

Top Issues in 2020: Litigation Avoidance

Avoiding costly, distracting litigation is an important objective for most companies. Michael Best's team works with clients to develop practices and processes to reduce the risk of disputes, saving both time and the headache which invariably arises out of litigation. Our top litigation avoidance strategies can be provided at flat and fixed fees allowing clients to budget with certainty.

DOCUMENT RETENTION POLICIES AND REVIEW

As the cost of storing data continues to go down, the scope of litigation has increasingly hinged on the ability to cost-effectively manage document retention and destruction practices. By reviewing retention policies and stored documents, companies can manage the impact of eDiscovery. Our services include records retention and destruction counseling, document preservation and litigation hold counseling, document collection and processing, and document analytics and review.

CONTRACT AND FORMS REVIEW

Although not flashy, the regular review of contracts and/or contract terms can ensure compliance with updated laws, identification of potential risks, and modification for future contracts. When considering if such a review is appropriate, think of how long it has been since your vendor or employment contracts were last reviewed and by whom, and if your contracts have the latest protections and updates.

EFFECTIVE DISPUTE RESOLUTION AND MEDIATION CLAUSES

Businesses benefit from developing practical and effective alternative dispute resolution (ADR) clauses. Customized ADR clauses allow clients to have clear, easy-to-understand dispute resolution, avoiding ambiguity in a dispute, and saving time and money.

MONITORING EMAIL AND ELECTRONIC COMMUNICATIONS

Email, and other forms of electronic communication on company systems, is ubiquitous across industries. However, these forms of discoverable communications can be a liability for the company hosting the communication platform. We provide proactive advice and counsel to assist companies develop policies around email monitoring and provide training to ensure employees understand the impact and implications of company-sponsored electronic communication platforms.

HOW WE CAN HELP

Our team can assist develop preventative litigation strategies which align policies and procedures with business goals. Please visit www.michaelbest.com to see our full team and learn more about the services we provide.

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