

# Litigation

*At Times a Necessity*



## Understanding the Process

Litigation is at times a necessary evil. The reality is that sometimes you may be left with no choice but to resort to a court of law to ensure your legal rights are protected. You may not be able to force a person to do the right thing, but a court can.

Litigation may be necessary in many types of disputes, including contract and business ownership issues, real estate disputes, employment complaints and evictions.

Litigation is complicated, expensive, and can be a stressful process. Without the right attorney, litigation can become a nightmare. While litigation should not be feared, it should not be entered into without competent legal counsel by your side—legal counsel that has your best interests at heart.

## How Epiphany Law Can Help

Litigation is a deceptively simple concept to understand; however, the devil is in the details. Litigation is filled with rules regarding deadlines, procedural issues, timing issues, evidentiary issues, and the trial itself. Consequently, competent legal counsel is imperative.

The best legal counsel will understand that an ounce of prevention is worth a pound of cure. Thus, Epiphany Law strives to limit the likelihood of litigation through effectively drafted policies, terms and agreements. However, if litigation becomes unavoidable, Epiphany Law also offers litigation expertise for you to prepare and present your case. Epiphany Law's expertise ensures your business the most favorable result when you are left with no possibilities but litigation.





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**Q If I am sued or want to sue someone do I have to have a lawyer?**

**A** Not necessarily. The law allows individuals to have an attorney or, in many cases, to represent themselves. However, individuals who represent themselves can sometimes unknowingly harm their case if they do not know or understand the law. It is highly advisable to hire an attorney to represent you. While results in litigation are never certain, a knowledgeable litigation attorney can help predict both the process and the likely results—a prudent investment.

**Q How can I lower the costs of litigation?**

**A** Litigation is both expensive and time-consuming. However, you can take steps to help lower your litigation costs and speed up the process. In particular, one of the most important steps you can take to reduce your litigation costs is to have effectively drafted agreements that clearly set forth the critical points. While the existence of an effectively drafted agreement does not guarantee that you will not wind up in court, the clear language of the agreement can often persuade any adversarial party to settle the matter before filing a lawsuit or before a trial. Epiphany Law can help you create effectively drafted agreements.

**Q What is the difference between small claims and a “regular” civil action?**

**A** Good question. Generally, there are three main differences. The law directs that small claims actions are cases where the monetary dispute is \$5,000 or less, or when the dispute is an eviction action. Monetary disputes greater than \$5,000 are regular civil actions. The second big difference between small claims and regular civil actions is that the legal procedure requirements are relaxed in small claims actions. The last main difference is the cost to prosecute or defend. A small claims action will usually cost less.

**Rely on Epiphany Law as your source of business law expertise for your growing organization.**



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