

# € TRAINING

Claim and Counter Claim Management



23 December 2024 -  
3 January 2025  
Kuala Lumpur (Malaysia)



# Claim and Counter Claim Management

REF: U854 DATE: 23 December 2024 - 3 January 2025 Venue: Kuala Lumpur (Malaysia) - Fee: 7950 Euro

## Introduction:

This training program offers participants a comprehensive understanding of managing claims and counterclaims effectively within project management and legal contexts. It empowers them to proactively manage claims, mitigate risks, and optimize project outcomes through efficient resolution strategies.

## Program Objectives:

At the end of this program, participants will be able to:

- Understand the principles and processes involved in claim and counterclaim management.
- Develop strategies for identifying, analyzing, and responding to claims and counterclaims.
- Gain proficiency in negotiation, mediation, arbitration, and other dispute resolution methods.
- Learn techniques for minimizing the impact of claims on project timelines and budgets.
- Enhance communication and conflict resolution skills to facilitate effective claim management.

## Targeted Audience:

- Project Managers.
- Contract Administrators.
- Claims Specialists.
- Legal Professionals.
- Dispute Resolution Experts.
- Procurement and Contracting Officers.

## Program Outline:

### Unit 1:

#### Fundamentals of Claims Management:

- Introduction to claims and counterclaims in project management.
- Types of claims and common causes of disputes.

- Legal and contractual considerations in claim management.
- Importance of proactive claims management for project success.
- Case studies on successful claims resolution strategies.

## Unit 2:

### Claim Identification and Analysis:

- Techniques for identifying and documenting project claims.
- Analysis of claim causes, impacts, and potential liabilities.
- Establishing claim validity and merit assessment criteria.
- Quantifying and valuing project claims.
- Case studies on claim identification and analysis techniques.

## Unit 3:

### Responding to Claims and Counterclaims:

- Strategies for preparing and responding to project claims and counterclaims.
- Effective communication and documentation in claim resolution.
- Negotiation tactics for reaching mutually acceptable claim settlements.
- Legal considerations in claim response and defense.
- Exercises on drafting claim responses.

## Unit 4:

### Dispute Resolution Methods:

- Overview of dispute resolution mechanisms negotiation, mediation, arbitration, litigation.
- Selection criteria for choosing the appropriate dispute resolution method.
- Advantages and disadvantages of each dispute resolution method.
- Role of experts and witnesses in dispute resolution proceedings.
- Case studies comparing different dispute resolution approaches.

## Unit 5:

### Negotiation Skills for Claim Management:

- Principles of effective negotiation in claim and counterclaim resolution.
- Developing negotiation strategies and tactics.
- Building rapport and managing emotions in negotiations.
- Overcoming impasses and reaching win-win solutions.
- Simulation exercises on claim negotiation scenarios.

## Unit 6:

### Mediation Techniques:

- Understanding the mediation process and principles.
- Roles and responsibilities of mediators, parties, and advocates in mediation.
- Techniques for facilitating productive mediation sessions.
- Generating options and finding common ground in mediation.
- Case studies on successful mediation outcomes.

## Unit 7:

### Arbitration Procedures:

- Overview of arbitration procedures and rules.
- Appointment of arbitrators and formation of arbitration panels.
- Conducting arbitration hearings and presenting evidence.
- Arbitration awards and enforcement mechanisms.
- Arbitration Exercises.

## Unit 8:

### Legal Aspects of Claims Management:

- Legal frameworks and precedents governing project claims.
- Contractual provisions related to claims and dispute resolution.

- Case law analysis of landmark claims and disputes.
- Legal strategies for claim avoidance and defense.

## Unit 9:

### Claims Avoidance and Mitigation:

- Strategies for preventing and minimizing project claims.
- Effective contract management techniques to mitigate claim risks.
- Early warning systems and proactive risk management approaches.
- Best practices for fostering collaborative relationships with stakeholders.
- Discussions on real-world scenarios of claims avoidance and mitigation.

## Unit 10:

### Best Practices in Claim Management:

- Implementing a comprehensive claim management framework.
- Continuous improvement strategies for enhancing claim management processes.
- Benchmarking and performance measurement in claim management.
- Lessons learned from successful claim management experiences.
- Development of individual action plans for applying best practices in claim management.