# 4<sup>th</sup> National Conference on Construction Adjudication

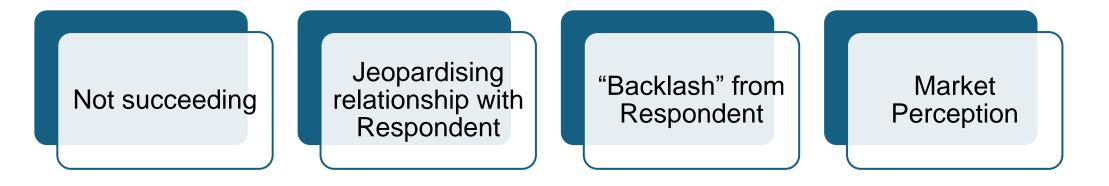
Session 4 – The Future of Adjudication: Evolution or Revolution

# **Shifting Mindsets to Dispute Avoidance**

J. Sathia Allen & Gledhill LLP

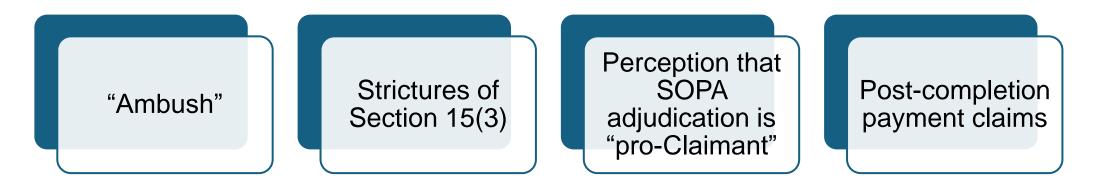


#### **Claimant's Concerns with Adjudication**



## **ALLEN & GLEDHILL**

#### **Respondent's Concerns with Adjudication**



### **ALLEN & GLEDHILL**

#### Why do Parties End Up in Adjudication?

No proper engagement on claims

Lack of substantiation or understanding of claims

Breakdown of relationship between parties

Desperate times call for desperate measures

#### **ALLEN & GLEDHILL**

#### **Dispute Avoidance and Collaborative Contracting**



Non-adversarial mindset



Win-win and not I win-you lose Early and proper engagement on claims



Preservation of relationships



More balanced allocation of risks

Role of dispute adjudication boards

