

# WHAT TO LOOK FOR IN A DISPUTE RESOLUTION AND LITIGATION TEAM

## Mini Guide



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# Introduction

There is a misconception that you only need a lawyer who is adept at resolving disputes or litigation when all else has failed; the ‘distressed purchase’ to use as a last resort.

However, this couldn’t be further from the truth. Finding and building a relationship with a crack dispute resolution and litigation team can be one of the most important things an organisation can do. Yes, you need to find a team that will be able to fight your corner, but you also need a team with the experience and commercial savvy to help you avoid disputes that result in litigation in the first place. Add to that the ability to negotiate and mediate with a commercial mind-set, and the flexibility to drop other work to come to your aid, and you’re starting to see that finding the right team can be a challenge.

It’s never too early to find the dispute resolution and litigation team with the right fit for your business. This mini guide aims to pass on a few suggestions of the key things to look for.

# #1 Using your language

You don't want a legal lecture. You want clear advice written by commercial people that will give you a good business steer.

Being able to craft an excellent legal response is a given. However, look for a team that can also relate to you, your colleagues and your business. It's a highly competitive market and there are plenty of websites and guides to look at. However, finding a firm that doesn't just write in legalese and gives you a practical understanding of next steps is a far harder task.

Make sure that:

- You do the due diligence and find a team that speaks your language
- The team can do more than just litigate. They need to be an extension of your business
- You look for clear guidance in plain English, along with excellent legal expertise.



## #2 Values fit

No business is the same and whilst many law firms profess to understand this and offer 'bespoke' or 'tailored' advice, they may not live up to this in practice.

Whether you are a start-up, charity or major corporate, you need to look for a legal team that can best represent your values. Disputes are contentious, but that doesn't mean that the firm that represents you needs to be. Follow your instincts and look for a firm that shares your values. They are representing your best interests and, by default, you and your business.

You might want to consider:

- Exploring the values of the firm – what is important to them?
- Asking them how you would fit in as a client
- What other organisations do they represent?

## #3 People

Look for a team that you feel you can trust and depend on. The old adage of ‘people buy people’ is rarely wrong and the right team will want to get to know you and find out what really makes you tick. And will be there to support you when you need it.

Disputes can often feel very personal and you need to choose a team who will understand that. This isn’t about just being paid to do the work, you want to find people who truly understand the importance of the case to you, and share your determination to achieve your goals.

Bear in mind:

- You’ll be working very closely with this team so you need to get on
- Any connections you might share – would others vouch for them?
- Client feedback – what have others said about them?



## #4 Technical expertise

You want to know that the legal team you choose has the right level of technical expertise and solid experience working with similar organisations. Whether that is a particular sector, size of business or type of work, one size does not fit all when it comes to resolving disputes. Make sure that the team you choose has the expertise necessary to solve your specific problems.

Take your time to review their qualifications, case studies and history. You need to approach this selection with the same rigour that you would in any other purchase and make sure that your new team won't come unstuck at the first hurdle.

Be mindful of:

- Size – smaller firms can easily rival their much larger competition whilst offering a more personal service
- The myriad of good people out there to choose from – look for specialist knowledge
- Their credentials and past performance.

## #5 Value

Value does not equate to low hourly rates. The chances are that a lawyer charging considerably less than market standard will simply not have the expertise or experience that you need. However, eye watering high rates do not equate to the best in class as you're often also paying for the vast overheads of a big firm.

If a team ticks all of the other boxes and is simply unaffordable, that relationship is doomed to failure. You don't want to hire somebody who will cost you £100,000 in legal fees when the settlement is only for £20,000. Look for a firm which has the outstanding expertise that you want, but also feels like good value and is happy to discuss pricing options.

Remember that:

- Pricing should be transparent – you don't want a nasty surprise
- You should feel you are getting value from your team
- You must feel comfortable with their rates. Litigation and disputes generally can be unpredictable at times and matters can take longer than anticipated.



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