JUPITER PRIME

Consulting • Training • Advisory

جوبيتر برايم للاستشارات والتدريب

COURSE BROCHURE

Advanced Dispute Resolution and Arbitration Training Course

29 August – 9 September 2027
Kuala Lumpur

jupiterprime.uk

info@jupiterprime.uk

Registered in the United Kingdom and Saudi Arabia

Advanced Dispute Resolution and Arbitration Training Course

Ref: 354_12343 **Date:** 29 August – 9 September 2027 **Location:** Kuala Lumpur **Fees:** 8000 GBP

Dispute Resolution and Arbitration is a 2-week advanced training course for in-house counsel, contract managers and claims professionals who must steer commercial disputes from the first notice to an enforceable outcome, and it ends with a dispute strategy memorandum for a live or model contract. Cross-border contracts, longer supply chains and tighter project margins now turn more disagreements into formal claims. Jupiter Prime Training delivers Dispute Resolution and Arbitration with a practitioner focus.

Why Dispute Resolution and Arbitration Matters Now

Three forces shape the field today: contracts that span several legal systems, counterparties who expect faster and cheaper outcomes than litigation, and boards that want claims exposure reported like any other business risk. An organisation that chooses its forum early, preserves evidence and frames claims well recovers value and protects relationships; one that reacts late loses leverage and pays twice. The course rests on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards New York Convention, the UNCITRAL Model Law on International Commercial Arbitration and the IBA Rules on the Taking of Evidence in International Arbitration IBA Rules.

Who Gains Most from Dispute Resolution and Arbitration

- Legal advisers who draft dispute clauses and instruct external counsel on contested matters
- Contract and commercial leads who issue notices, track entitlements and negotiate settlements
- Claims and quantum specialists who build delay, variation and loss submissions
- Project and procurement heads who sit on dispute boards or escalation panels
- Risk and finance partners who report contingent liabilities and recovery prospects

A legal and commercial pair from the same business unit gains most, because forum choice, notice discipline and settlement authority then sit with people who already work together.

Dispute Resolution and Arbitration Capabilities

Participants move from reading a dispute clause to running a claim through tribunal, award and enforcement with a clear view of cost, time and leverage.

- Assess a dispute clause for seat, rules, tribunal size and carve-outs — the forum decision before a claim is notified
- Weigh mediation, expert determination, dispute boards and arbitration against each other — the route chosen by the steering committee
- Design a procedural timetable and document production plan — the first case management conference
- Build witness statements and expert instructions that survive cross-examination — the merits hearing strategy
- Calculate settlement ranges from merits, costs and enforcement risk — the authority given to negotiators
- Test an award for enforceability against assets abroad — the recovery plan presented to finance

Key Dispute Resolution and Arbitration Terms

- Seat of arbitration — the legal home of the arbitration, which fixes the supervising courts and the procedural law applied to the proceedings.
- Kompetenz-kompetenz — the principle that a tribunal may rule on its own jurisdiction, including challenges to the arbitration agreement.
- Terms of reference — a document agreed early in some proceedings that records the parties, claims, issues and procedural rules.
- Redfern schedule — a table used to request documents, record objections and capture the tribunal's ruling on each request.
- Expert determination — a binding decision on a technical or valuation question given by an independent expert rather than a tribunal.
- Set-aside application — a challenge in the courts of the seat asking for an award to be annulled on limited grounds.

Dispute Resolution and Arbitration Day by Day

Day 1: The Dispute Landscape

- Dispute Spectrum Mapping — Where Negotiation Ends and Formal Process Begins
- Contract Escalation Ladders — Timing of Notices and Cooling-Off Periods
- Litigation Versus Arbitration Comparison — Confidentiality, Finality and Appeal Rights
- Claims Exposure Register — Reporting Contingent Liabilities to the Board
- Cross-Border Contract Risk Profile — Choosing Governing Law and Language

Day 2: Amicable Routes

- Interest-Based Negotiation — Separating Positions from Underlying Commercial Needs
- Mediation Process Design — Selecting a Mediator and Preparing Position Papers
- Expert Determination Clauses — Scope of Technical and Valuation Questions
- Dispute Boards in Projects — Standing Versus Ad Hoc Panels
- Settlement Agreements — Releases, Confidentiality and Enforceable Terms

Day 3: The Arbitration Agreement

- Arbitration Clause Anatomy — Seat, Rules, Language and Tribunal Size
- Multi-Tier Clauses — Conditions Precedent Before a Tribunal Is Seised
- Institutional Versus Ad Hoc Proceedings — Administration Cost and Control
- Separability Doctrine — Survival of the Clause When the Contract Fails
- Joinder and Consolidation — Handling Multi-Party and Multi-Contract Claims

