

Part of EC-funded project E-Justice ODR Scheme - Grant Agreement n. 101046468  
This project is funded by the European Union's Justice Programme (2021-2027)

Draft version – 10 January 2024

## **Initial model of standard ODR processes (preparation for BPMN model)**

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The following working draft contains more detailed break-down of forward-looking standard ODR processes including AI-related processes and online ethical annotations. The purpose of this document is to assist in the preparation of the BPMN model of ODR processes. BPMN model can be used by open-source developers of Virtual Agent Platforms (VAPs) for ODR institutions as well as the parties.

The document is divided into three parts. The first part (General Set-up) contains the descriptions of standard e-justice ODR processes as have been prepared during our Scheme project and commented by national judges. General Set-Up also includes ethical annotations and ODR evaluation.

General Set-Up serves as a Checklist – all issues included in the General Set-Up will need to be reflected - appear in the next parts of this document and therefore also in the actual BPMN model. For example, in General Set-Up, general options will result in BPMN's sub-processes and/or activities and will be reflected in forms and their variants. This is reflected in the General Set-Up in Notes.

Next part (Model of Standard ODR Processes) describes how the General Set-Up options are reflected in Roles (e.g. whether or not a party can be legally represented depends on whether an ODR system allows or prohibits legal representation of the parties). Each Role has corresponding Statuses (e.g. a complainant "Filed a complaint against respondent) and respondent "receives a complaint filed against him by complainant) and each Status has corresponding Actions (e.g. after a complaint is filed, complainant "waits for a response" while respondent "prepares a response"). Actions are usually connected with corresponding Forms (e.g. a response form). Each Form has Form Components (e.g. identification of a party) and each Form Component includes corresponding Data Elements (e.g. Name of a party). Data elements are collected for the purposes of Data Structures/AI services which also form part of General Options and have their specific Statuses, Actions, Forms and additional specific data elements.

In additions to (i) Roles, the third part addresses additional key elements of the e-justice ODR

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modelling: (ii) numbering of processes, sub-processes and forms and their parts; and (iii) terminology and how to work with differing interpretations of the same terms across jurisdictions.

The last part focuses on principle online forms -e.g. a complaint, response, settlement agreement, decision and recommendation and key processes (e.g. elevation of a dispute to third party ODR) and connected functions (e.g. withdraw complaint).

While the General Set-Up serves as a checklist, the Model and Forms are directly transformed in the BPMN. BPMN contains also other forms than they are included in the Checklist.

This document and the BPMN will be mere **semi-products**. It does not have an ambition to be complete or comprehensive or flawless. **It does not include all main ODR processes**. We will continuously work on the document as we will continuously enhance the BPMN model.

In the document there are several abbreviations used in the NOTES column below :

- (i) **Mo** (Multiple options): means designation of a section or subsection containing 1 or more options
- (ii) **Cu** (Cumulative): means a cumulative options
- (iii) **Alt** (Alternative): means an alternative option
- (iv) **TC** (Text input-content): means a text which might be edited provided the meaning remains the same
- (v) **TL** (Text input-language): means a text which must remain exactly as it is, without any editing
- (vi) **H**: means a heading
- (vii) **Sh**: means a sub-heading
- (viii) **S**: means a text with systematic/structural message
- (ix) **A**: means an action command
- (x) **DAN**: means anonymized data element
- (xi) **DNA**: means non-anonymized data element
- (xii) **Eta**: means Ethical Annotation
- (xiii) **Dis**: means disclosure of information about a particular ODR provider and its ODR system
- (xiv) **Form** means an online form or its part
- (xv) **Act** means an online activity
- (xvi) **Status** means a status of role(s)

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(xvii) **NOP**: means that for ethical considerations, this model does not allow other procedural options than expressly mentioned in the model

For any additions, it is suggested to use the symbol **Add** in the notes. If any part is deleted, it is suggested to use **Del**. In this way everybody will be able to know regarding a particular ODR system which parts of the structure have been added and which ones deleted.

In addition, the following abbreviation apply for the CODE column below:

**L1-n**: Code level (e.g. L2 might mean 1.1 or 5.5, according to the context; L3 might mean 1.1.1 or 5.5.1 etc.).

## GENERAL SET-UP

As mentioned above, this part contains variants of standard ODR processes.

CODE	TEXT	NOTES
L2	ODR system public or private	S (throughout General Set-Up); Dis
L3	private ODR platform	Dis
L3	online court	Dis

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L3	public information portal on the access to justice	Dis
L3	hybrid system combining more options	Dis
L3	unspecified options 1-n	Dis
L2	Usage of ODR system by the parties	Dis
L3	Mandatory	Dis
L3	mandatory with few exceptions defined by law	Dis
L3	any party may opt-out of using the ODR system	Dis
L3	parties need to opt-in	Dis
L3	Only one of the parties will be obliged to use ODR system	Dis
L3	unspecified options 1-n	Dis
L2	Types of disputes	Dis
L3	generic ODR system for any complaint	Dis
L3	only for specific disputes 1-n	Dis
L3	Only for specific disputes and specific remedies 1-n	Dis
L3	unspecified options 1-n	Dis
L2	Sectors involved	Dis
L3	generic ODR system for filing any complaint in any area	Dis
L3	only complaints related to specific sectors	Dis
L4	select from available sector module(s) 1-n	Dis
L4	add new sector module	
L3	unspecified options 1-n	S (throughout General Set-Up); Dis
L2	Advise portal, including:	Dis
	Online help for people to resolve their life situations	Dis
	Provide sample legal documents;	Dis
	Provide expert advise;	Dis
	Provide a service enabling self-assessment of the party	Dis
	Navigate through online Courts for civil claims and steps	Dis
L3	YES, with all the options mentioned above	Dis
L3	YES, with selected options mentioned above	Dis

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L3	No	Dis
L3	Unspecified options 1-n	Dis
L2	Will your system include differentiation of cases based on the claimed value?	Dis
L2	Will it be possible to merge (connect) more cases into a single case?	Dis
L2	Will it be possible to divide a single case into more cases?	Dis
L2	Will your system allow participation of persons interested in judicial proceedings, such as NGOs?	Dis
L2	Will your system allow the publication of decided cases?	Dis
L2	Will some processes be mandatory before elevation to state online courts or to a third party private ODR?	Dis
L2	Will your system include procedural fines?	Dis

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L2	Compliance processes	Dis
L3	Internal compliance processes or sectorial self-regulation (for private ODR systems)	Dis
L3	Regular impact assessment audits by external parties	Dis
L3	Certification by 3rd parties (e.g. by Conformity Assessment Bodies, CABs)	
L3	State accreditation and supervision	Dis
L3	Minimum quality assessment process according to Humanis	Dis
L3	Unspecified options 1-n	Dis
L2	What ODR processes will your system include?	Dis
L3	direct negotiation	Dis
L3	mediation	Dis
L3	arbitration	Dis
L3	unspecified options 1-n	Dis
L2	Feedbacks - complaints	
L3	Feedbacks only	
L3	Complaints only	
L3	Feedbacks and/or complaints	
L3	Unspecified options 1-n	
L2	Direct negotiation - escalation to third party ODR	Dis
L3	Direct negotiation only	Dis
L3	Direct negotiation with Judge/Arbitrator/Panel supervision	Dis
L3	Escalation to third party ODR only	Dis
L3	Both negotiation and ODR escalation	Dis
L3	Complainant decides whether negotiation, ODR escalation or both	Dis
L3	Unspecified options 1-n	Dis

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L2	Procedures in the escalation phase	
L3	State online court	S + Dis (throughout General Set-Up)
L3	Mediation	Dis
L3	Arbitration	Dis
L3	Mediation followed by arbitration (Medarb)	Dis
L3	Mediation followed by adjudication	Dis
L3	Unspecified options 1-n	Dis
L2	Appeals	
L3	Appeal procedure included in the ODR system	
L3	Appeal procedure not included in the ODR system	
L3	Unspecified options 1-n	
L2	No. of appeal JOs if appeal included	
L3	A single member appeal panel	
L3	More than 1 member appeal panel	
L4	Number of members of appeal panel 2-n	
L2	Method of selection of appeal panel	
L3	same panel for all appeals selected by ODR admin	
L3	different appeal panels	
L2	Enforcement mechanism	
L3	Monitoring of outcome implementation	
L3	By law	
L3	By contract	
L3	No enforcement mechanism included	
L3	Unspecified options 1-n	
L2	Case file	
L3	Information per each case	
L3	Levels of access to information per case for each person involved (e.g. each party, JO, ODR admin, etc.)	

Commented [Z1]: Notes will be continued.

