

# How to Prevent Unnecessary Litigation Expenses

If you have even been in court or a lawsuit – you probably feel this is a place you never want to return. And then the legal bills roll in – and you KNOW this is not a place to return. Was it worth it? More importantly – could it have been avoided??

Litigation is hardly ever worth the expense and aggravation it causes to an organization. While it may emotionally feel good when you say “Okay – I’ll see you in court” – what you have just done is given all your power to settle your differences – over to a government-run process. As with many government-run processes, the courts are slow – and you now run by the judge’s schedule, and in the current environment, you can expect your result in about three years.

What many business owners don’t consider is the time – excessive time – that can be required to answer the interrogatories (questions that both parties can require – and there are few limits about what can be asked) – along

with production of documents – again, few restrictions on what that can mean. In other words, rather than practicing your profession or running your business, you will sit for interminable hours listening to attorneys, you will spend countless hours copying documents and verifying that you have provided them all - time that would have been far better spent on finding new customers and taking great care of the ones you already have. So who is going to do that while you are busy “getting your day in court”?

Further, because of the high cost of litigation – many times the cost of the litigation is greater than the results. This causes many business owners to walk away from valid claims solely because of the time and expense it would require litigating. Many attorneys will tell a potential client that it just isn’t worth it because of the unpredictable results in the court system, which oftentimes produces less than favorable results.

Recognizing the dilemma that many of our business owners are faced with, The BBB Center for Character Ethics has recently signed an agreement with Business Mediation Network, an outside firm, which is comprised of several highly trained mediators - some are attorneys, some are business owners with years of experience. These mediators understand the pressures of being a business owner, and that while it’s important to resolve disputes - the resolution has to come quickly and at low a cost as possible.

The mediation process is far different than the court system, where the judge’s calendar rules.

Rather, initiating a mediation allows for the parties to sit down with an independent third party, a trained mediator, to review the issues and determine a win-win situation for all parties. Most disputes can be resolved in a matter of weeks. The cost of arriving at a resolution is a fraction of the legal expense to litigate.

Have you unresolved issues with vendors, landlords, lenders or other people? Is mediation an option you haven’t really considered? For more information on mediation and arbitration services offered through the Center for Character Ethics – email Lynne Pope [lynne@westernmichigan.bbb.org](mailto:lynne@westernmichigan.bbb.org) or call her at (616) 234-0568.