



Alternative dispute resolution

Legal disputes do not necessarily need to end up before the courts. New methods of out-of-court conflict resolution are increasingly being considered and some have even been developed explicitly for disputes surrounding construction and real estate. In choosing the “correct” method of dispute resolution, it is important to assess any possible future consequences.

Today, one’s choices are not limited to the traditional out-of-court dispute resolution options such as courts of arbitration, arbitration awards or arbitration with binding and non-binding conciliation awards. More recent offers such as mediation, adjudication, neutral evaluation or a mini-trial complement the spectrum of out-of-court dispute resolution options, each with specific advantages.

Which approach is most suitable will depend on the individual preferences of the client. There are differences between the various methods, for example, in cost, length of proceedings, confidentiality and the possibility of a project-accompanying deployment. Other considerations might include whether a particular business relationship should be continued and whether further issues ought to be included in the resolution process.

Our Alternative Dispute Resolution Sector Group advises clients on the choice of the correct conflict management method, ensures the provision of qualified legal advice throughout the whole proceeding and provides project support through our legal project management tool JurProM®. In addition, our team members themselves also act as adjudicators, mediators, conciliators and arbitrators. They are therefore able to draw on their many years' experience and expertise in all aspects of construction in its various forms.