



Mediation.....

Summary

Mediation is a voluntary, nonbinding process in which the disputing parties select a neutral and impartial party to assist in resolving their differences. Although the power to determine the final outcome ultimately resides with the conflicting parties, the Mediator acts as a catalyst to assist the parties in reaching a settlement agreement.

Application

Claims involving architectural and engineering related services in addition to construction defect claims are backlogging the court systems, resulting in months and even years before a resolution is reached through the traditional judicial process. Mediation is a highly recognized alternative in resolving these disputes which can be implemented quickly and efficiently, resulting in enormous cost savings to the conflicting parties.

The mediation process produces the best results when employed early on when the conflict arises. The ultimate success of mediation however hinges on the parties' willingness to resolve the dispute and the mediator's understanding and technical knowledge and experience of the issues at hand.

Considering that approximately 95 percent of all design and construction related claims "settle" prior to obtaining a judgment at trial, conflicting parties approaching mediation in a good-faith attempt at settlement will realize huge benefits not offered by any other conflict resolution method.

Approach

As a Mediator, The Architectural Alliance Group provides a unique approach to resolving disputes. As a single mediator or a multi-discipline panel, each of the members of AAG have the experience, knowledge and personal traits and characteristics necessary to facilitate a successful resolution. Unlike the traditional mediation resources, AAG understands the technical aspects of the issues along with the industry standards involved in design and construction related disputes. This understanding allows AAG to offer alternative methods and recommendations that are often overlooked.

When requested by the parties, AAG will provide an evaluative approach to the mediation process. This approach involves analyzing relevant documentation and information regarding each of the issues and offering opinions to each of the parties regarding the strengths and weaknesses of the claims.

Location

Mediation conferences can be held at the offices of The Architectural Alliance Group or at a separate, neutral location as agreed to by all of the parties involved.



Alternative
Dispute
Resolution



Litigation
Support
Services



Forensics



Risk
Management



Owner
Representation