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L3	Priority of appearance of cases in the list of cases	
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L3	Search of cases in the list of cases	S (throughout General Set-Up)
L2	Nature of the parties	
L3	generic ODR system for any complainant and any respondent	
L3	specific complainant(s) 1-n	
L3	specific respondent(s) 1-n	
L3	unspecified options	
L2	Who can file a complaint if the ODR system is for specific parties	
L3	Only party A	
L3	Only party B	
L3	No restrictions	
L3	Unspecified options 1-n	
L2	Legal representatives	
L3	Parties can be represented within the ODR	
L3	Parties cannot be represented within the ODR	
L3	Parties can be represented regarding selective issues of a given case	
L3	Unspecified option 1-n	
L2	Language Selection	
L3	Select from available language localization(s)	
L4	Available language localizations 1-n	
L4	Available language localization(s) per sector module 1-n	
L3	Add new localization	
L4	Select module (sector specific or general)	
L4	Select language	
L4	Unspecified options 1-n	
L2	Form of communication of the complaint	

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L3	Only digital filings of the complaint	
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L3	Digital or paper filings of the complaint	
L3	Treatment of paper filings (if paper communication allowed)	S (throughout General Set-Up)
L4	Paper complaint possible only for direct escalation to ODR	
L4	Paper complaint possible for the whole process (negotiation + ODR escalation)	
L4	Manual processing of paper filings	
L4	Automatic processing of paper filings	
L4	Other method (e.g. semi-automatic processing)	
L3	Unspecified options 1-n	
L2	Who prepares initial proposals for resolution	
L3	Complainant	
L3	Respondent	
L3	Unspecified options 1-n	
L2	When is the Respondent notified	
L3	when complaint is filed	
L3	when panel issues decision	
L3	unspecified options 1-n	
L2	Online Advisers	
L3	Advisers allowed	
L3	Only free advisers allowed	
L3	Advisers not allowed	
L3	Unspecified options 1-n	
L2	Case transfer	
L3	Case transfer to another entity than Respondent allowed	
L3	Case transfer to another entity than Respondent not allowed	
L3	Unspecified options 1-n	
L2	Respondent's network	

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L3	Respondent is allowed to involve other entities from its network in the dispute resolution	S (throughout General Set-Up)
L3	Respondent is not allowed to involve other entities from its network in the dispute resolution	
L3	Unspecified options 1-n	
L2	Who has a right to submit further filings on behalf of a party	
L3	Persons who submitted complaint or response	
L3	Complainant/respondent only	
L3	Legal representative(s) only	
L3	Either a respective party or its legal representative	
L3	Unspecified options 1-n	
L2	How agreement can be reached	
L3	If a party accepts the proposal of another party on all disputed issues	
L3	If a party accepts the proposal of another party on part of the disputed issues only	
L3	If a party accepts the proposal of another party on all disputed issues and the agreement is confirmed by ODR provider	
L3	If a party accepts the proposal of another party on part of the disputed issues only and the agreement is confirmed by ODR provider	
L3	Unspecified options 1-n	
L2	Withdrawal of proposal acceptance	
L3	Yes, before the agreement is confirmed by the ODR provider	
L3	No	
L3	Unspecified options 1-n	
L2	Accessibility of the whole case file to all the parties, ODR	S

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	provider and panel	(throughout General Set-Up)
L3	Yes	
L3	Yes except for the notes marked as internal notes	
L3	To ODR provider and panel only if all the parties agree at the time of escalation	
L3	Unspecified options 1-n	
L2	Setup of ODR provider(s) for ODR system	
L3	Selection of ODR provider(s) for ODR system	
L4	Selection from specific ODR providers (e.g. ODRs with specific accreditation or operating compatible platforms)	
L4	Adding new ODR provider(s)	
L4	Both options above	
L4	Unspecified options 1-n	
L3	Form of ODR provider(s) for the ODR system	
L4	only state online court(s)	
L4	only registered private ODR	
L4	either state online court(s) or registered private ODR provider(s)	
L4	no restrictions (including no limitation to registered ODR providers)	
L4	unspecified options 1-n	
L3	How the parties select ODR provider for a concrete case	
L4	Only a single ODR provider (state online court or private ODR platform) for all cases	
L4	ODR provider selected by complainant from those pre-selected for all its cases by respondent	
L4	ODR provider selected by complainant from those pre-selected according to criteria	
L5	State online court	
L5	Sector-specific ODR	
L5	Location of ODR in a country or group of countries	
L5	Supporting arbitration	
L5	Supporting mediation	

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L5	Supporting both arbitration and mediation	S
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		(throughout General Set-Up)
L5	Non-defined criteria	
L4	ODR provider(s) selected by other method	
L3	Setup of number of JOs to decide a case	
L4	A single JO	
L4	Number of JOs if more than 1 JO	
L5	Number of JOs in the JO panel is the same for all cases according to the applicable law or ODR Rules	
L5	A party who elevates the case to ODR provider can determine how many JOs will form the JO panel according to the options contained in the applicable law or ODR Rules	
L5	Unspecified options 1-n	
L3	How JO(s) are appointed to decide a case	
L4	Appointment by ODR admin	
L5	Automatic appointment	
L6	Criteria for automatic appointment	
L7	Alphabetical order	
L7	Least number of pending cases	
L7	Language of both parties	
L7	Area of expertise	
L7	Least number of „black points“	
L7	Combination of more criteria above	
L7	Other	
L5	Manual appointment	
L5	Automatic proposal with a possibility of change of the automatic proposal by ODR admin within given time period	
L4	Appointment by the parties	
L5	Each party scores JOs and the JO with the highest score gets invited. If he/she does not accept, the second highest score gets invited etc.;	
L5	For three JOs only: each party selects a JO from the list and the two JOs select third one;	
L5	Other method	

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L4	Unspecified options 1-n	S
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		(throughout General Set-Up)
L3	How will the number of JOs be determined	
L4	by a statute	
L4	by ODR Rules	
L4	by a party escalating its case to ODR provider	
L4	unspecified options 1-n	
L3	JO challenge via ODR platform (only if a single JO is appointed by ODR admin)	
L4	Yes	
L5	1 challenge for each party per case	
L5	2 challenges for each party per case	
L5	3 challenges for each party per case	
L4	No	
L4	Unspecified options 1-n	
L2	Online hearing	
L3	Who schedules/reschedules online hearing	
L4	Any of the parties	
L4	JO(s)	
L4	ODR admin	
L4	Unspecified options 1-n	
L3	Right of the parties to request online hearing with a judge	
L4	Yes	
L4	Yes but JO has a discretion to allow or not such a request(s)	
L4	No	
L4	Unspecified options 1-n	
L3	Form of online hearing	
L4	Video hearing	
L4	Telephone hearing	
L4	Chatroom	
L4	No online hearing, only online forms	
L2	Online decision	

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L3	Decision structure	
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L3	Summary of the decision/recommendation	
L4	yes, in English	
L4	yes, in the language of the dispute	
L4	yes, in the decision of the dispute and in English	
L4	Unspecified options 1-n	
L3	When does the decision/recommendation become effective	
L4	When decision is issued (arbitration);	
L4	When decision is issued unless a party files an appeal to a common court within a time period specified in the applicable law or ODR Rules;	
L4	When ODR provider confirms that the decision is effective (e.g. where special formalities are necessary for the decision to become effective and ODR provider certifies that the formalities occurred);	
L4	When party A accepts it;	
L4	When party B accepts it;	
L4	When both parties accept it (mediation); or	
L4	If both parties need to accept the decision and one or both parties do not accept it, do you want to enable parties to continue with another ODR process which ends with a decision which becomes effective once it is issued; or once it is accepted by the weaker party (e.g. customer)?	
L4	Unspecified options 1-n	S (throughout General Set-Up)
L3	If both parties need to accept the decision/recommendation and one or both parties do not accept it, will ODR system allow parties to continue with another ODR process?	
L4	Yes but only if it ends with a decision effective on date of issue	
L4	Yes if it ends with a decision accepted by the weaker party	
L4	Unspecified options 1-n	
L3	ODR Fees	

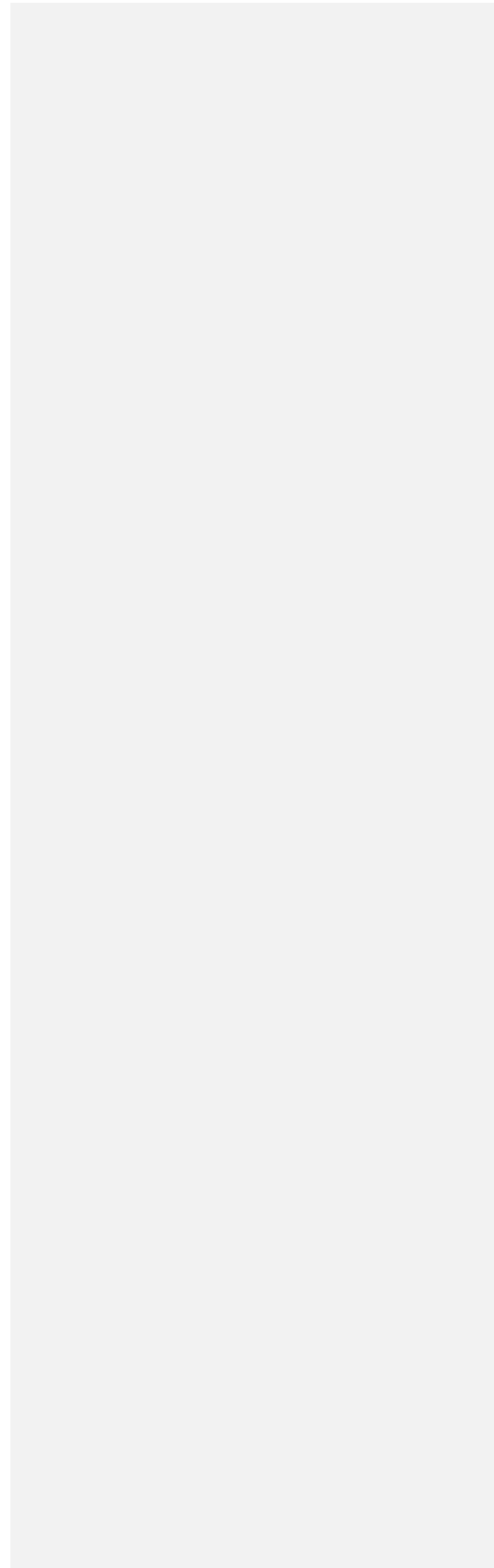
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L4	No ODR Fees payable or ODR Fees paid outside the ODR	
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	platform	
L4	ODR Fees payable by party A only	
L4	ODR Fees payable by party B only	
L4	ODR Fees payable by one or both parties	
L4	Payment of ODR fees in advance	
L4	Payment of ODR fees after decision is issued	
L4	Respondent's contributions to the Complainant's ODR costs (if available in the ODR system)	
L5	All ODR costs	
L5	Up to [currency] per each case	
L5	To be set individually per case	
L4	Unspecified options 1-n	
L2	Interlocutory measures	
L3	JO panel communicates only via Messages	
L3	JO panel may issue interim orders to either party via specific online forms	
L3	Parties communicate only via Messages	
L3	Parties communicate only via specific online forms and notifications available on the online platform of the ODR system	S (throughout General Set-Up)
L3	Parties communicate via Messages as well as via specific online forms and notifications	
L3	No interlocutory measures	
L3	Unspecified options 1-n	
L2	Additional processes	
L2	How is the change of procedural rules implemented	
L3	all pending cases will be resolved under previous rules	
L3	unspecified options 1-n	
L2	Special ODR technology	
L3	blind bidding	
L3	video conferencing	

