



## **Why Mock Arbitrations Are Becoming a Valuable Tool for Legal Teams**

**By: OPVEON Litigation Services**

Arbitration continues to grow in popularity across a wide range of complex disputes, from commercial litigation and employment matters to construction, healthcare, energy, and business contract cases. As arbitration becomes more common, legal teams are also investing more time into preparation strategies that help them better understand how their case may be received before stepping into the actual hearing.

One strategy that has seen a major increase in use is mock arbitration.

Similar to mock trials and jury research, mock arbitrations give attorneys the opportunity to test arguments, themes, witnesses, and presentation strategies in front of individuals who mirror potential arbitrators. These exercises can uncover strengths, expose weaknesses, and help legal teams refine how they present complicated issues in a private dispute resolution setting.

### **What Is a Mock Arbitration?**

A mock arbitration is a simulated arbitration exercise designed to evaluate how arbitrators may respond to the facts, evidence, damages arguments, and overall case presentation.

Attorneys present portions of their case to selected mock arbitrators who then deliberate, provide feedback, and issue opinions or decisions based on what they heard.

Unlike jury-focused research, mock arbitrations are tailored specifically to the arbitration environment. Since arbitrators often approach disputes differently than jurors, legal teams benefit from understanding how decision-makers with analytical or industry-focused perspectives may interpret the case.

Mock arbitrations can range from streamlined one-day exercises to more extensive multi-day presentations involving witness testimony, exhibits, opening statements, damages presentations, and deliberation sessions.

### **Why Legal Teams Are Using Mock Arbitrations More Often**

As arbitration clauses become more common in contracts and business disputes, attorneys are recognizing that arbitration preparation requires a different strategic approach than traditional courtroom litigation.

Mock arbitrations can help legal teams:

- Test case themes and narratives
- Evaluate witness credibility
- Assess reactions to technical or industry-specific evidence
- Identify confusing arguments or weak points
- Refine presentation style and demonstratives
- Develop stronger damages strategies
- Better understand how arbitrators may weigh liability and risk

They can also provide valuable insight into settlement posture by giving attorneys a clearer understanding of how an arbitration panel may view the dispute.

For high-exposure or highly technical matters, these exercises often become an important part of overall case strategy.

### **The Importance of Arbitrator Selection**

One of the most critical aspects of arbitration is arbitrator selection. The individuals chosen to hear the dispute can significantly influence how the case is analyzed and ultimately decided.

Mock arbitrations can help attorneys identify the types of arbitrators who may be more favorable or unfavorable for the case. By testing arguments in front of different mock panels, legal teams can better understand which backgrounds, industries, communication styles, or analytical approaches may align best with their presentation strategy.

This process can provide valuable guidance when selecting party-appointed arbitrators or evaluating strike lists during panel selection.

### **How OPVEON Supports Mock Arbitrations**

At [OPVEON](#), we help legal teams conduct customized mock arbitration exercises built around the specific needs of the case.

We can host both virtual and in-person mock arbitrations depending on the goals of the legal team and the complexity of the matter. Our team can coordinate one-day or two-day exercises and organize multiple panels of mock arbitrators to provide broader feedback and comparative decision-making analysis.

We also assist with recruiting and screening mock arbitrators, helping legal teams identify ideal and non-ideal arbitrator profiles for their dispute. From presentation technology and exhibit management to deliberation analysis and feedback reporting, our team works closely with attorneys to create productive and strategic exercises.

Whether your case involves complex commercial issues, technical subject matter, or high financial exposure, mock arbitrations can provide insight that strengthens preparation before the actual hearing.

### **Learn More About OPVEON's Mock Arbitration Services**

If you have a complex arbitration matter and want to strengthen your case themes, refine your presentation strategy, and identify the best party-appointed arbitrator for your dispute, a mock arbitration may be a valuable step in your preparation process.

Call OPVEON at **918-359-8900** to learn more about our mock arbitration services and how we can help support your legal team.