

Finding the Best Path to Resolution

How "Guided Choice" Can Save Time, Money & Stress



Traditional dispute resolution often forces parties into a single path, usually litigation or arbitration. These processes can be slow, expensive, and adversarial. In their article ***Guided Choice Dispute Resolution Processes: Reducing the Time and Expense to Settlement***, Paul M. Lurie and Jeremy Lack¹ explore a more flexible approach known as Guided Choice Dispute Resolution (GCDR).

Guided Choice Dispute Resolution focuses on helping parties select the most appropriate dispute resolution method for their specific situation rather than defaulting immediately to court proceedings. The approach recognises that conflicts differ in complexity, urgency, cost sensitivity, and relationship dynamics. By evaluating these factors early in the process, parties can choose from a range of options such as mediation, negotiation, arbitration, or hybrid processes.

A key advantage of this approach is that it encourages early assessment and structured decision-making. Instead of committing to one rigid procedure from the start, parties are guided through a process that helps them determine which resolution path is most likely to lead to an efficient and fair outcome.

Mediation often plays a central role in this framework because it allows parties to retain control over the outcome, preserve relationships, and explore solutions that courts may not be able to order. When used strategically, mediation can significantly reduce the time, cost, and emotional strain typically associated with disputes.

The concept of guided choice also promotes collaboration between legal advisors, mediators, and the parties themselves. By focusing on problem-solving rather than confrontation, the process creates opportunities for earlier settlements and more sustainable agreements.

Ultimately, the guided choice model highlights an important shift in modern dispute resolution: rather than viewing conflict resolution as a single fixed process, it should be seen as a toolkit of options. Selecting the right tool at the right time can make dispute resolution faster, more cost-effective, and far less adversarial.

¹ Lurie, P.M. & Lack, J. (2014). Guided Choice Dispute Resolution Processes: Reducing the Time and Expense to Settlement. *Dispute Resolution International*, Vol. 8, No. 2.