

Checklist

Understanding my dispute

1. How did the dispute start?

List the events leading up to the dispute and highlight the key ones.

2. Check the facts

If you have a written contract, check it carefully to understand your rights and responsibilities and to see if there is a dispute resolution clause.

If you do not have a written contract, check any supporting documents you have for what was agreed, e.g. emails, a list of specifications, a quote, any notes about your discussions, etc.

3. Identify the issues

List the issues that make up the dispute. Highlight the most important ones and put them in order of priority.

Write down what you think the other party would identify as their key issues.

4. Consider misunderstandings

Many disputes arise because of misunderstandings. Consider if this may be possible in your dispute.

5. Key outcome

Identify what is most important to you – is it getting paid, getting more work in the future or finishing the job and moving on?

6. Identify potential outcomes

Write down what you want to achieve as an outcome. Ask yourself if this is realistic and consider the impact on cash flow, time and resources, future business and personal relationships.

7. Reality check

Talk to someone outside of the dispute – do they agree with your position?

Consider what the other party may think of the situation, what their issues may be and what they may want to achieve.

Check your emotions – are you angry or disappointed? Could this be clouding your perspective?