Draft standard ODR processes for civil claims

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This document aims to systematically describe the different features and components of ODR systems, focusing on the processes that they are designed to support or represent. In order to make these elements clearer we present them in the form of questions and answers.

The questions may serve as an initial checklist for the designers of ODR platforms for public civil justice systems or private ODR. For instance, the checklist may be useful for domain experts, application developers and members of the judiciary in connection with the design of different information technology tools supporting dispute resolution or administration of justice. Some problem areas and questions are accompanied by examples illustrating selected types of systems.

This checklist is a part of the **integration layer** of the **Open ODR**, as described in Open ODR Concept available at www.openodr.org.

We divided the checklist into several parts:
A. General set-up;
B. Standard ODR processes;
C. Negotiation;
D. Elevation to a 3rd party ODR.

This is the basic structure, and more questions and answers will be added on the basis of the feedback received and the research done, including access to justice for people with some digital disadvantages. Also, more ODR processes and associated options and issues will be added continuously. Flexibility of the design and development strategy is a key requirement. Please note that the questions are multiple choice, but sometimes the answers are not mutually exclusive.

Throughout designing and implementing ODR systems, platforms and services based on the integration layer and in each step and for every component part it is key to adhere to all applicable ethical principles.

A. General set-up

This part describes high-level characteristics of an ODR system such as whether it is a state court, a private ODR system or a hybrid system combining both private and public elements. What types of disputes will the ODR system resolve?

Some ODR systems are sector-specific. This is typical for traffic penalty cases (such as the TPT in the UK). There are also private sector specific ODR systems, the best known are the ICANN UDRP accredited ODR providers that resolve disputes on the so called top-level domain names (TLDs). We think there will be many other sector specific ODR platforms in a few years' time assisting participants to solve disputes reaching a mutual agreement. Moreover, these ODR platforms will exploit the potentiality of AI and ML, allowing to draw more value from past data and make it easier to implement assisted/cooperative systems.

Questions describing some of these issues are the following:

1. Q: Is your ODR system private or public?
Select from the following options:
1)   Private ODR platform
2)   Public ODR system, for instance online court
3)   Public information portal on the access to justice
4)   Hybrid system (e.g. private negotiation platform with an option to elevate the issue to either a state online court or private ODR institution)
5)   Unspecified option(s)/other option(s)/does not know

2. Q: Will the parties be obliged to use your ODR system?
Select from the following options:
1)   Yes
2)   Yes with few exceptions defined by law
3)   No, any party will be able to opt-out of the use of the ODR system
4)   No, parties will need to opt-in to use the ODR system
5)   Only one of the parties will be obliged to use ODR system
6)   Unspecified option(s)/other option(s)/does not know

3. Q: What types of disputes (issues) will your ODR system deal with?
Select from the following options:
1)   Generic ODR system for filing any complaint in any area
2)   Specific dispute(s) (e.g. resolution of dissatisfaction of people with public transport)
3)   Specific dispute(s) and specific remedies (e.g. only economic damages for flight delays)
4)   Unspecified option(s)/other option(s)/does not know

4. Q: What type of quality assurance/compliance will your ODR system be subject to?

Select from the following options:

1)   Internal compliance processes or sectorial self-regulation (for private ODR systems)

2)   Regular impact assessment audits by external parties

3)   Certification by 3rd parties (e.g. by Conformity Assessment Bodies)

4)   State accreditation and supervision

5)   Minimum Quality Assessment process according to the Scheme: ……………….

6)   Unspecified option(s)/other option(s)/does not know

5. Q: In which business or societal sector(s) will your ODR system operate (e.g. retail, healthcare, …)?

Select from the following options:

1)   Generic ODR system for filing any complaint in any area

2)   Specific sector(s) (e.g. ODR for healthcare sector)

3)   Unspecified option(s)/other option(s)/does not know

6. Q: Will your ODR system use any of the following technologies?

Select from the following options:

1)   Smart contracts

2)   Machine Learning

3)   Blockchain technology in general

4)   AI in general

5)   Unspecified option(s)/other option(s)/does not know

B. Standard ODR processes

This part describes common ODR systems that are used both by state online courts and private ODR platforms:

- ➢ **Advise/assessment/ triage,** which may be supported by portals such as the Solution Explorer successfully implemented by the Canadian CRT. The Solution Explorer guides participants through their situation (e.g. a dispute with a neighbor), suggests steps to try before filing a claim with CRT (e.g. e- mediation), provides ready-made drafts of useful documents applicable to the participant's situation and if no agreement can be found, it guides the participant on how to prepare and file a legal action with the CRT.
- ➢ Advise portals also assess whether the participant has a right to file the claim that he/she intends to file and in this way it limits totally unfounded claims and corrects obvious misunderstandings of the participants;
- ➢ **Negotiation/assisted negotiation** that state online court now often include as part of their processes. Negotiation may be assisted by a human mediator or advisor but in the future, participants will be increasingly assisted by AI tools
- ➢ **Elevation** to third/party ODR institution, either to state online courts or to private ODR
- ➢ **Enforcement** of the resolution. Efficient enforcement is a key element of success of any dispute resolution mechanism. This is why for example the UK justice reform includes a special project aimed at improving efficient enforcement[1].

In addition to standard processes, any ODR system needs to put special attention to issues that are closely connected with the processes. We would mention specifically the following issues that are challenging to implement and maintain in a digital form:

(i)   The use of multiple languages;

(ii)   Localization to local legal environments

(iii)   Transformation of paper filings into the ODR platform; and

(iv)   Legal representation.

These four topics are able to absorb wide development resources and costs. It is therefore necessary to carefully design each of these functions from the beginning of the design processes.

Special emphasis should be placed on a future need to add new languages and to make these processes easier for legal representatives and their clients.

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[1] UK Justice Reform Update, Summer 2019

Questions describing some of these issues are the following:

1. Q: Will your ODR system include an advise portal for the parties which will:

Select from the following options:

1) help people to resolve their conflict situations
2) provide sample legal documents
3) provide online expert advice
4) provide a triage system enabling self-assessment of the party's situation
5) navigate through online court processes for civil claims and procedural steps to be undertaken by the party
6) Unspecified option(s)/other option(s)/does not know

2. Q: What ODR processes will your system include?

Select from the following options:

1) direct negotiation
2) mediation
3) arbitration
4) Unspecified option(s)/other option(s)/does not know

3. Q: If your ODR system is to include complaints, select from the following options:

1) Only direct negotiation between the parties (no third party ODR involved)
2) There will be no direct negotiation between the parties involved, all complaints will go directly to third party ODR
3) Both direct negotiation and escalation to a third party ODR will be possible
4) The complainant will decide whether to try direct negotiation with the respondent or skip the negotiation and immediately escalate to a third party ODR without negotiation
5) Negotiation with panel supervision from the complaint filing
6) Unspecified option(s)/other option(s)/does not know

4. Q: If your system is to allow escalation to independent ODR institutions, what procedures will you allow for the escalation phase?

Select from the following options:

1) Mediation
2) Arbitration
3) Medarb
4) Mediation followed by adjudication
5) Unspecified option(s)/other option(s)/does not know

5. Q: How will you set-up appeals?

Select from the following options:

1)   Yes
2)   No
3) Unspecified option(s)/other option(s)/does not know

6. Q: If you have appeals in your system, how many appeal judges or arbitrators or panelists (Judicial Officers; JOs) will form the appeal panel? Importantly, assume that all these persons will be humans (not artificial agents).

The term „JO" designates, for the purposes of this description, an independent individual Judicial Officer whose role is to resolve a civil dispute between the complainant and respondent. He or she might be a judge, mediator, neutral, arbitrator or adjudicator.

Select from the following options:

1)   A single member appeal panel
2)   More than 1 member appeal panel
3)   Number of members of appeal panel [...] (enter the number)

7. Q: If you have appeals in your system, what will be the method of selection of the appeal panel?
Select from the following options:

1)   Same appeal panel for all appeals selected by ODR admin
2)   Different appeal panels - same options as for JO selection - see below
3)   Unspecified option(s)/other option(s)/does not know

8. Q: How will the case file be organized? (open question)
1) Who will have access to which information on cases in the case file?
2) What rules govern order of appearance of cases in the list of cases?
3) How is the search of cases in the list of cases (if available) organized?