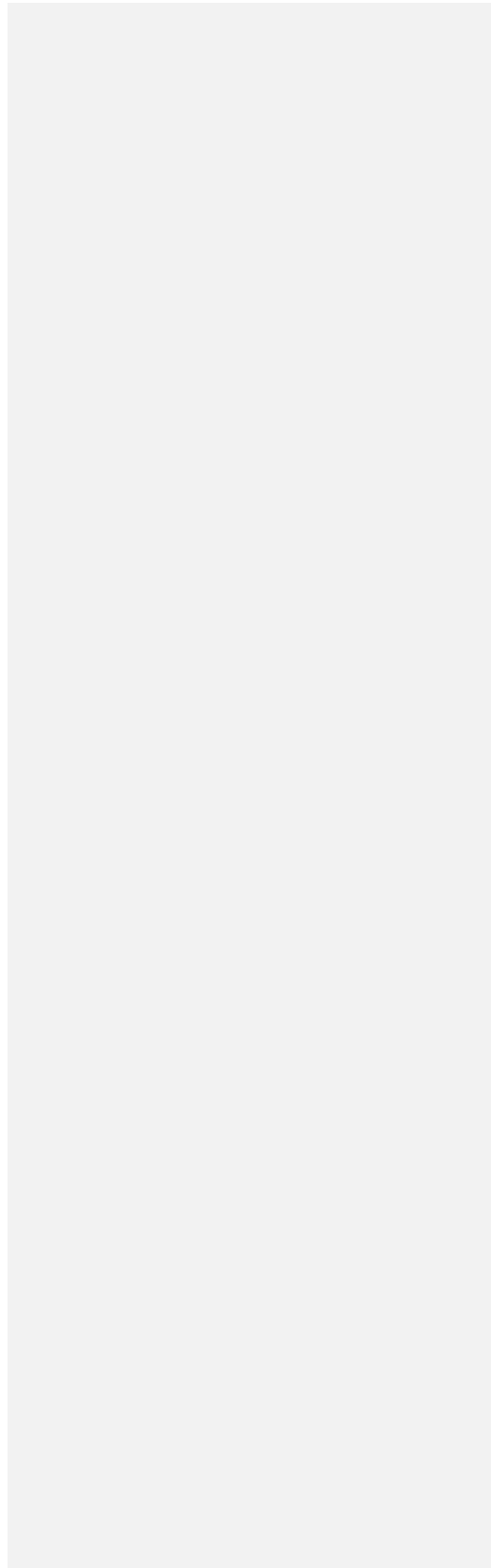
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L3	telephone conferencing	
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L3	chat room	
L3	unspecified options 1-n	
L2	Screen structures	
L2	Available branding tools	
L2	Screen design options	
L3	Pictograms/sounds to illustrate the issues	
L4	Pictograms yes	
L5	Select from available pictograms	
L5	Download your own pictograms	S (throughout General Set-Up)
L5	Both options	
L4	Sounds yes	
L5	Select from available sounds	
L5	Download your own sounds	
L5	Both options	
L4	Pictograms no	
L4	Sounds no	
L4	Unspecified options 1-n	
L2	Statistics	
L2	Open Data	
L2	Sign-in/Registration	
L3	Sign-in	
L4	Login	
L4	ID	
L4	Using Google/Facebook login	
L4	Unspecified options 1-n	
L3	Registration of a party when filing Complaint	
L4	Registration at the beginning of the complaint process	

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L4	Registration at the end of the complaint process	
L3	Registration of a party when filing a Response	
L3	Registration of a party from website of Partner	
L3	ODR provider registration	
L4	Registration with ODR system - manual only by Partner	
L4	Registration with ODR system - manual only by ODR provider	
L3	JO registration	
L4	Registration with ODR provider - manual only by ODR admin	
L4	Registration with ODR system - manual only by Partner	
L3	Unspecified options 1-n	
L2	Integration and interconnection	
L3	Location of access gates to ODR system	
L4	On the website of the ODR system organizer;	
L4	On the website of potential respondents; or	S (throughout General Set-Up)
L4	On both	
L4	Unspecified options 1-n	
L3	Integration with user website	
L4	Plugins (Magento, Prestashop, Shopify, WooCommerce etc.);	
L4	Simple integration (no transaction data are exchanged except for the name of the entity and its email); or	
L4	Full integration	
L4	Unspecified options 1-n	
L3	Interconnection with other systems	
L4	Use cases for CRM interconnection	
L5	Confirm with CRM customer status (e.g. VIP customer, customer with special preferences, etc.);	
L5	Confirm with CRM concrete project status (e.g. applicability of special promotions to a concrete customer);	

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



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L5	Connection between customer/project status and automatic retailer response (e.g. always accept what	
----	---	--

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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	customer wants)	
L5	Import statistics to CRM;	
L5	Other use cases	
L4	Mobile apps;	
L4	Payment/billing module of Partner; or	
L4	Payment/billing module(s) of ODR provider(s)	
L3	Look + feel of access gates	
L3	Use of CRM as case management system	
L2	Access to Messages	
L3	Messages accessible to all	
L3	Messages accessible to the other party (or its legal rep) only	
L3	Messages accessible to ODR admin and ODR JO only	
L3	Message from ODR JO to ODR admin only	
L3	Message from ODR admin to ODR JO only	
L3	Setup of message accessibility is delegated to the sender	S (throughout General Set-Up)
L3	Unspecified options 1-n	
L2	User Review	
L3	User Review Yes	
L3	User Review No	
L3	Unspecified options 1-n	
L2	Legal documents (follow links to editable samples of documents for downloading, editing and later uploading final edited documents)	
L3	[Privacy Policy for individual users];	
L3	[Privacy Policy for entities];	
L3	[Terms of Use for individual users];	
L3	[Terms of Use for entities];	
L3	[ODR Rules]/[ODR Principles];	

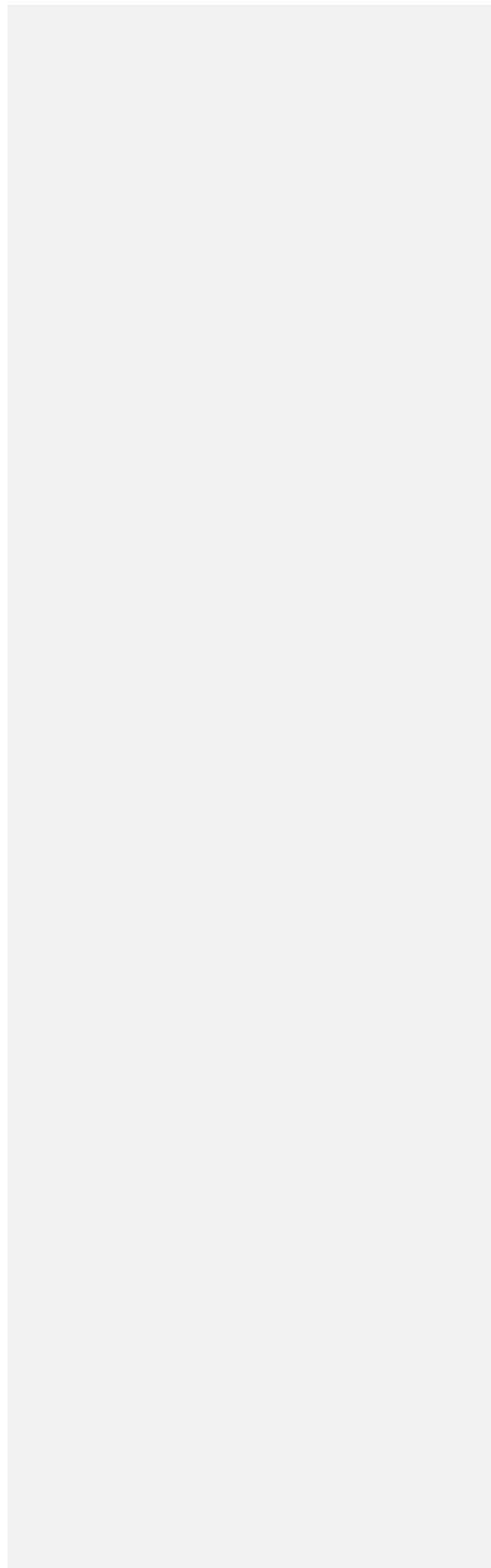
Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L3	[ODR agreement with ODR providers];	
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Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



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L3	[website information notices regarding cookies];	
L3	[website information how to conclude online contract];	
L3	[website information about fees];	
L3	[website information about the possibility to withdraw from the contract];	
L3	[information about the nature of decisions and possibility to go to court - applicable for private ODR];	
L3	[information about service limitations (e.g. limited enforcement)];	
L3	[AI assisted functions (e.g. smart online assistants)]	
L3	[Information about participants' right to opt-out of online court procedures]	
L3	[Information on communication of online court with personal communication tools (e.g. CDC) of the participants]	
L3	[Acceptance notices];	
L3	[Consents to use personal data]	
L3	Other docs	

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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### Ethical Annotations

Ethical Annotations are included in the General Set-up in the form of a table below. Each annotation can be further developed as appropriate for a concrete modelling exercise. For abbreviations used in the table see explanations of the abbreviations below. The table below informs about the actual annotation; whether the annotation relates to an ODR disclosure or to an activity or a form or a status or otherwise; it characterizes the annotation whether it requires a single solution (NOP) or whether it should result in a disclosure from ODR or whether it is a recommendation. NOPs and Dis will result in direct changes in the Model and/or Forms and in the BPMN.

Ethical Annotation    Annotation to what (Dis; Act; Form; Status; other)    Character (NOP; Dis; Recommendation; other)    How to measure    Notes

### ODR Evaluation

Research by Zbynek + Adria

### MODEL OF STANDARD ODR PROCESSES

Please find below an initial model of standard ODR processes.

