Five Dispute Resolution Resolutions for Businesses in 2019
from the International Institute for Conflict Prevention & Resolution

New York (December 24, 2018) -- As we head into the new year, it needn’t only be individuals that make resolutions, says the The International Institute for Conflict Prevention and Resolution (CPR). Corporations can and should consider making some resolutions as well.

According to CPR President & CEO, Noah J. Hanft, “There are five simple steps that all businesses and their legal counsel can take in 2019 that are the corporate equivalent of eating better and going to the gym, and which will have similarly beneficial impacts on their fiscal and general health.” Those resolutions are:

1. **Rethink the Rules.** Most contracts contain an alternative dispute resolution clause. If your contracts don’t, consider adding one. Remember there are a number of different rules that can be referenced here, as well as related ADR governing bodies, and they are not all the same. Don’t do yourself a disservice here by going with the default rules and ADR organization that may have been carried over from earlier contracts. Do your research and choose the rules—and administering arbitral organization, if applicable—that work best for you. (And if you change your mind after your contract is already drafted, you can change the rules that apply, and the governing arbitral body, very easily—so long as both parties agree to do so via submission agreement.)

2. **Prevent disputes before they happen.** There are number of ways to anticipate and tackle disputes before you find yourself on the courthouse steps or facing an arbitration proceeding, about to expend significant time and money on a protracted battle. CPR has continually fostered cost-effective resolution devices such as mediation, as well as other conflict management systems that push problem solving up to the earliest possible time in the life of a dispute. The construction industry presents a particularly good example of these practices in action, through its use of “standing” neutrals.

3. **Stop “Winning” So Hard.** Or, rather, consider redefining the term. Leave behind your “destroy your enemy” traditional litigation mindset, which so often ends up harming you as well. Consider the more thoughtful and strategic approach that alternative dispute prevention and resolution options provide, which can lead to more personalized and practical solutions, save you time and money and preserve critical business
relationships.

4. **Employ best practices.** If you are an employer, consider working towards the creation of a strong workplace disputes program that is designed to allow your employees to address workplace issues fairly, efficiently and informally, for the benefit of both you and them.

5. **Change things up.** You have no doubt already benefited from a focus on increasing diversity without your own ranks as a business. This is smart; a highly-regarded study suggests that diversity can lead to better decisions and better group problem solving. Well, the same is true when it comes to the vendors and professional service providers you employ—including your law firms and your arbitrators and mediators. If you are seeking quality, you must also seek (and, in fact, demand) diversity.

For help implementing any of these resolutions, or for any other information about preventing and resolving business disputes, you may contact info@cpradr.org.

About CPR:

Established in 1977, CPR is an independent nonprofit organization that helps global businesses prevent and resolve commercial disputes effectively and efficiently.

- **CPR Dispute Resolution** is an ADR provider offering quality, efficiency and integrity via innovative and practical arbitration rules, mediation and other dispute resolution services and procedures—as well as arbitrators, mediators and other neutrals, worldwide.

- The **CPR Institute**, the world’s leading ADR think tank, positions CPR uniquely as a thought leader, driving a global dispute resolution culture and utilizing its powerful committee structure to develop cutting edge tools, training and resources. These efforts are powered by the collective innovation of CPR’s membership—comprising top corporations and law firms, academic and public institutions, and leading mediators and arbitrators around the world.

Each element of this unique organization informs and enriches the whole, for the benefit of our members and users.