9. Q: Will your system include differentiations of cases based on the claimed value?
Select from the following options:

1) Yes, with influence on processing of the cases
2) Yes, without influence on processing of the cases
3) No
4) Unspecified option(s)/other option(s)/does not know

10. Q: Will it be possible to merge (connect) more cases into a single case in your system (depending on the applicable civil process legislation)?
Select from the following options:

1)   Yes, based on predetermined conditions
2)   Yes, based on decision of the parties

3)	No

4)	Unspecified option(s)/other option(s)/does not know

11. Q: Will it be possible to divide a single case into more cases?

Select from the following options:

1)	Yes, based on predetermined conditions

2)	Yes, based on decision of the parties

3)	No

4)	Unspecified option(s)/other option(s)/does not know

12. Q: Will your system allow participation of persons interested in judicial proceedings, such as Non-Governmental Organizations?

Select from the following options:

1)	Yes, all persons identified as interested in a judicial proceeding in the complaint, with the possibility to be excluded as such by the JO

2)	Yes, but only after the confirmation by the JO

3)	No

4)	Unspecified option(s)/other option(s)/does not know

13. Q: What rights and obligations will the interested persons have in your system?

Select from the following options:

1)	Same rights and obligations as complainants

2)	Different rights and obligations than complainants

3)	Unspecified option(s)/other option(s)/does not know

14. Q: What will be your enforcement mechanism?

Enforcement is key for the success of any dispute resolution mechanism. There are many enforcement options, we mention below only the basic ones.

Select from the following options:

1)	Monitor how parties implement outcomes of cases

2)	Direct enforcement based on contract obligations

3)	Direct enforcement based on statutory duties

4)	Smart contracts

5)	Technical tools other than smart contracts (e.g. via browser notifications)

6)	None

7)	Unspecified option(s)/other option(s)/does not know

15. Q: Is your ODR system designed for specific categories of parties (e.g. for customers or vendors)?

Select from the following options:

1) Generic ODR system for any complainant(s) and any respondent(s)
2) Specific complainant(s)
3) Specific respondent(s)
4) Unspecified option(s)/other option(s)/does not know

16. Q: Will only one party be allowed to be a complainant (e.g. only a customer can file complaint against a retailer)? Or will only the other party be allowed to file complaints (e.g. only retailer can file complaint against customer)? Or either party can file a complaint against the other party?
Select from the following options:
1) Only party A might file complaints
2) Only party B might file complaints
3) No restrictions regarding who might file complaints
4) Unspecified option(s)/other option(s)/does not know

17. Q: Do you want to allow legal representatives that would represent either one or both of the parties to be included in your system?
Select from the following options:
1) Yes, for the whole procedure
2) Yes, for either the whole process or only for specific sub-procedures (e.g. only for online hearings)
3) Yes, for either the whole procedure or only for specific sub-procedures or only for part of the disputed issues
4) No
5) Unspecified option(s)/other option(s)/does not know

18. Q: Which languages will your ODR system use?
Select from the following options:
1) Language(s) (list) for all disputes
2) Languages (list) only for specific disputes (list)
3) Unspecified option(s)/other option(s)/does not know

19. Q: Do the documents need to be filed online only, or will you also allow paper filings?
Select from the following options:
1) Only online filings
2) Both online and paper filings, according to the preferences of the users
3) Unspecified option(s)/other option(s)/does not know

20. Q: If you allow paper filings, select from the following options:
1) Paper filings will be manually converted into online forms
2) Paper filings will be automatically converted into online forms

3)   Unspecified option(s)/other option(s)/does not know

21. Q: Will your system include disputes arising from any type of relationships or only specific ones (e.g. from sale of goods or provision of services)?
Select from the following options:
1)   All types of relationships
2)   Only specific relationships
3)   Unspecified option(s)/other option(s)/does not know

22. Q: Will your system allow the publication of decided cases?
Select from the following options
1)   Yes all decisions will be public
2)   Yes, but only upon certain conditions
3)   No

C. Negotiation

This part describes direct and assisted negotiation between participants. Negotiation may be assisted by humans (for instance mediators) or by artificial intelligence (AI). Issues considered by designers include questions like which party should propose the resolution (usually it is the complainant in his/her complaint but in some ODR systems, the resolution is first proposed by the respondent) or when should the respondent be notified that a new claim has been filed against it (usually respondents are notified immediately after a complaint is filed, nevertheless, in some systems respondents are notified only after a decision is issued and they have a right to appeal).