Day 4: Constituting the Tribunal

- Arbitrator Selection Criteria — Expertise, Availability and Nationality Balance
- Conflict Disclosure Checks — Independence and Impartiality Challenges
- Kompetenz-Kompetenz Rulings — Early Objections to Jurisdiction
- Emergency Arbitrator Relief — Protecting Assets Before the Panel Forms
- Interim Measures Applications — Security for Costs and Preservation Orders

Day 5: Pleadings and Procedure

- Request for Arbitration Drafting — Framing Claims, Relief and Quantum
- Terms of Reference and Procedural Order One — Fixing the Ground Rules
- Procedural Timetable Planning — Phasing Liability and Quantum Hearings
- Statement of Claim Structure — Facts, Law and Evidence Bundles
- Defence and Counterclaim Strategy — Set-Off and Cross-Claims

Day 6: Evidence and Documents

- IBA Rules Document Production — Narrow and Specific Requests
- Redfern Schedule Practice — Objections, Privilege and Tribunal Rulings
- Electronic Records Preservation — Litigation Holds and Chain of Custody
- Privilege Across Legal Systems — Protecting Legal Advice and Settlement Talks
- Adverse Inference Risk — Consequences of Withheld Documents

Day 7: Witnesses and Experts

- Fact Witness Statements — Recollection, Exhibits and Consistency Checks
- Expert Instruction Letters — Scope, Assumptions and Independence
- Delay and Quantum Expert Reports — Methods Tribunals Find Persuasive
- Witness Conferencing — Joint Expert Sessions and Hot-Tubbing
- Cross-Examination Planning — Themes, Documents and Concessions Sought

Day 8: Hearings and Awards

- Hearing Bundle and Chronology — Guiding the Tribunal Through the Record
- Opening and Closing Submissions — Linking Evidence to Relief Claimed
- Costs Submissions — Recoverable Fees and Allocation Principles
- Award Structure and Reasoning — Partial, Final and Consent Awards
- Post-Award Corrections — Clerical Errors and Additional Awards

Day 9: Challenge and Enforcement

- Set-Aside Grounds at the Seat — Due Process and Public Policy Limits
- New York Convention Enforcement — Refusal Grounds Under Article V
- Asset Tracing Before Enforcement — Locating Bank Accounts and Receivables
- State Counterparty Considerations — Immunity From Execution Issues
- Third-Party Funding and Insurance — Financing Claims and Adverse Costs

Day 10: Practising the Dispute Strategy Memorandum

- Clause Audit Exercise — Applying Day 3 Checks to a Live Contract
- Route Selection Simulation — Applying Day 2 Options to a Claim
- Mock Procedural Conference — Applying Day 5 Timetable Choices
- Settlement Range Calculation — Merits, Costs and Enforcement Inputs Combined
- Dispute Strategy Memorandum — Forum, Evidence Plan, Budget and Recovery Path

Applying Dispute Resolution and Arbitration After the Course

- Audit the dispute clauses in the ten highest-value contracts against the seat, rules and multi-tier checks taught, and propose redrafts for the next renewal round.
- Run a claims readiness review on one open matter, covering notice timing, document preservation and an expert instruction letter.

Dispute Resolution and Arbitration Questions FAQ

What is dispute resolution and arbitration and why does it matter now?

Dispute resolution and arbitration is the set of routes, from negotiation to binding awards, used to settle commercial disagreements outside national courts. It matters now because cross-border contracts and tight margins turn more disagreements into formal claims that need early, informed choices.

Which roles gain most from dispute resolution and arbitration training?

In-house counsel, contract managers and claims specialists gain most. They draft the clauses, issue the notices and assemble the evidence, so their early decisions shape cost, timing and the chance of recovering value.

How does dispute resolution and arbitration differ from a contract drafting course?

A drafting course focuses on writing obligations before anything goes wrong. This course starts where a disagreement appears and follows it through mediation, tribunal proceedings, the award and enforcement, so drafting is treated only as it affects later claims.

What do you bring back from dispute resolution and arbitration training?

You bring back a dispute strategy memorandum for a real or model contract. It sets out the chosen forum, an evidence and witness plan, a cost estimate and a recovery path that colleagues in legal and finance can use straight away.

Dispute Resolution and Arbitration: The Way Forward

The dispute strategy memorandum gives legal and commercial leads one agreed view of a claim. Its first use is the decision whether to mediate or file for arbitration, taken by the steering committee with finance present. After the first hearing or settlement meeting, revisit the evidence plan and the settlement range, because both shift once the other side has shown its case.