

Aggressive Resolution Management[®]

Approaches to the role of settlement counsel are as varied as the attorneys that serve, but best practices are being defined. Resolution Strategies LLP has developed a methodology we call Aggressive Resolution Management[®]. While each case presents a different challenge, the hallmarks of a well-designed resolution strategy will include some or all of the following:

- **ROLE Assessment**
 - Assess the situation: risks, objectives, leverage, and environment.
- **Outcome risk evaluation**
 - Probability and decision-tree analyses.
- **Real cost forecasting**
 - Disciplined forecasting of fees, costs, impacts, and intangibles.
- **Map the adversarial leverage**
 - Understand leverage critical to setting realistic expectations.
- **Design the exit strategy**
 - Define an approach as a baseline for effective resolution management.
- **Assemble and coordinate the team**
 - Identify roles, lines of communication and deliverables.
- **Establish the settlement voice (strategic introduction of settlement counsel)**
 - Maximize the effectiveness of the trial team and settlement counsel.
- **Build on the strategic partnership**
 - Stakeholders, trial team and settlement counsel are aligned and coordinated.
- **Iterative tracking, reporting, and recalibration of the plan**
 - Real time management consistent with the dynamics of the environment.
- **Focus through conclusion**
 - Maintain focus on the resolution objectives and drive results.