**Commented [Z2]:** We will continue adding more roles, activities, statuses and forms so that the Model corresponds to the General Set-Up.

Role	Status	Action	Forms	Notes (incl. whether associated notification and/or time limit)
Complainant	Pre-transaction	Initiate AI services assisting to select vendor/service provider: RI; other?	[Reputation Index forms]	

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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	Start dispute resolution			
		Initiate AI services assisting to select ODR provider: <ul style="list-style-type: none"> <li>- ODR evaluation ?</li> <li>- ODR disclosure ?</li> <li>- Access to ODR?</li> </ul>	[ODR evaluation forms]? [ODR disclosure protocol forms]? [access to ODR forms]?	
	Legal representative appointed			
	Legal representative recalled			
		Prepare and file complaint	Complaint	Notification to ODR provider and respondent
		Set-up case file	Case file set-up form	
	Arbitration agreement signed			

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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	Mediation agreement signed			
	Defects of Complaint notified			
	Amended complaint filed; OR			
	Complaint against notification of defects filed			
	JO decided on complaint re. defects			
	Waiting for response			Time limit
	Response filed by Respondent	Prepare and file reply to response	Reply form	Notification to ODR provider and complainant
	Response defects notified			
	Amended response filed; OR			

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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	Complaint against defects notification filed by Respondent			
	Reply filed	Waiting for Respondent's reply	Reply form	[Notifications ] + [time limits]
	JO candidate(s) selected			
	JO appointed			Notification to the parties
	JO resigned			Notification to the parties
	JO challenged	File JO challenge	JO challenge form	Notification to JO, presiding JO and respondent
	JO challenged by respondent	Wait for result of JO challenge		Notification to JO, presiding JO and complainant
	JO requested mediation	Schedule time for mediation	Schedule time for mediation form	Notification to the parties

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



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	JO requested online hearing	Schedule time for videohearing	Schedule time for videohearing form	Notification to the parties
	Mediation scheduled	Initiate AI services assisting in mediation: Chatbot?	Chatbot forms	Notification to the parties
		[Mediation]	[Mediation forms]	[Notifications ] + [time limits]
	Online hearing scheduled			Notification to the parties
	Online hearing occurred		Recording of online hearing	
	JO scheduled physical hearing		Notification about physical hearing;	Notification to the parties
	Physical hearing occurred		[Minutes from physical hearing]	
	Terminate dispute	Withdraw complaint	Complaint withdrawal form	Notification to respondent and JO
	Settlement Agreement proposed by JO	Review and confirm/reject Settlement	Confirmation/Rejection of Settlement Agreement form	Notification to the parties and

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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		Agreement		JO
	Recommendation after mediation issued by JO			
	Decision issued	Decide whether or not appeal the decision	Appeal form	Notification to the parties
	Appeal	[Appeal process actions]	[Appeal process forms]	[Notifications] + [time limits]
	Appeal decision issued			
	General request of complainant	File general request	General Request form	
	Outcome implementation	Implement outcome	[Outcome implementation forms]	[Notifications] + [time limits]
Respondent	Complaint filed against respondent	Prepare and file response	Response form	
		Set-up case file	Case file set-up form	
	Complainant filed reply	Prepare and file reply	Reply form	

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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	Negotiation	[Negotiation actions]	[Negotiation forms]	
	JO appointed			
	JO resigned			
	JO challenged	File judge challenge	Judge challenge form	
	JO challenged by complainant	Waiting for result of Judge challenge		
	Judge requested mediation	Schedule time for mediation	Schedule time for mediation form	
	Judge requested online hearing	Schedule time for videohearing	Schedule time for videohearing form	
	Mediation scheduled	Initiate AI services assisting in mediation: Chatbot?	Chatbot forms	
		Mediate	[Mediation forms]	
	Online hearing scheduled		[Online hearing forms]	
	Complaint withdrawal	Confirm/reject withdrawal of complaint	Confirmation/rejection of complaint withdrawal form	Notification to complainant 1 judge; time limits]

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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	Settlement Agreement proposed by judge	Review and confirm/reject Settlement Agreement	Confirmation/Rejection of Settlement Agreement form	
	Decision issued	Decide whether or not appeal the decision	Appeal form	
	Appeal	[Appeal process actions]	[Appeal process forms]	[Notifications] + [time limits]
	General request of respondent	File general request	General Request form	
	Outcome implementation	Implement outcome	[Outcome implementation forms]	
Legal representative of a party	Mandate confirmed by client	Set-up case file		
	[same as for the party]			
Judge	Start resolution	Set-up case file	Case file set-up form	
	Online hearing request	Request online hearing	Online hearing request form	
	Online hearing	Schedule online	Online hearing	

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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	schedule	hearing	schedule form	
	Mediation request	Request mediation	Request mediation form	
	Schedule mediation	Schedule mediation	Mediation schedule form	
	Mediation	Mediation actions	Mediation forms	
	Dispute settled	Prepare and file settlement agreement	Settlement agreement form	
	Decision	Prepare and file decision	Decision form	
	General request of judge	Prepare and file general request	General request form	
	Judge resignation	Resign	Judge resignation form	
	Outcome implementation	Monitor outcome implementation	Outcome implementation monitoring forms	
Arbitrator				
Mediator				
Presiding ODR Officer	Judge(s) appointment	Appoint judge(s)	[Judge appointment forms]	
	Judge(s) recall	Recall judge	[Judge recall forms]	

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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	Judge challenge by party	Decide on judge challenge	Decision on judge challenge	Notification to parties + judge; time limitations
ODR admin				
System admin				
Other Role(s)				

*Note: Additional statuses to be added with corresponding activities : case transferred to a new respondent; interlocutory or similar measure; decision has become effective; various reasons for decision not becoming effective; recommendation issued; appeal; implementation monitoring; non-implementation notified; private ODR decision challenged in court; .....*

**Commented [LZ3]:** To be continuously developed

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

## Numbering

One key aspect that both BPMN and Forms connected to it have in common is that, although depicted visually, they are modeled using structured languages. Specifically, BPMN diagrams are modeled as XML documents while Forms are modeled as JSON documents.

XML (Extensible Markup Language) and JSON (JavaScript Object Notation) are both widely used formats for representing structured data in a human-readable and machine-readable format.

XML is a markup language that uses tags to define elements, attributes, and values, making it easy to structure and organize data. It is widely used for data interchange between different systems and platforms. XML can be used to represent complex data structures, and it is extensible, meaning that users can define their own tags and elements. XML documents can be validated against a defined schema, making it easier to ensure data consistency and quality.

JSON, on the other hand, is a lightweight data-interchange format that uses a key-value pair structure to represent data. It is often used in web applications and APIs because it is easy to parse and can be read by JavaScript. JSON is simpler than XML and typically takes up less space, making it faster to transmit over a network. JSON is also extensible, and users can define custom data types.

Given the structured nature of these formats and notations, several interesting additional functionalities can be implemented that interact with the designed processes or forms. For instance, it is possible to develop tools to automatically extract the data elements associated to a specific process, sub-process or form. It is also possible to develop tools to check the consistency of the data elements (e.g. ensure no two elements with the same identifier exist), to check for missing annotations, or to validate other aspects such as mandatory fields, the data types of the fields, etc. Being able to automatically inspect and validate processes and forms is also useful, for instance, when it comes to enforcing ethical guidelines (e.g. variables containing personal data identifying information should not be extracted to build an anonymous dataset from a given process).

BPMN, XML, or JSON are only examples of structured digital tools, widely used to describe processes in general, and have proven to be easy to understand and use. Moreover, their standard nature means that designers and developers do not depend on a particular BPMN, XML or JSON tool, editor or application. Indeed, a wide range of licensed and open-source tools exist that allow to export, import and work with documents in such standards and notations, which allows users and developers with different backgrounds to pick their favorite ones.

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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The issue however is that e-justice ODR field is very complex. It is full of exceptions, local procedures and rules and need for variable options. In addition, the same terminology may have different meanings depending on a particular country or even a part of a country.

In addition, we (voluntarily) make these complexities much more complicated by advocating for diversity by design as explained in the introduction. We assume that there are a lot of different design preferences of individual people and too many digital vulnerabilities which need different design.

Although BPMN and JSON tools enable to fulfill almost all the conditions mentioned above for our open data framework, they do not fulfill the condition of cross-platform understandability and communication. It is because each new BPMN set of e-justice ODR processes or variants of each new form in a new BPMN/JSON system will have different automatic numbering. It means that different process, sub-process or form might be identified by the same automatically generated codes. Due to complexity of the field this will happen very often.

#### Need for additional numbering

For this reason we argue that it is necessary to apply additional numbering for the open digital mapping which will not be lost no matter how many variants, new processes, sub-processes or forms will be created.

We propose to apply such additional numbering to the initial set of standard e-justice ODR processes and forms created in BPMN/JSON. Such an initial set has been prepared by us within our E-Justice ODR Scheme project. The proposed initial numbering (complementary to the automatic numbering by BPMN and JSON) will create a necessary fixed basis, then the numbering of all the variants and additions can be derived from this initial numbering using standard references described in part (C) below.

Open data framework for e-justice ODR will be formed by this open numbering. Each ODR platform might have its description – its digital twin - described in this open data framework. The numbering can be used by digital tools for the design and development of online platforms (VAPs). It will then be possible to generate the digital twin automatically during the process of designing and developing the VAP.

#### What will be numbered and how

We finally come to the content of the digital twins for e-justice ODR. We propose that there are the following component parts of the e-justice ODR processes and their details which need to be numbered:

##### A. Design modules

M  
content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S  
(System-structure); A (Action)



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- B. Processes and sub-processes
- C. Forms and their parts
- D. Terminology
- E. Ethical annotations
- F. Communication rules
- G. Other

Regarding the numbering as such, we propose to use a simple consecutive numbering for each of the components mentioned above. Each component will be identified by a letter (as mentioned above).

