

Why People File Lawsuits

Whether you are involved in a personal or business matter, conflicts often come up that need to be taken care of in an expeditious manner. If they are not, then you run the risk of that the situation will get progressively worse until the relationship is damaged beyond repair. When that happens, the parties will part and go their separate ways. Often times, a lawsuit is filed and the parties will end up spending lots of money in litigation to prove the righteousness of their position and to punish the other side for daring to think otherwise. In all disputes, there is a deterioration of the relationship between the parties.

For example, if you have a serious disagreement with your girlfriend, boyfriend, spouse, business partner or some other person, and you don't take steps to quickly resolve the dispute in a mutually amicable manner, your relationship with them may deteriorate to the point that it becomes irretrievably damaged. When that happens, the parties will go their separate ways. The consequences including the loss of a close relationship that you had spent considerable time and energy to develop. The parting may become acrimonious and result in lawsuits. The purpose of the lawsuits is to get an impartial third party (i.e., the court system) to arbitrate the dispute.

While there are many reasons why people file lawsuits, the common thread through all of them is that the parties are unable to communicate in an open and honest manner about what is the scope of the problem and how to resolve it in an amicable manner so that all parties' interests are balanced. An impediment to settlement is that one or more of the parties may want a specific outcome that may not be practical or possible.

If you are contemplating litigation, you should be aware of two important issues that you need to process before making a decision: (1) you can be "legally right" or (2) you can be "financially" right. They are mutually

exclusive. If the law is in your favor, but you don't have the deep pockets necessary to pay to fight a lawsuit, you may lose. If you have the financial strength to litigate but the law may be not in your favor, you may have a chance to win provided you have deeper pockets than the other party. This is not an issue of fairness. It is just how the legal system in the United States has evolved to deal with conflicts. Having the financial resources and the law on your side increases your odds of winning the litigation, but then you still have to be able to collect the judgment.

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