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Course Description

The courts of this country should not be the places where resolution of disputes begin...

- Sandra Day O'Connor

The potential monetary and delay costs associated with litigating a claim can be astronomical. For this reason, there has been an emerging trend in the construction industry of turning to methods of alternative dispute resolution (ADR). ADR encompasses a number of different methods for resolving disputes, the most commonly known of which are mediation and arbitration. This course will walk participants through some of the key components of different ADR methods and discuss various considerations that can help a design professional decide which dispute resolution mechanism might be the preferred fit for a particular project type or client.

Learning Objectives

Participants in this session will:

- Consider the different methods of alternative dispute resolution;
- 2 Study some of the key differences between these methods of dispute resolution;
- Evaluate the relative pros and cons of each method by using real world case examples; and
- Discuss how design professionals can incorporate the preferred dispute resolution mechanism into your Agreements.

Presenter



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Multi-Door Dispute Resolution



in D.C. Courts

Law School Professor

Teaching ADR and Mediation



Starting a Business

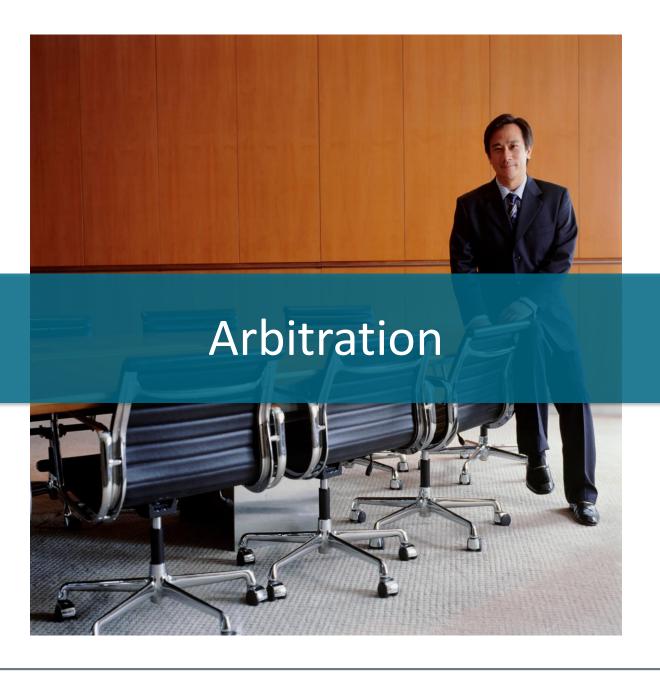






Litigation







Adversarial and Competitive

Negotiation



Interest-Based Negotiation*



AIA B101-2017 § 8.2.1

Any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation as a condition precedent to binding dispute resolution. If such matter relates to or is the subject of a lien arising out of the Design Professional's services, the [Design Professional] may proceed in accordance with applicable law to comply with the lien notice or filing deadlines prior to resolution of the matter by mediation or by binding dispute resolution.

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Take Away



Do not find fault, find a remedy.

- Henry Ford



Thank you for your time!

QUESTIONS?

This concludes The American Institute of Architects
Continuing Education Systems Program

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