Design modules are results of general design questions about how a VAP or other-than-VAP ODR platform should look like (e.g. will there be an option of party's legal representation or not). Based on responses to these questions the structure of the VAP will be set. Design questions help to define selection of features by designers of ODR platforms. According to the design selection, list of forms corresponding to the selection will be identified. We propose the following initial processes and their numbering:

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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Number	Design question
1	Does the platform enable legal representation of the parties?
2	In which languages the platforms operates?
3	What types of cases the platform helps to resolve?
4	In which fields / sectors the platforms specializes?
5	Is it possible to have one's own forms?
6	How many judges, arbitrators, mediators, or panelists (Judicial Officers) are possible to decide cases on the platform?
7	Are Judicial Officers selected by the parties?
8	What forms of communication are possible on the platform?
9	Who prepares first proposal of resolution?
10	When does the decision becomes effective on the platform?
11	Are appeals available on the platform?

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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12	What procedures are available on the platform?
13	What enforcement options are being used on the platform?
14	Add new design question

E-justice processes and sub-processes include traditional ones (e.g. court proceedings, arbitration and mediation) and also newly proposed AI-assisted services for the parties (e.g. assistance to select ODR). We propose the following initial processes and sub-processes (not arranged in a particular order):

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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Name	Type
Arbitration	Process
Court proceedings	Process
File complaint	Sub-process
Negotiation	Process
Recall legal representative	Parallel Sub-process
Complaint withdrawal	Parallel Sub-process
Prepare settlement agreement	Sub-process
Appeal Proceedings	Sub-process
JO resignation	Parallel Sub-process
JO appointment	Sub-process
Mediation	Process
Appoint legal representative	Parallel Sub-process
Waiting for response	Sub-process
Fee payment	Sub-process
Video conference	Parallel Sub-process
Physical hearing	Parallel Sub-process
Prepare and Issue decision	Sub-process
Monitor implementation	Sub-process

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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Issue recommendation	Sub-process
Feedback	Sub-process
Pre transaction	Sub-process
AI Assistance to Select ODR	Process
Add new process	
Add new sub-process	

We propose the following initial list of e-justice ODR forms (not arranged in a particular order):

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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Name	Type	Linked subprocess
Arbitration agreement signing	Form	Arbitration
Prepare arbitration agreement	Form	Arbitration
Selection of type of proceedings	Form	Court proceedings
Consent with JO accessing negotiation/mediation communication	Form	Court proceedings
Prepare and file complaint	Form	File complaint
Review of the complaint	Form	File complaint
Complain against complaint non-compliance notice	Form	File complaint
Prepare and file Reply	Form	Negotiation
Complainant prepares reply	Form	Negotiation
Settlement agreement reached	Form	Negotiation
Notification of Agreement reached by the parties	Form	Negotiation
Complainant accepts reply	Form	Negotiation
Respondent accepts reply	Form	Negotiation
Recall legal representative	Form	Recall legal representative
File appeal	Form	Appeal Proceedings
Request for JO's resignation	Form	JO resignation

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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Consideration of request for JO's resignation	Form	JO resignation
JO's resignation	Form	JO resignation
JO appointment	Form	JO appointment
Invite to the initial discussion	Form	Mediation
Schedule Mediation round by JO	Form	Mediation
Schedule Mediation round by parties	Form	Mediation
Settlement agreement reached	Form	Mediation
Appoint legal representative	Form	Appoint legal representative
Accept mandate	Form	Appoint legal representation
Prepare and file response	Form	Waiting for response
Review of the response	Form	Waiting for response
Complain against response non-compliance notice	Form	Waiting for response
Review complaint	Form	Waiting for response
Time slot selection for video conference	Form	Video conference
Video conference scheduling	Form	Video conference
Witness verification	Form	Video conference
Schedule hearing	Form	Physical hearing

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

Prepare and issue decision	Form	Prepare and issue decision
Appeal	Form	Prepare and issue decision
Notification about non-implementation of outcome	Form	Monitor implementation
Prepare and issued recommendation	Form	Issue recommendation
Provide feedback	Form	Feedback
Feedback	Form	Feedback
Start dispute	Form	Feedback
Add new form		

## Terminology

Terminology has key importance for the digital twin exercise. E-justice ODR terminology is very complex. In addition, one term might have various meanings not only in different jurisdictions but sometimes also in different courts of a single jurisdiction. These differences constitute valid legal cultures and are key for understanding the e-justice ODR processes and their digital modelling. The best practice currently is the work done over 40 years by the US National Center for State Courts. Nevertheless, we believe that the issue of terminology will need to be applied to new e-justice ODR processes rather than to traditional judicial processes. The reason is that we will see in the near future the establishment of new online courts alongside online mediation and/or online arbitration, with newly designed or redesigned procedures. Terminology needs to be under constant review and maintenance by judicial and ODR communities. Our initial set of ODR terms is attached to this Checklist as its Annex. Below we propose how to work with the terminology in e-justice ODR modelling.

Some forward-looking proposals how to work with the terminology for the purposes of e-justice ODR modelling are as follows:

- Creation of a general glossary of terms, reflecting as many legal systems as possible, with the terms presented in their respective languages.

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



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- Creation and/or regular updating of databases.
- Creation of a legal terminology committee.
- Creation of a website where you can consult each term in the different languages with its corresponding meaning.
- At the individual level, conduct a thorough terminology analysis before starting any project, text analysis, research, etc.

Of all the proposals, we will focus on the first, as it is the one that can be most easily implemented.

### 1.1. Creation of a general glossary of terms

The creation of a multi-jurisdictional glossary of legal terms, which is public and easily accessible, can be one of the most useful tools for conducting any cross-jurisdictional activity. First of all, it is important to establish the parameters that the glossary should have in order to be a truly useful tool. As a test, we have established the following classification, taking English as a source language:

<b>COMPLAINT</b>			
<b>US</b>			
Term	Definition	Source	Url
Complaint	„The pleading that starts a case. Essentially, a document that sets forth a jurisdictional basis for the court's power, the plaintiff's cause of action, and a demand for judicial relief“.	Legal Information Institute at the Cornell Law School	<a href="https://www.law.cornell.edu/wex">https://www.law.cornell.edu/wex</a>
<b>Spain</b>			
Term	Definition	Source	Url
Demanda	„Escrito con el que normalmente se inicia un proceso y en el que, exponiendo los hechos y los fundamentos de derecho que se crean aplicables, se solicita del juez un pronunciamiento favorable a una determinada pretensión“.	Real Academia Española	<a href="https://dle.rae.es/demanda">https://dle.rae.es/demanda</a>
<b>Czech Republic</b>			
Term	Definition	Source	Url
Žaloba	„2. obvinění někoho před soudem: přednést, podat, vést ž-u; ž. jej viní	Slovník spisovného	<a href="https://ssjc.ujc.cas.cz/">https://ssjc.ujc.cas.cz/</a>

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ze zločinu; prohrát ž-u; jazyka českého  
upustit od ž-y; přen. (SSJČ)  
zastávat ž-u v procesu  
žalobce, žalující stranu;  
práv. návrh na zahájení  
občanského soudního  
řízení: ž. o náhradu  
škody, o vydání věci; vzít  
ž-u zpět; zamítnout ž-u;  
vyhovět ž-ě; ž.  
prokurátora; paternitní  
ž.; (dř.) ž. pro urážku na  
cti".

---

In our example, the language in which the term entries are in is English (COMPLAINT would be the entry), so all terms would be sorted alphabetically according to their English name. In the case of a simple glossary in word or pdf format and without being interactive, anyone who wanted to look up the equivalence of a term in other legal systems/countries would simply have to search for it in their language using the search engine.

Now, the ideal proposal would be to transfer this glossary to the format of a web page, where you can choose the language in which you want the glossary to be presented, so that, for example, a Spanish citizen could access the web page, select the Spanish language, and then see all the entries of terms in their language, ordered alphabetically according to that language. He/she would only have to select the term he/she is interested in and then see its equivalents in other countries. The same applies if the citizen is Czech or of any other nationality.

The website could therefore look as follows:

**EN ES IT FR CZ**

**MULTI-JURISDICTIONAL GLOSSARY OF LEGAL TERMS**

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

- **COMPLAINT**
- **CONTRACTOR**
- **COUNTERCLAIM**

As we can see in the top right corner, the selected language is English (because it is in bold), so the page would appear in English, but we could choose any language. Likewise, in the previous case, the letter selected is the letter "C", so all the entries for terms beginning with this letter

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would appear. Once we choose the term we want to consult from among all those displayed, the page would look like this:

**EN ES IT FR CZ**

**MULTI-JURISDICTIONAL GLOSSARY OF LEGAL TERMS**

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

➤ **COMPLAINT**

- **US**
- **UK**
- **Spain**
- **Czech Republic**

Next, we would choose the country whose legal concept we are interested in, such as the USA or Spain:

**EN ES IT FR CZ**

**MULTI-JURISDICTIONAL GLOSSARY OF LEGAL TERMS**

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

➤ **COMPLAINT**

- **US**

Complaint The pleading that starts a case. (Legal Information Institute at the  
Essentially, a document that sets forth a jurisdictional basis for the

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## FORMS

Please find below description of ODR online forms.

