



Fact Sheet

Today, the costs to resolve typical commercial disputes involving claims as great as half a million dollars have become a **practical bar to the enforcement of legitimate contract rights** and, if suit is brought, **obtaining a final judgment** can take years.

To try a contract case that involves claims of \$90,000 or less, the typical legal cost to each party can be **equal to or greater than the final award, if an award is granted**, while the odds of prevailing are generally about 50/50. It is not uncommon for parties to be surprised – often late in the process – at what it costs to litigate and either settle for less than their claim is truly worth or simply drop the suit, receiving nothing.

These **costs, uncertainties and delays** are major reasons why almost 90 percent of such disputes never reach court and 80 percent of those that do are settled or abandoned. Far too often these costs and delays mean – for far too many significant and legitimate commercial claims – that access to justice is denied.

The JustForumAccess (JFA) system of online arbitration is a focused, streamlined and **altogether new paradigm in dispute resolution**. JFA works to cost-effectively resolve typical commercial disputes with relatively smaller claims of between \$20,000 and \$500,000, a range where legal costs are often disproportionately high.

By utilizing focused discovery and eliminating oral argument, live testimony and the formality of a trial for deciding business contract and similar commercial disputes, **JFA eliminates disproportionate costs**, which are often greater than the true value of the claim at issue, as a barrier to obtaining a just resolution of typical commercial disputes, while remaining fair and just. Claims are resolved solely by means of electronic communications, within 180 days from commencement of the proceedings. As a result, there is no need to use specialized trial counsel.

As a result, JFA **reduces the costs of dispute resolution by more than 75 percent**.

The JFA system is **designed so that in-house counsel and private-practice attorneys who are not trial specialists can represent their clients in this process** and reduce costs. JFA is to the resolution of typical commercial disputes what MinuteClinic is for the treatment of many common ailments.

Using JustForumAccess as an alternative to the courts and traditional arbitration offers significant advantages, including:



Efficiency

A streamlined system offering cost and time savings of 75 percent or more compared to both the courts and typical systems of arbitration.

Fair and reasonable settlement offers

JFA rules are designed to promote settlement. Each party is required to make an offer to settle the dispute, and, in order to avoid paying the other party's fees if not settled, is incented to make a reasonable offer.

Reduced uncertainty

The reason that there is a dispute is there are differing views as to the facts, interpretation of the contract and/or the law. The outcome of a lawsuit, especially the amount of any final award, is seldom certain and in the end, a plaintiff may end up with nothing. While the JFA procedures cannot change that, they are designed to encourage voluntary settlements not driven by costs, but on the merits, thereby putting the parties in control of their fate, if they can agree.

No institutional bias

All arbitrators must be experienced, licensed lawyers selected by JFA, not the parties or their counsel. The arbitrator will have no conflicts, no institutional ties and feel absolutely no need to please either party or its lawyers, other than by rendering a just decision.

Just and fair proceedings

At the conclusion of the proceedings the arbitrator's award must be based on the facts, applicable agreements and the law and conclude with a written, rational and reasoned decision including findings of fact and conclusions of law. Unlike other most other forms of arbitration, parties have a right to appeal any materially erroneous decision, which will be reviewed by a new three-member arbitration panel and may be corrected, if they so decide.

Speedy resolution

By simplifying the process and procedures and setting reasonable deadlines, JFA reduces the time it takes to obtain a final decision in accordance with the law to six months or less, compared to what can be years of litigation.

No surprises

All fees and costs for JFA, the arbitrators and, if requested, JFA-referred representatives are set at a flat amount and capped.

JFA offers businesses a new, cost-effective and efficient paradigm in the dispute resolution process, designed to provide a civic good by fostering fair settlements and providing timely and fair resolutions of typical commercial disputes.

Learn more about how JFA works at www.justforumaccess.com.