

# [Alternatively, a decision. one example would be preparing](https://assignbuster.com/alternatively-a-decision-one-example-would-be-preparing/)

Alternatively, litigationconsists of taking the case through a court process and the judge will decidethe outcome of the case by considering the relevant evidence and testimony. Thereare numerous steps before the trial and therefore It can take months to reach adecision. One example would be preparing witness statements of people who receivedpoor quality of work by HYTRI.

Combined with the complexity of courtproceedings, its likely civil litigation expense would be incurred prior to trial. This means it’s only advantageous to the wealthier party who can hire anexperienced employment contract lawyer to participate. Apart from the time-consumingelement, litigation is unsuitable for this type of dispute because of the technicalnature of the legal issue. There’s a good chance neither judge or jury willhave the appropriate knowledge and experience to deal with the contract disputewhich may result in inappropriate decisions. However, it’s important to note thejudge’s decision can be overturned and can be appealed to a higher court. This diminutiveappeal process is not available in mediation.

Arguably, by takingthe court route the commercial relationship between you and HYTRI will deteriorateand breakdown for obvious reasons such as the likelihood of a mutually unacceptabledecision. Nevertheless, one element imperative to the resolution of the disputeis the courts have the power to oblige witnesses to attend. The right to a juryis also equally valuable.

In summary, afterweighing and analysing the pros and cons of each method, mediation is the bestoption to undergo. This is because it has a better prospect of preserving the commercialrelationship between you and HYTRI without putting your dispute in the publicdomain like civil litigation. Ultimately this is a faster process providingrelevant solutions further than a court could enforce. Likewise, because of thearbitrators binding decision, its adversarial. However, the element of control availablein mediation means you and HYTRI must agree to the settlement which isdifficult to achieve in practise.

This runs the risk of a  small claims hearing.