Every sub-section of every Form will contain one or more data elements. Data Elements will be generated from the BPMN with their identification numbers. Other characteristics mentioned in the table below will need to be added manually:

Data Element	Data Element Number	Character of Data (DAN, DNA)	Purpose	Corresponding Data Structure	[Other]
blabla					
blabla					

### 1: Complaint/Feedback and related documents

CODE	TEXT	NOTES
L1	Language selection	S; H; TC
L2	Language 1- n	Alt;
L1	Selection whether Feedback or Complaint	S
L2	Feedback-Complaint selection with explanatory text	H; TC
L2	Feedback	H; TC
L3	Explanatory text	TC
L3	Defined feedback question 1-n (i.e. questions which are typical for the service for which feedback is requested)	Mo; TC

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L4	Way service was provided	TC; Cu
L4	Information availability	TC; Cu
L4	Personnel behaviour	TC; Cu
L4	Accessibility	TC; Cu
L3	Non-defined feedback questions 1-n (i.e. questions which are newly set and which are specific for the particular service for which feedback is requested)	Mo; TC
L3	Select pictograms/sounds per feedback	S
L3	Link to Complaint form (e.g. if feedback negative)	TC
L3	Thank you! (as a response to feedback)	H; TC
L4	Explanatory text	TC
L4	Attachment	A; TC
L2	Complaint	H; TC
L3	Complainant registration (if it is not before filing complaint)	H; TC
L4	[Registration module]	S
L3	Legal representation	H; TC
L4	[Legal representation module]	S; to be added here
L3	Select your case type	Sh; TC
L4	Case module 1-n	Mo; TC
L3	Issue(s)	H; TC
L4	Defined issue 1-n (i.e. types of issues which are typical for the type of complaints, are recognized and published)	Mo; TC
L5	Issue Name	TC
L5	Sub-issue Name 1-n	Mo; TC
L4	Non-defined issue 1-n (i.e. types of issues which are new and are characteristic for a particular sub-group of	Mo; TC

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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	complaints)	
L5	Issue Name	TC
L5	Sub-issue Name 1-n	Mo; TC
L4	Add text field(s) re Issues	S
L4	Add More/Less (info hints) re Issues	S
L4	Select pictograms/sounds re Issues	S
L3	Proposed resolution (applicable if complainant makes proposals first; it is possible that the respondent makes first proposals - see below)	H; TC
L4	Defined proposal 1-n (i.e. types of proposals which are typical for the type of complaints)	Mo; TC
L5	Duties of Complainant corresponding to each defined proposal 1-n	Mo; TC
L5	Duties of Respondent corresponding to each defined proposal 1-n	Mo; TC
L4	Non-defined proposal 1-n (i.e. proposals other than defined proposals which the complainant will make)	Mo; TC
L5	Duties of Complainant corresponding to each non-defined proposal 1-n	Mo; TC
L5	Duties of Respondent corresponding to each non-defined proposal 1-n	Mo; TC
L4	Add text field(s) re Proposals	S
L4	Add More/Less (info hints) re Proposals	S
L3	Transaction details	H; TC
L4	Defined transaction detail 1-n (i.e. typical details of a given general type of transaction concerned)	Mo; TC
L4	Transaction detail to be defined 1-n (i.e. details related to a specific transaction concerned)	Mo; TC
L4	Add Text field(s) re Transaction details	S
L4	Add More/Less (info hints) re Transaction details	S
L3	Language(s) of the complainant	Sh; Mo; TC
L4	[Language 1-n]	Mo; TL
L3	Attach evidence	A; TC

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L3	Elevate to ODR (if complaints are <b>directly elevated</b> to ODR in the particular ODR system - i.e. there is <b>no direct negotiation</b> between Complainant and Respondent prior	H; TC; Alt
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Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



	to elevation to ODR - see below)	
L4	Elevation to a single ODR provider registered within the ODR system	TC; Alt
L4	Selection from more than 1 registered ODR providers	Mo; TC; Alt
L4	Elevation to a non-registered ODR provider	TC; Alt
L5	Check applicability of ODR provider to the Complainant	H; TC
L6	ODR provider can resolve the Complaint	TC; Alt
L6	ODR provider cannot resolve the Complaint, because:	TC; Alt
L7	Only specific parties other than complainant can file c.	H; TC; Cu
L7	Only specific types of cases other than complaint case	H; TC; Cu
L7	Only non-represented complainants can file (if complainant is represented)	H; TC; Cu
L7	Other	H; TC; Cu
L4	Selection of Judges (JO(s)) (if JO(s) are selected by the parties	S; H; TC
L5	How many JOs will decide this case?	H; TC
L6	A single JO	TC; Alt
L6	Three JOs	TC; Alt
L6	[Number of JOs]	TC; Alt
L5	Select [x] JOs from the list according to your preferences:	Mo; TC; Alt
L6	Link to the ODR platform to identify corresponding number of preferred JOs	A; TC; Alt
L6	Selection of additional JOs by the appointed JOs (if this is	S
	Left intentionally blank	
L3	Complaint review	H; TC
L4	Edit Complaint	A; TC
L4	[Consent of Complainant with ODR Rules	A; TC
L4	[Payment of ODR Costs] (if payable by Complainant	A; TC
L5	Link to a payment module	A; TC
L4	Please advise me in the following: [text field]	TC
L4	Name of Party asking for advice	TC
L3	Advice provided	H; TC
L4	Your question: + copy and date of request	TC
L4	Date: date of response	TC
L4	Our response: + text field	TC

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L4	Name of advisor	TC
L4	File Complaint	
L3	Withdraw Complaint	H; TC
L4	I would like to withdraw my Complaint with immediate effect	A; TC
L4	Confirm complaint withdrawal	A; TC

## 2. Response and related documents

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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(1st response of the respondent to the complaint and/or subsequent responses of either party during negotiation)

CODE	TEXT	NOTES
L1	Language selection	S; H; TC
L2	Language 1- n	Alt;
L2	Respondent authentication/ registration	H; TC
L3	[Registration module] [Authentication module]	S
L2	Legal representation	H; TC
L3	[Legal representation module]	S; to be added here
L2	Your comments to [name of Complainant's proposals. Please select:	H; TC
L3	[name of the other party]'s list of all the latest proposals	Mo
L3	Defined counter-proposals (including acceptance) 1-n (counter-proposals which are typical for the issues in the complaint)	Mo; TC
L3	Non-defined counter-proposals 1-n (counter-proposals which are new and relate to particular issue(s) in the complaint)	Mo; TC
L3	Automatic acceptance if complainant complies with pre-defined terms (CRM interconnection: type of issue; type of proposal; disputed transaction; combination of these factors)	S
L3	Add text fields re counterproposals	S
L3	Add More/Less (info hints) re counterproposals	S

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L2	What do you propose? (if respondent rather than complainant first proposes how to resolve the complaint)	H; TC
----	--	-------

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L2	Reject complaint (button: means both issues and proposals of the complainant are totally rejected by the Respondent; after Reject Complaint the Complainant might still negotiate or elevate to ODR).	A; TC
L2	Add More/Less (info hints) re Reject complaint	S
L2	Confirm/Reject ODR provider selection	S
L2	Selection of Judges (JO(s)) (if JO(s) are selected by the parties)	S; H; TC
L3	How many JOs will decide this case?	H; TC
L4	A single JO	TC; Alt
L4	Three JOs	TC; Alt
L4	[Number of JOs]	TC; Alt
L5	Select [x] JOs from the list according to your preferences: [List of JOs] ( where [x] will differ according to how many	Mo; TC; Alt
L5	Link to the ODR platform to identify corresponding number of preferred JOs	A; TC; Alt
L5	Selection of additional JOs by the appointed JOs (if this is the option applicable in the ODR system)	S
L4	[Consent of Respondent with ODR Rules of the selected ODR provider]	A; TC
L4	[Payment of ODR Costs] (if payable by Respondent ALT: fees are payable after the decision is issued - (see below as part of	A; TC
L5	Link to a payment module	A; TC
L4	Please advise me in the following: [text field]	TC
L4	Name of Party asking for advice	TC
L3	Advice provided	H; TC
L4	Your question: + copy and date of request	TC
L4	Date: date of response	TC
L4	Our response: + text field	TC
L4	Name of advisor	TC

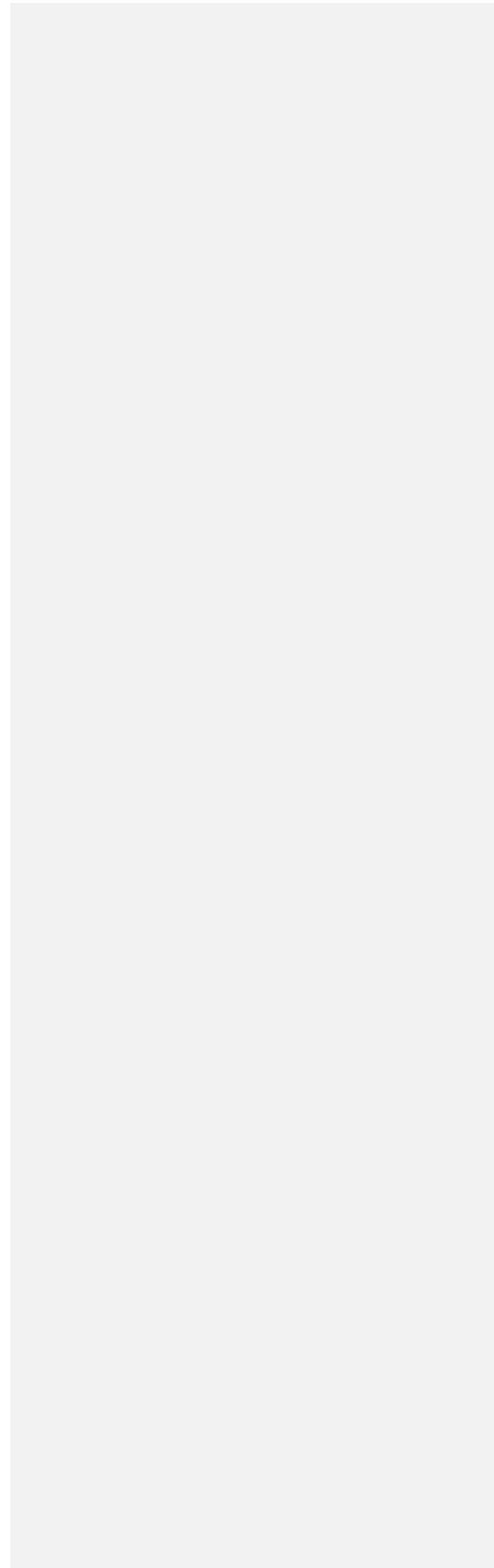
Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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### **3. Elevation to ODR Forms**

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



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(for direct elevation to ODR without negotiation and/or optional elevation to ODR (i.e. negotiation or elevation to ODR) see also the Complaint Form above)

