

CONSTRUCTION ARBITRATION

Understand and control your arbitration costs.



AMERICAN ARBITRATION ASSOCIATION®

Top 10 ways in-house counsel can control time and cost:



1. Pay Attention to **Your Arbitration Clause**
2. Select Attorneys **Experienced in Arbitration**
3. Request and **Enforce Budgets**
4. Choose an **Arbitrator with Experience**
5. Limit Discovery to **What is Essential for the Arbitration**
6. Participate in the **Preliminary Hearing**
7. Limit **Motion Practice**
8. Remain **Open to Settlement**
9. Trust the **Expertise of the Arbitrator**
10. Present the Case **Efficiently and Professionally**



One Arbitrator



Three Arbitrators

A single arbitrator instead of a panel of three is a great way to lower costs.

Parties that select a single arbitrator instead of three can reduce arbitrator compensation costs by **81%**.

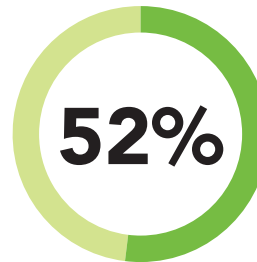


VS.



Do you really need three arbitrators for a million dollar construction dispute?

More than half of the parties with a large construction dispute select a single arbitrator.

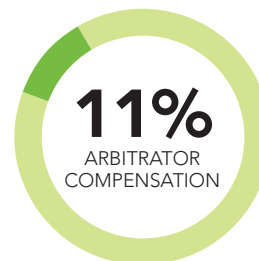


Case Study:

Even in a construction case with a **\$32 million** claim, the parties selected a single arbitrator.

85%

of the cost of an arbitration is derived from attorney fees, which emphasizes the importance of selecting counsel experienced in arbitration.



All statistics presented here are estimates based on construction AAA arbitrations awarded in 2018 with claims of \$1 million or more.