

CASE PRESENTATION 101

THE WEEKLY BLOG FOR THE ARBITRATION ADVOCATE

WEEK OF Nov. 13, 2017
VOLUME 1 ISSUE 268
NEXT WEEK:
NO ISSUE
HAPPY THANKSGIVING



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.

THE ADVOCATES ADVOCATE THREE TAKEAWAYS FROM AUSTIN

One of the sidebar benefits of having the opportunity to present on Arbitration is the feedback and insight one gains from advocates; those that actually file cases into the process. And so it was at the NASP Conference with our breakout session on subrogation arbitration. Having the opportunity to interact with so many on a variety of topics; here are three (3) main takeaways for every advocates best case: **One)** Evidence can be applied in multiple ways within your case. Think of how you are using any one particular proof to show or support a facet of the case and then think again if you

might use it in another way. Apply strength and weakness 'litmus' tests for the group in which you are using it (i.e. – a witness statement as Direct Evidence vs. Hearsay Evidence) for your most productive argument.

Two) Always keep in mind the Rolling Hypothesis of the Arbitrator and get the key points in your narrative out front early. Be aware that the Arbiters sense of the case is an evolving tentative theory as they bring order to the initial facts you present. Support that; endorse it with more proofs and help them keep 'filling in the blanks' for the way the loss happened as you see it and present it.

Three) Be cognizant of the importance of leveraging one piece of Evidence to support another. It is the consistency of the Evidence across the entirety of your Contentions that lends Credibility to the Issues, Elements and Turning points within your case. This is what you strive for 'yes' one piece of Evidence may prove the plausibility of your case so strongly that you sense that is all you need but never forget it is the totality and 'weight' of all the Evidence that Arbitrators take into account. Three takeaways from a morning educational session ... three key points for EVERY advocate -

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 kpike@claimsresource.com and has daily tips on arbitration via Twitter: [@Arb2Win](https://twitter.com/Arb2Win)

