

CASE PRESENTATION 101

THE WEEKLY BLOG FOR THE ARBITRATION ADVOCATE

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NEXT WEEK:
**DESIGNS ON
YOUR DESIGN**



This blog is dedicated in the belief that those participating in arbitration empower themselves for success through education. As a 30-year trainer in the arbitration field; the information presented is designed to expand knowledge and skills.

PRESET RESET THE THING ABOUT TEMPLATES AND CONTENTIONS

For those who've been around the intercompany arbitration world for awhile the subject of 'Templates' as a way to construct your Contentions is a little like the proverbial elephant in the room ! A recognized topic to be discussed but does anyone really want to talk about it ! Beyond that in all the years of subrogation arbitration ... are there any empirical studies that truly show an advocate or a company experiences better results and more success by using a Template to develop their cases than if their Writers freelance and simply use their acquired skill set to draft the Contentions. Let's

open this door and look at the topic of Templates. What we find may or may not change your mind but at a minimum it will raise awareness for how cases are constructed which is never a bad thing. Templates can be defined as a preset format for a document or file designed so as to not have to recreate it each time it is used. Also, they can be characterized as something that establishes or serves as a pattern. So we know with Contentions in arbitration this is certainly a well established developed format over many years with an Opening; a "body" that conveys your Prima Facie argument and theory and

then a Closing. But here's the first question ... does it always have to be preset ? To point; might there be a fact pattern where you actually commence with the Theory to make the most impact on the Arbitrator and then get to the D/O/L and which road ran 'east' later on. If it's plug-and-play; how much development for 'how' to present the case really needs to occur. Now that we've set the framework; let's go into this subject in detail over the next few issues. Guaranteed the dialogue is not "preset". By the way ... I use a Word template each week to create this Blog ... does that count ~~

Case Presentation 101 is produced by Claims Resource Services; one of the nations top arbitration and subrogation services firms. The writer Kevin Pike can be reached at kpika@claimsresource.com and has daily tips on arbitration via Twitter: [@Arb2Win](https://twitter.com/Arb2Win)

