Dissecting Common Basic Arbitration Clauses – You Can Build a Better One

A well-designed arbitration clause can give the parties substantial control over procedures and costs, as well as over who decides which issues and when, writes Daniel Pascucci in the blog **ADR: Advice from the Trenches**.

But, the Mintz, Levin, Cohn, Ferris, Glovsky and Popeo lawyer warns, all too often parties make agreements that leave the decisions on most of their options to others or to chance.

In his article, he dissects the generic arbitration clause, and describes what an arbitration clause should do and what it can do.

"Arbitration's promise of being faster, more efficient, and more predictable than judicial litigation should be viewed as conditional – *if the parties are willing to put in the effort to design a suitable process*, arbitration can deliver on its promise," Pascucci concludes.

Read the article.