In addition, designers need to consider regulatory requirements connected with reaching agreement among participants (e.g. whether the ODR system should include an option for the participants to have their agreement confirmed by the judge).

ODR has brought some specific techniques that have been increasingly used during negotiation, such as the so-called blind bidding and other techniques. Blind bidding is an online technique that helps participants reach an agreement by first agreeing on the disputed monetary amount. Each party files proposals for a monetary amount with which the party would be satisfied, without knowing the exact amounts proposed by the other participant. The ODR system will record when the bids match each other - agreement is reached and this can then be confirmed by the online court.

Questions describing some of these issues are the following:

1. Q: If your ODR system includes complaints, when is the respondent notified?
Select from the following options:
1)   When complaint is filed
2)   When panel issues a decision
3)   Unspecified option(s)/other option(s)/does not know

2. Q: If your ODR system includes complaints, who prepares the first proposal on how to resolve the issues?
Select from the following options:
1)   Complainant in its complaint
2)   Respondent in its first response to a complaint
3)   Mediator after receiving the complaint and response
4)   Unspecified option(s)/other option(s)/does not know

3. Q: Do you want to allow one or both parties to get online advice from third parties (e.g. consumer or sectoral organizations)?
Select from the following options:

1)   Free advice (for either party)
2)   Free or paid advise (for either party)
3)   Unspecified option(s)/other option(s)/does not know

4. Q: For private ODR system: If you are a respondent (e.g. a retailer), do you want to be able to transfer the whole case to another entity within (e.g. a specific department) or outside (e.g. your supplier) your organization?

In some sectors the vendor is not able to resolve certain issues because they relate completely to another vendor or sub-supplier. In such cases it might be practical to transfer the whole case from the original respondent to the vendor which was responsible for the disputed issues and can resolve them more efficiently than the original respondent.

Select from the following options:
1) Yes
2) No
3) Unspecified option(s)/other option(s)/does not know

5. Q: For private ODR system: If you are a respondent (e.g. a mobile shopping assistant) do you want to ask another entity within or outside your organization about certain aspects of the case? Some online vendors want to remain a single „front face" towards their customers integrating shopping orders from a number of suppliers.

Select from the following options:
1)   Yes
2)   No
3)   Unspecified option(s)/other option(s)/does not know

6. Q: Who will have a right to submit further filings in the case after complaint/response are filed?

 Select from the following options:
1)   Persons who submitted complaint or response, be it the complainant/respondent or their legal representative(s)
2)   Complainant/respondent only
3)   Legal representative(s) only
4)   Either or complainant/respondent and legal representative(s)
5)   Unspecified option(s)/other option(s)/does not know

7. Q: How can an agreement be reached in your ODR system?

Select from the following options:
1)   If a party accepts proposal of another party on all disputed issues
2)   If a party accepts proposal of another party on part of the disputed issues only
3)   If a party accepts proposal of another party on all disputed issues and the agreement

is confirmed by ODR provider

4)   If a party accepts proposal of another party on part of the disputed issues only and the agreement is confirmed by ODR provider

5)   Unspecified option(s)/other option(s)/does not know

8. Q: Will your system include an option for issuance of formal outcome reached at the negotiation?

Select from the following options:

1)   Only when an agreement is reached

2)   Either as a final agreement or partial statement of facts for the purposes of following processes

3)   No

4)   Unspecified option(s)/other option(s)/does not know

9. Q: Will it be possible to reach an agreement at any phase of the ODR process in your system?

Select from the following options:

1)   Yes, any time before the decision is issued; the decision then is never issued;

2)   No, only in certain phases of the ODR process

3)   Unspecified option(s)/other option(s)/does not know

10. Q: Can a party withdraw its acceptance of the proposal of the other party?

Select from the following options:

1)   Yes if withdrawal of party's acceptance is made before the agreement is confirmed by the ODR provider

2)   No

3)   Unspecified option(s)/other option(s)/does not know

11. Q: Will all the information in the case file be accessible to all the parties, ODR provider and panel?

Select from the following options:

1)   Yes

2)   Yes, except for the notes marked by a party as its internal notes

3)   To ODR provider and panel only if all the parties agree at the time of escalation

4)   Unspecified option(s)/other option(s)/does not know

12. Q: Will some of the ODR processes (advise/assessment or negotiation/assisted negotiation) be mandatory before elevation to state online courts or to a third party private ODR?