CODE	TEXT	NOTES
L2	Elevate your case to [name of a single ODR provider with information and link to its website with info]	A; TC
L2	Elevate your case to third-party ODR (if more than 1 ODR provider are available)	A; TC
L3	Select ODR provider from registered ODR providers in [name of the ODR system] pre-selected by the Respondent	H; TC
L4	Criteria for your selection:	Mo; TC
L5	State online court	TC; Cu
L5	Country of seat of ODR provider: [name(s) of the preferred countries]	Mo; TC; Cu
L5	Lowest ODR Fee	TC; Cu
L5	Language(s) (list of languages used by pre-selected ODR providers)	Mo; TC; Cu
L5	Types of cases (list of special cases used by pre-selected ODR providers)	Mo; TC; Cu
L5	Procedure (list of procedures used by pre-selected ODR providers)	Mo; TC; Cu
L5	No criteria	TC
L4	We are sorry but no pre-selected ODR provider matches your selection criteria. Would you like to select different criteria?	TC; S
L3	Select an ODR provider from the list of registered ODR providers (no pre-selection by the Respondent)	H; TC
L4	Name of ODR provider 1-n	Mo; TC; Alt
L5	Address of ODR provider 1-n	Mo; TC; Alt
L5	URL of ODR provider 1-n	Mo; TC; Alt
L5	Administrative fees of ODR provider 1-n	Mo; TC; Alt
L5	Languages of ODR provider 1-n	Mo; TC; Alt

**Commented [LZ4]:** This will be developed as part of AI services of Assistance to select ODR provider and Access to ODR provider

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L5	Specific types of disputes dealt with by ODR provider 1-n (if any)	Mo; TC; Alt
----	---	-------------

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



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L5	Procedures of ODR provider 1-n (state court, arbitration, mediation, etc.)	Mo; TC; Alt
L3	Export the case file to non-registered ODR provider	TC
L4	Provide email address to the ODR provider: [email]	TC
L2	JO challenge	H; TC
L3	Number of remaining JO challenges: 1, 2 or 3 - include in More/Less info hint	Mo; TC; Alt
L2	Request online hearing	A; TC
L3	Schedule/reschedule online hearing	S

**Commented [LZ5]:** Specific forms to be further developed

**Commented [LZ6]:** Specific forms to be further developed

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L2	Interlocutory and other procedures	S
L2	ODR tools	S
L3	Messages	S
L3	Online chat	S
L3	Blind Bidding	S
L3	Video conferencing	S
L3	Other technology	S
L2	Text fields re elevation to ODR	S
L2	More/Less (info hints) re elevation to ODR	S

#### 4. Agreement of the parties

CODE	TEXT	NOTES
L2	Congratulations! All your proposed resolutions exactly match! To view it again, please follow this link:	TC
L2	[Identification of the parties: names and addresses only]	TC; Alt
L2	[Identification of the parties and their lawyers if applicable: names and addresses only]	TC; Alt
L2	[Identification of the transaction]	TC
L2	[Content of the matching proposals of both parties]	TC
L2	[Duties 1-n of party A corresponding to each proposal]	Mo; TC; Cu
L2	[Duties 1-n of party B corresponding to each proposal]	Mo; TC; Cu

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L2	The duties mentioned above must be implemented by the respective party without delay or at most within [XYZ] days from the date below.	TC
L2	Info when agreement is considered concluded	TC
L2	Info when agreement becomes effective	TC
L2	Info on a right to request specific confirmation of the agreement reached by the ODR provider	TC
L2	Info on enforcement	TC
L2	[Attachment]	S
L2	[Date]	TC
L2	Record of this agreement was prepared by [Name of the ODR system]	TC
L2	Text fields re Agreement	S
L2	More/Less (info hints) re Agreement	S

## 5. Decision

CODE	TEXT	NOTES
L1	Decision	H; TC
L2	[Identification of the parties]	TC; Alt

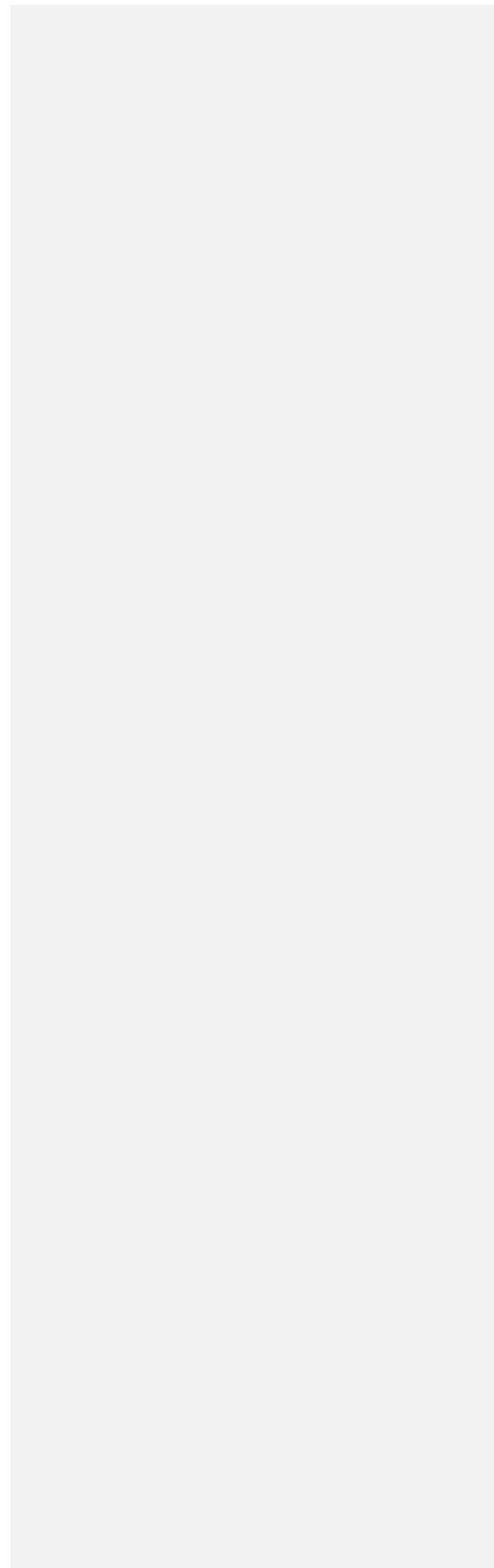
Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L2	[Identification of the parties and their lawyers (if applicable)]	TC; Alt
----	---	---------

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



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L2	[Identification of the disputed transaction]	TC
L2	Case resolution	H; TC
L3	Complained issues confirmed	TC; Alt
L3	Complained issues rejected	TC; Alt
L3	Complained issues partly confirmed	TC; Alt
L4	Issues confirmed	TC; Alt
L4	Issues rejected	TC; Alt
L4	Other	TC; Alt
L2	[Duties of each of the parties 1-n]	Mo; TC
L2	Reasons for the decision (JO will select one or more reasons from the list below via checkboxes or will write his/her reasons in the text field)	H; TC
L3	Defined reasons for the decision 1-n	Mo; TC
L3	Non-defined reasons for the decision 1-n	Mo; TC
L4	T ext field	S
L2	Allocation of costs of ODR (if costs are payable after decision is issued)	H; TC
L3	Total ODR costs: [currency]	TC
L3	Complainant: [currency]	TC
L3	Respondent: [currency]	TC
L3	Respondent's contribution to the Complainant's costs: ____ [currency] (if applicable generally as opposed to on a case-by-case basis)	TC; Alt
L3	Respondents contribution to the Complainants ODR costs (if set to be decided individually per each case + there are costs allocated to Complainant): ____ [currency]	TC; Alt
L3	Payment instructions	TC
L2	[Date of issue of the Decision]	TC

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

L2	[Info when the decision becomes effective]	TC
L3	When it is issued.	TC; Alt
L3	When it is accepted by [party A].	TC; Alt
L4	[I accept the decision button] - visible only to party A	A; TC
L4	Date of acceptance of the decision by [party A]:	TC
L3	When it is accepted by [party B].	TC; Alt
L4	[I accept the decision button] - visible only to [party B]	A; TC
L4	Date of acceptance of the decision by party B:	TC
L3	When both parties accept it.	TC; Alt
L4	[I accept the decision button] - visible to both parties	A; TC
L4	Date of acceptance of the decision by both parties:	TC
L3	When ODR provider states so	TC; Alt
L4	Confirmation by the ODR provider that the decision has become effective	A; TC
L4	Effective date of the decision:	TC
L4	Information about appeal	H; TC
L4	I give up my right to appeal the decision issued	A; TC; Alt
L2	Info on enforcement of the duties	H; TC
L3	Enforcement of court decisions	TC; Alt
L3	Automatic enforcement through network of contracts	TC; Alt
L3	Automatic enforcement via smart contracts on blockchain technology	TC; Alt
L3	[Complainant] might report non/implementation of [Respondent]'s duties after the expiry of [30] days from the effective date of the Decision by following this link _____. [ODR system] will review any such notification. If the non-compliance is confirmed, [Respondent] may be terminated access to the [ODR system].	TC; Alt
L4	Non-implementation button	A; TC
L3	Other enforcement options	TC; Alt

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L2	[Name of ODR provider + name of JO]	TC
L2	[Attachment]	S
L2	[Decision summary]	TC
L2	[Decision review]	S
L2	[Internal notes (only for ODR admin and other JOs)] - visible in the case file	TC

#### 6. Recommendation

Left intentionally blank

#### 7. Enforcement Forms

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## USER MENUS

This part describes user menus of the main stakeholders: complainants, respondents, JOs and ODR admins. There might be different user-menu (top menu, bottom menu, right-hand menu or left-hand menu) - I identify various user menus as user menu A-D.

