ADVANCED ARBITRATION AND DISPUTE RESOLUTION



GENTEX®
TRAINING CENTER

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Introduction

Contracts are written in calm conditions and tested in difficult ones. When a dispute arises over delay, quality, payment, or scope, the route chosen to resolve it decides how much money and time the parties spend before anyone wins. This Advanced Arbitration and Dispute Resolution Training Course gives legal, contracts, and commercial professionals a complete working method for that process. Participants learn dispute avoidance, negotiation and mediation practice, arbitration procedure and evidence, expert determination, enforcement of awards, and drafting dispute clauses.

Advanced Arbitration and Dispute Resolution Course Objectives

- Apply dispute avoidance techniques in contract drafting and administration.
- Apply tiered dispute resolution clauses: negotiation, mediation, then arbitration.
- Prepare and defend claims with proper notice and evidence trails.
- Apply institutional arbitration rules: ICC, LCIA, DIAC, and UNCITRAL.
- Apply arbitrator appointment, challenge, and tribunal constitution.
- Manage pleadings, document production, and witness evidence.
- Apply expert evidence and quantum assessment practice.
- Apply awards, enforcement, and setting aside procedures.
- Apply the New York Convention to recognition and enforcement.
- Measure outcomes with recovery rate, cost, and time to resolution.

Course Methodology

- Facilitated sessions built on real contract clauses, claim files, and award extracts.
- Case workshops on notice failures, jurisdiction challenges, and enforcement disputes.

- Claim drafting, clause drafting, and evidence strategy exercises.
- Mock arbitration procedure and hearing practice sessions.
- Group exercise on a dispute strategy with a resolution plan.

Who Should Take This Course

- In-house counsel and contract legal advisors.
- Contract managers and claims specialists.
- Procurement and commercial managers.
- Project directors handling major claims.
- Quantity surveyors and quantum analysts.
- Government and public sector contract officers.

Advanced Arbitration and Dispute Resolution Course Outlines

Day 1: Dispute Avoidance and Contract Drafting

- Common causes of commercial and construction disputes.
- Dispute risk assessment at contract stage.
- Drafting dispute resolution clauses with clear steps and timings.
- Governing law, seat, and jurisdiction selection.
- Notice requirements, time bars, and condition precedents.
- Record keeping and contemporaneous documentation practice.
- Contract administration discipline to prevent escalation.

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Day 2: Negotiation and Mediation

- Positional versus interest-based negotiation approaches.
- Preparing a negotiation strategy for a live dispute.
- Settlement authority, mandates, and decision limits.
- Mediation process, structure, and mediator selection.
- Settlement agreements and enforceability.
- Dispute boards and adjudication as interim mechanisms.
- Managing settlement discussions without weakening legal position.

Day 3: Arbitration Procedure and Tribunal

- Institutional rules: ICC, LCIA, DIAC, and UNCITRAL.
- Ad hoc versus institutional arbitration.
- Request for arbitration and response requirements.
- Arbitrator selection, qualifications, and conflicts.
- Challenges to arbitrators and tribunal constitution.
- Procedural orders, timetables, and case management.
- Interim measures and emergency arbitrator provisions.

Day 4: Evidence, Hearings, and Awards

- Pleadings, statements of case, and amendments.
- Document production and privilege considerations.
- Fact witnesses and witness statement preparation.
- Expert evidence: delay, technical, and quantum experts.
- Hearing conduct, cross-examination, and closing submissions.

- Award types: partial, interim, and final.
- Costs and interest awards.

Day 5: Enforcement, Challenges, and Strategy

- The New York Convention and recognition of awards.
- Grounds for setting aside and resisting enforcement.
- Sovereign and state entity enforcement considerations.
- Enforcement in practice: assets, jurisdiction, and timing.
- Alternative routes: litigation, expert determination, and mediation.
- KPIs: recovery rate, dispute cost, and time to resolution.
- Building a dispute management and prevention roadmap.

Conclusion

By successfully completing the Advanced Arbitration and Dispute Resolution Training Course, participants will have acquired a thorough working knowledge of dispute avoidance drafting, tiered resolution clauses, negotiation and mediation, arbitration procedure and evidence, award enforcement, and dispute performance measurement. They will leave able to structure contracts that reduce dispute risk, run a claim or defence with proper procedure and evidence, and choose the resolution route that protects commercial value. Gentex Training Center delivers this programme with arbitration, contracts, and claims practitioners working on live disputes.

FAQs for the Advanced Arbitration and Dispute Resolution course

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Q1 What is the "Advanced Arbitration and Dispute Resolution" course about?

It is a five-day programme on preventing commercial disputes and resolving them through negotiation, mediation, and arbitration. It covers dispute avoidance drafting, resolution clauses, arbitration procedure and evidence, award enforcement, and dispute strategy.

Q2 What are the key benefits of the "Advanced Arbitration and Dispute Resolution" course?

Participants structure contracts so disputes are less likely and easier to resolve, run claims with proper notices and evidence instead of losing on procedure, and choose between negotiation, mediation, and arbitration on cost and recovery grounds. They also enforce or resist awards with a clear legal route.

Q3 What skills will I gain from the "Advanced Arbitration and Dispute Resolution" course?

You will gain dispute avoidance and resolution clause drafting, negotiation and mediation management, arbitration procedure, evidence, and hearing management, and award enforcement, challenge, and dispute performance management.

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Q4 What tools, methods, or standards are covered in the "Advanced Arbitration and Dispute Resolution" course?

The course works with dispute risk assessment at contract stage, dispute resolution clause drafting with steps and timings, governing law, seat and jurisdiction selection, notice requirements, time bars and condition precedents, contemporaneous documentation practice, positional and interest-based negotiation, settlement authority and mandates, mediation process and mediator selection, settlement agreements and enforceability, dispute boards and adjudication, the institutional rules of the ICC, LCIA, DIAC and UNCITRAL, ad hoc versus institutional arbitration, request for arbitration and response requirements, arbitrator selection, qualifications and conflicts, arbitrator challenges and tribunal constitution, procedural orders and case management, interim measures and emergency arbitrator provisions, pleadings and statements of case, document production and privilege, fact witness statement preparation, delay, technical and quantum expert evidence, hearing conduct and cross-examination, award types covering partial, interim and final, costs and interest awards, the New York Convention and recognition of awards, grounds for setting aside and resisting enforcement, sovereign entity enforcement considerations, enforcement in practice, and KPIs covering recovery rate, dispute cost and time to resolution.

Q5 How is the "Advanced Arbitration and Dispute Resolution" course applied in real-world practice?

Teams apply it when drafting a dispute resolution clause for a major contract, responding to a notice of claim before a time bar expires, preparing a mediation on a payment dispute, constituting a tribunal under ICC rules, preparing quantum expert evidence for a hearing, and enforcing an award in a foreign jurisdiction.