, pre-action attempt at settlement.

Lawsuits filed without prior ADR documentation will be dismissed in limine.

Applies across all civil and commercial claims concerning disposable rights.

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RECOGNIZED ADR MODALITIES

Formal Mediation:
Conducted via certified mediators (Law 5/2012).

Conciliation:
Court-based, notarial, or land/commercial registry avenues.

Binding Offers:
Fully structured, certified pre-action settlement offers.

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PROTECTION OF DEADLINES & LIMITATIONS

Formal submission of an **ADR** petition tolls the statute of limitations.

Statutory claim expiration deadlines are suspended during negotiations.

Full preservation of substantive rights while exploring resolution.

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STRUCTURAL SHIFT IN LITIGATION COSTS

Unjustified refusal to negotiate can constitute procedural bad faith.

Rejecting a reasonable settlement proposal can forfeit cost recovery for the victor.

Pre-action conduct directly influences cost awards in the final judgment.

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HANDLING COUNTERPARTY OBSTINACY

The procedural requirement is met by proving a good-faith attempt.

Non-appearance by the debtor allows immediate filing of the lawsuit.

Right to petition for emergency pre-action injunctive relief remains intact.

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STRATEGIC DISPUTE RESOLUTION BEGINS BEFORE TRIAL

Structure pre-action protocols to secure the admissibility of your legal claims.

Seek guidance from **civil litigation and dispute resolution specialists!**

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