

1. Before deciding whether to negotiate, mediate, arbitrate or file suit, consider consulting an independent advisor, such as a lawyer, particularly if the dispute is serious or involves a significant amount of money. Even if you decide not to file a lawsuit, your advisor can assist you in preparing for whatever ever form of dispute resolution you decide on. (p. 21)
2. Talk to your lawyer about fees early in the process. You might be able to save money if your lawyer offers "unbundled" services. This option is appropriate only if you are willing to do much of the work yourself and are comfortable making important decisions, but would still like a lawyer to do some selected things for you such as conducting a negotiation or completing documents and forms. (p. 157)
3. Look at the whole dispute from both sides to prepare for answering difficult questions. (p. 33)
4. In preparing for a negotiation, determine your real interests and goals, your best alternative if the negotiation doesn't go as you hope, and your bottom line for the negotiation. Try to analyze those same issues as if you were the other party. (p. 40)
5. Before deciding to mediate a dispute, determine whether the issue is "ripe" for mediation – both sides are ready to negotiate in good faith and have the authority to settle the case, you are ready to talk about the events that led to the dispute and have thought about your needs, you have a list of possible solutions to present and a list of questions for the other side to help you make decisions, you have researched the law relating to your dispute so that you have some idea of what your alternatives are if the mediation doesn't work, and you understand the process. (p. 53)
6. If you decide that your dispute should be resolved through arbitration, be careful to choose an arbitrator you believe will be fair and impartial. Frequently a dispute will be heard by three arbitrators – one chosen by each side, and a third chosen by those two. Lists of arbitrators are available from organizations that facilitate arbitration. (p. 85)
7. Think twice about pursuing a lawsuit if your opponent has no assets and is effectively "judgment proof." You do not want to spend time and money to "win" a judgment you can never collect. (p. 97)
8. Be aware of statutes of limitation, which establish a strict time frame within which you must file a lawsuit if that's the option you decide to take. (p. 100)
9. Do not waste the court's time by filing a lawsuit simply to harass someone, waste time, or for any other inappropriate or frivolous motive. Not only may your case be dismissed, you may also have to pay the other side's legal fees. (p. 122)
10. In working with a lawyer, you have certain responsibilities. You must be honest, let your lawyer know right away if anything about your case changes, ask for explanations if you don't understand something, be realistic about what the lawyer can do for you – you may need other professional help for problems that have no "legal" solution – and pay promptly a fair and reasonable price for legal services. (p. 170)