Select from the following options:

1)   Yes, all of the processes

2)	Yes, only some of the processes

3)	No

4)	Unspecified option(s)/other option(s)/does not know

13. Q: Will your system include the following technology for the purposes of negotiation/assisted negotiation?

Select from the following options:

1)	Blind Bidding

2)	Videoconferencing

3)	Chat room

4)	Unspecified option(s)/other option(s)/does not know

D. Elevation to a 3rd party ODR

In this part of the ODR process, designers consider several traditional issues which are to be implemented in a digital form, including e.g. questions like how judges are appointed and recalled. For example, UNCITRAL WGIII on ODR considered the possibility of automatic appointment and recall of neutrals in private ODR platforms. Any participant would have up to 3 possible objections against appointed neutrals and after each objection (whether or not justified), the neutral was to be recalled and a new one automatically appointed.

Another important structural issue to consider is what form online appeals should take.

Also, there are a number of options that describe when a decision becomes effective. Apart from more traditional options, there may be some uncommon possibilities dictated by regulatory requirements and by the inevitable combination of online and paper communications - for example, under EU ODR process, one ODR provider regulates that its decisions become effective when the presiding ODR institution confirms it.

Other important issues to design are of course administrative costs and who and when should cover them. Although most existing state online courts do not require higher fees from participants who opt-out of ODR and file their documents to the online court in traditional paper form, some online courts do this.

Costs are of course very important for private ODR platforms as well. In some private ODR systems, vendors are able to contribute to part, or all, of the administrative costs of the complainants, who are also their customers. Such innovative suggestions have not yet been tested by existing state online courts, yet - who knows, maybe they will appear in the future. In some countries, some complainants may receive a waiver of court fees etc.

There are also new ODR procedures which have been applied by the first state online courts. Among the new processes, video hearings are becoming popular among participants. As evidenced in the UK by the Traffic Penalty Tribunal (TPT), participants are able to schedule and reschedule time slots for their online hearings rather than wait for the date and time allocated to them by the court. Designers consider for example whether the online hearing may be proposed by a participant or whether this right belongs solely to the appointed judge(s), etc.

Questions describing some of these issues are the following:

1. Q: Do you want to elevate cases only to a state online court? Or do you want to have an option for the parties to escalate their cases with private ODR provider(s) as well? Or do you want to have both options?
Select from the following options:
1) an appropriate state online court
2) a specific private ODR provider(s)
3) Apply both options (i) and (ii) above

4) Allow one or both parties to send the case file to an unspecified ODR provider

5) Unspecified option(s)/other option(s)/does not know

2. Q: How would the parties select the ODR provider which decides the particular case?

Select from the following options:

1) Only one ODR provider (state online court or private ODR platform);

2) ODR provider selected by the complainant from those pre-selected for all cases by the respondent;

3) any ODR provider selected by the complainant from those pre-selected based on fulfillment of the following conditions:

   a) Dealing with particular types of cases (according to the sector modules);
   b) Supporting arbitration;
   c) Supporting mediation;
   d) Supporting both arbitration and mediation;
   e) Located within (EU, USA, other countries); or –
   f) Other.

4) Unspecified option(s)/other option(s)/does not know

3. Q: Will it be possible to initiate a preparatory meeting?

Select from the following options:

1) Preparatory meeting will be possible at the discretion of a judge

2) Preparatory meeting will be mandatory based on predetermined conditions (e.g. some of the information not provided)

3) No

4) Unspecified option(s)/other option(s)/does not know

4. Q: Will your system include automatic control of a complaint checking compliance with legal administrative requirements?

