Kluwer Mediation Blog

Cyberweek 2014: Innovations and development in ODR

Rafal Morek (DWF LLP) · Sunday, November 9th, 2014

If you were unaware that last week was Cyberweek 2014, you missed a chance to take part in the 17th annual online conference dedicated to innovations and development in Online Dispute Resolution (ODR). Its program included 17 live webinars, 8 discussion forums and a variety of other activities to discuss the integration of technology and dispute resolution.

The Cyberweek was created by the team of the National Center for Technology and Dispute Resolution (NCTDR) at the University of Massachusetts Amherst, led by its Director Ethan Katsh, one of the founding fathers of ODR. Since 2010, Cyberweek has been hosted on the website www.ADRHub.com, and facilitated by the Werner Institute at the in the Creighton University.

This year the selection of topics included:
• Application of ODR in specific industries or categories of disputes (international tourism, workplace conflicts, school conflicts, family asset division, co-parenting issues in families with a history of domestic violence)
• Presentations of ODR providers (Virtual Mediation Lab, Modria, Youstice, Smartsettle Infinity)
• Open Forum for Sharing Articles, News, & Trends in ODR
• Competitions (Cornell e-Mediation Competition 2014, ABA Dispute Resolution Section Ethics Essay Competition 2014)
• A Panel Discussion on ODR and Ethics.

The ADRHub allows for both synchronous and asynchronous opportunities for engagement of participants from around the world who were able to take part in discussions in English, Spanish, Portuguese, and Italian. One of advantages of an online conference is that it remains archived following the live events. The following links provide access to the archives of Cyberweek 2010, Cyberweek 2011, Cyberweek 2012, Cyberweek 2013, and the latest edition.

In the early days of this blog, Nadja Alexander suggested that ODR technology is "the mediation world's biggest kept secret." Another fellow blogger, Charlie Irvine commented more recently that "many of us have been hearing about Online Dispute Resolution (ODR) for years but haven't quite got round to using it."

I think that both "partners": the technology and the mediation world must have matured (hence already the 17th Cyberweek this year) before their synergy could actually occur.

Richard Susskind wrote in his most recent book that he still sees ODR among important factors that will transform legal business (Richard Susskind, Tomorrow's Lawyers: An Introduction to

Your Future. Oxford: Oxford University Press, 2013). There are some signals that such transformation has already started. The scope of application of ODR services has been slowly but constantly growing. An interesting current example is the project launched in mid 2014 by the American Arbitration Association (AAA), together with Modria Resolution Center, to cope with New York No Fault (NYNF) caseload of more than 100,000 matters annually.

While (continental) Europe traditionally lags behind the US in ADR/ODR, 2015 should bring about some considerable change. The EU Member States are to implement the new ADR/ODR rules by July 2015, and the European ODR platform will be operational in January 2016.

No doubt, next Cyberweeks should be not less interesting than the one ended yesterday.

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