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July 1991

Computers and the Law
By Gary Oberst

Disputes sometimes need third-party resolutions and we typically think of the courtroom as the place to arrive at them. Courtroom procedures, however, involve time delays, considerable expense, the need to present technical information to non-technical people, and the virtual certainty of losing your client regardless of the outcome.

Computer consultants should consider alternative methods of dispute resolution.

One such method is arbitration. An arbitration proceeding is often preferable to litigation because it takes place sooner, is less expensive, and is private. The arbitrator will normally be knowledgeable in computer issues and the disputes arising thereunder. If both sides perceive the proceeding to be fair, there is a possibility of chalking up the dispute to a "misunderstanding" and continuing the relationship. Even if you lose your client, you may get your problem resolved sooner and for less money than by litigating.

Your attorney can draft an arbitration clause for your contract.