#### 8. Complainant user menu

CODE	TEXT	NOTES
L2	Complainant user menu A (when preparing the Complaint)	S
L3	Issues	TC
L3	Issue details	TC
L3	Proposed resolution	TC
L3	Transaction details	TC
L3	Registration	TC

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L3	Elevate to ODR	TC
L3	Edit Complaint	TC
L3	File Complaint	TC
L2	Complainant user menu B	S
L3	About us	TC
L3	User Terms	TC
L3	Privacy Policy	TC
L2	Complainant user menu D (will appear only after complainant is registered)	S
L3	Message	TC
L3	Advise	TC
L3	Withdraw complaint (after the first complaint filed)	TC
L3	Dashboard	TC
L3	Log-in/log-out	TC
L2	Changes of Complainant user menu	S

#### 9. Respondent user menu

Similar as Complainant user menu above plus:

Case Transfer

Request for Comments

#### 10. ODR admin user menu

CODE	TEXT	NOTES
L2	ODR admin user menu A	S
L3	Cases	TC
L3	JOs	TC
L3	Dashboard	TC
L2	ODR admin user menu B	S
L3	Appoint JO(s) (will appear when ODR admin opens (clicks on) a particular case in the case file)	TC
L3	Terminate JO (will appear at the same time as Appoint	TC

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



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	JO(s)	
L3	Online hearings	TC
L3	Interlocutory measures	TC
L3	[Additional procedures]	TC
L3	Messages (will be available all the time)	TC
L2	Changes to ODR admin user menu	S

#### 11. JO user menu

CODE	TEXT	NOTES
L2	JO user menu A	S
L3	Cases	TC
L3	Dashboard	TC
L2	JO user menu B	S
L3	Messages	TC
L3	Online hearings	TC
L3	Interlocutory measures	TC
L3	[Additional procedures]	TC
L3	Accept/Reject appointment (will appear when JO opens (clicks on) a particular case in the case file and is hidden when JO accepts or rejects the appointment)	TC
L3	Resign from appointment (will appear when JO opens (clicks on) a particular case in the case file)	TC
L3	Prepare decision (will appear when JO opens (clicks on) a particular case in the case file)	TC
L2	Changes to JO user menu	S

#### CASE FILE

This part is intentionally blank.

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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## ODR ADMINISTRATION

ODR administration shows main steps regarding the elevation to 3rd party ODR (state online court or private ODR platform).

### 12. ODR administration

CODE	TEXT	NOTES
L2	Pre-selection of ODR provider(s) (by entities-vendors or public institutions; available in Dashboard of entities)	S
L3	Select one or more ODR providers from the list: [list of registered ODR providers]	TC
L3	Invitation to selected ODR provider(s)	S
L3	Reaction of ODR providers to the invitation (Selected ODR providers will receive an email with a link to accept/reject buttons on the platform of the ODR system)	S
L4	We confirm that will resolve cases involving [name of entity]	TC
L4	We do not intend to resolve cases involving [name of entity] for the moment	TC

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L2	Registration of ODR providers done manually by Partner (ODR System Controller) rather than ODR providers themselves:	S
L3	ODR admin contact details	TC
L3	ODR provider information	TC
L4	URL of ODR provider's website	TC
L4	Address	TC
L4	ODR fees	TC
L4	Languages	TC
L4	Specific types of disputes (if applicable)	TC
L4	Legal procedures supported (e.g. mediation, arbitration etc.)	TC
L3	Single login/ID for all ODR systems in which ODR provider participates; or	TC
L3	Separate logins for separate ODR systems in which ODR provider participates	TC
L3	Confirmation from the ODR provider: We confirm that we will resolve cases within [ODR system]; we also confirm that we have concluded an ODR agreement with [Partner]	TC
L2	Registration of ODR providers by themselves (If ODR provider can register itself with an ODR platform)	S
L2	JO Registration/sign-in	S
L3	[Add JO] (JO registration to be done by ODR admin of each of the ODR providers included in the particular ODR system - Add JO available in the Dashboards of ODR admins)	S
L4	JO contact details - same as above	TC
L4	Language(s) of the JO	TC
L4	Main areas of expertise of the JO	TC
L4	Single login or ID for all ODR providers with which a JO is affiliated	TC; Alt

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

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L4	Separate logins per each ODR provider with which a JO is affiliated	TC; Alt
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Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

L2	Appointment of JO(s) to a case by ODR admin	S
L3	Manual appointment of JO 1-n (by ODR admin)	Mo; TC; Alt
L4	Select JO 1-n: name of JO 1-n; ([n] is number of JOs selected by ODR admin or the parties by one of the methods described above)	TC
L4	Identification of the case with a link to the case file	TC
L4	We assign you to become a JO in the above case. Please accept or reject this assignment within [48] hours at the latest.	TC
L4	Explanatory text on JO appointment	TC
L4	Name of ODR provider + name of ODR admin	TC
L3	Automatic appointment of JO 1-n by ODR admin	Mo; TC; Alt
L4	Setup criteria for automatic appointment (in ODR admin Dashboard)	TC
L4	Explanatory text on JO appointment	TC
	Note: Appointment of JO(s) by the parties - see above under Eleveation to ODR.	
L2	Terminating appointment of a JO for a case	TC

## STATISTICS

Statistics, together with Open ODR data will be key for data-centric ODR processes. **Below are only examples of participants' statistics and basic statistics for ODR providers**

### 14. Statistics

CODE	TEXT	NOTES
L2	Statistics visible to a party	S (throughout Statistics)
L3	[settlement rate] = what percentage of cases the parties settled;	
L3	[implementation rate] = what percentage of cases the party implemented case resolution;	

Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)

L3	Time to resolve case = time between a complaint filed and resolution becomes effective (agreement or decision becomes effective);	
L3	[success of a party being complainant in ODR ] = in what percentage of cases the party-complainant's complaint was accepted by the JO;	
L3	[success of a party being respondent in ODR] = in what percentage of cases, where the party was a respondent, the complaint was rejected by the JO;	
L3	[most disputed issue] for a party being complainant;	
L3	[most disputed issue] for a party being respondent;	
L3	[most disputed sub-party (e.g. shop of a retailer)] = a sub-party against which most complaints were filed in a given time period;	
L3	[A party (e.g. customer) with the most complaints rejected by JOs per time period] = a party with the highest number of unfounded complaints;	
L3	[Feedback statistics] = number of feedbacks per category per time period per entity per sub-entity location;	
L3	[Other statistics];	
L3	[Statistics Publication Link] enabling continuous publication of the selected statistics on participant's (e.g. retailer's) website;	
L3	[Statistics export link] enabling to export selected statistical data to the mass consumer communication tools (e.g. browsers, mobiles etc.).	
L2	Statistics visible to ODR	
L3	[Number of cases per JO per time period];	
L3	[Time to decide a case per JO and on average];	
L3	[Instances of passivity per JO per time period (when JO has not reacted to invitation to become a JO in a case)];	
L3	[User review statistics] = number of reviews per category per time period per JO;	

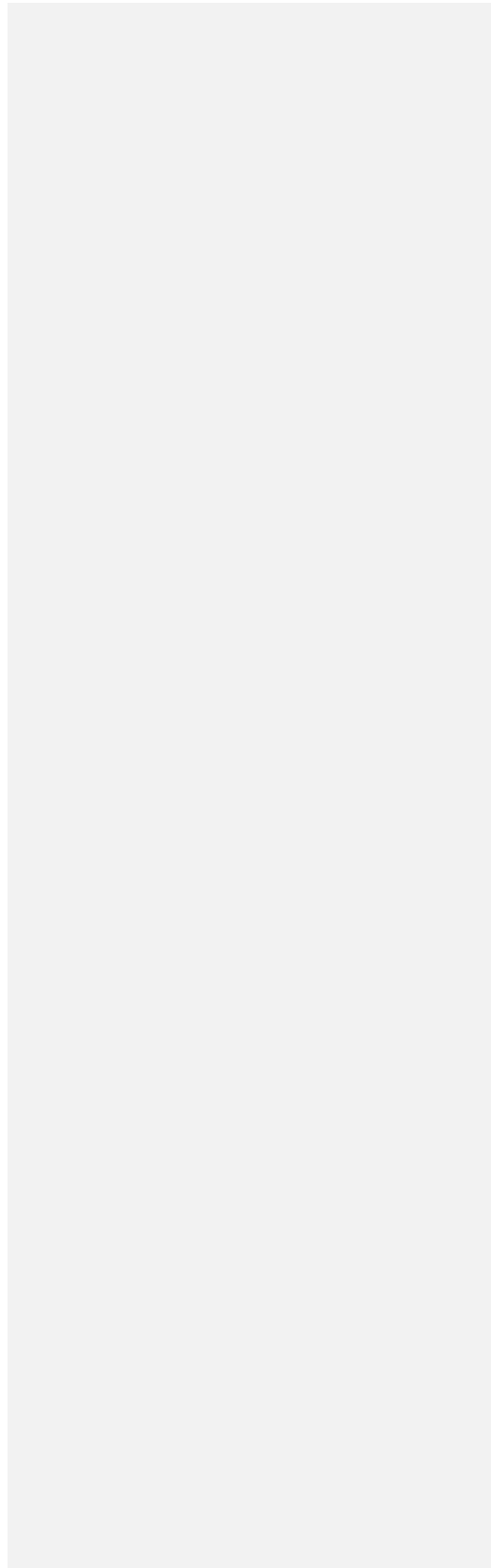
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L3	[Other statistics];	
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Mo (Multiple options); Cu (Cumulative); Alt (Alternative option); TC (Text input - editable content); TL (Text input - non-editable language); H (Heading); Sh (Sub-heading); S (System-structure); A (Action)



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L3	[Statistics Publication Link] enabling ODR provider to publish some of the statistics on their website.	
L2	Statistics visible to JO	
L3	[The JO's time to decide a case compared with average time to decide a case within the ODR provider.]	
L3	[Other statistics]	

## TIME PERIODS

Below is initial review of basic time-periods applied in a standard ODR system. There might be much more time periods for different reasons for both state online courts and private ODR.

### 15. Time periods

L2	Maximum time period for negotiation;	S (throughout time periods)
L2	Time period during which one or both parties must accept the issued decision, otherwise case is terminated;	
L2	Accept/reject of a case by an assigned JO;	
L2	Additional adjustable time periods 1-n.	

## USER DASHBOARDS

Use dashboards is another word for case-management systems. This section is left intentionally blank.

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## **ANNEX: TERMINOLOGY**

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