Select from the following options:

1) Yes fully automatic control before filing is effected

2) Automatic control of some compliance issues before filing and manual control of remaining issues after filing the complaint, with a possibility to refuse complaint for non-compliance with administrative requirements

3) No, only manual control after filing

4) Unspecified option(s)/other option(s)/does not know

5. Q: A single JO or more than 1 JOs will deal with the case. How do you want to resolve the appointment of JO(s)?

*To recall, the term „**JO**" designates, for the purposes of this description, an independent individual Judicial Officer whose role is to resolve a civil dispute between the complainant and respondent. He or she might be a judge, mediator, neutral, arbitrator or adjudicator.*

Select from the following options:

1)   The ODR admin will appoint the JO(s)

2)   The parties will appoint the JO(s)

3)   Unspecified option(s)/other option(s)/does not know

6. Q: Which rules will determine the number of JOs to decide a case?

Select from the following options:

1)   By applicable legal regulation (e.g. a statute)

2)   By ODR Rules for all the cases (e.g. a single JO appointed by ODR provider)

3)   By a party with a right to escalate to ODR in each case from options defined in legal regulations/ODR Rules (e.g. a single JO or three-member panel)

4)   Unspecified option(s)/other option(s)/does not know

7. Q: If the JO(s) are to be appointed by ODR admin, do you want the appointment to be automatic or manual?

Select from the following options:

1)   Automatic appointment of JO

2)   Manual appointment of JO

3)   Automatic proposal of a JO to be confirmed or changed by ODR admin manually within pre-defined time period

4)   Unspecified option(s)/other option(s)/does not know

8. Q: If the JO appointment is automatic, which criteria will decide which JO will be chosen for a given case?

Select from the following options:

1)   Alphabetical order

2)   Least number of pending cases

3)   Language of both parties

4)   Area of expertise

5)   Combination of more criteria above

6)   Other

9. Q: If the JO is to be appointed by the parties, which method will be used?

Select from the following options:

1) 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.;

2) For three JOs only: each party selects a JO and the two JOs select the third one;

3) Another method

10. Q: How many JOs will decide cases in the ODR system?

Select from the following options:

1) 1 member panel
2) 3 member panel
3) 1 or 3 member panels
4) Unspecified option(s)/other option(s)/does not know

11. Q: Do you want to have the possibility of the parties challenging the appointed single JO to be included directly in the ODR system? Challenged JO will be automatically terminated and a new one will be appointed.

Select from the following options:

1) Yes
2) No
3) Unspecified option(s)/other option(s)/does not know

12. Q: How many JO challenges per case should each party have?

Select from the following options:

1) One
2) Two
3) Three
4) Unspecified option(s)/other option(s)/does not know

13. Q: Will the decision/recommendation include its summary?

Select from the following options:

1) Yes, summary in English
2) Yes, summary in the language of the dispute
3) Yes, summary in the language of the dispute and in English
4) Unspecified option(s)/other option(s)/does not know

14. Q: When does a JO's decision/recommendation become effective?

Select from the following options:

1) When decision/recommendation is issued
2) When decision issued unless either party appeals to a common court within a prescribed time period
3) When ODR provider confirms that the decision/recommendation is effective (e.g. where special formalities are necessary for the decision to become effective and ODR provider certifies that the formalities occured)
4) When party A accepts it
5) When party B accepts it
6) When both parties accept it (mediation)
7) Unspecified option(s)/other option(s)/does not know

15. Q: If both parties need to accept the decision/recommendation and one or both parties do not accept it, do you want to enable parties to continue with another ODR process?

Select from the following options:

1)   Yes such new ODR process will end with a decision effective on issuance

2)   Yes such new ODR process will end with a decision effective once accepted by the weaker party (e.g. customer)

3)   Unspecified option(s)/other option(s)/does not know

16. Q: When will the ODR costs be payable?

Select from the following options:

1)   Before the case is accepted by ODR provider (cost allocation is part of ODR elevation or outside ODR platform)

2)   After decision is issued (cost allocation is part of decision)

3)   Unspecified option(s)/other option(s)/does not know

17. Q: Who will cover costs of ODR?

Select from the following options:

1)   Only Complainant

2)   Only Responden;

3)   Either one or both parties according to the cost allocation in the Decision

4)   If Complainant is a consumer, only Respondent

5)   Combination of (iii) and (iv) (if each party might be Complainant as well as Respondent) and/or

6)   Respondent might decide to pay all or part of the costs of Complainant for all cases

7)   Same as in (vi) above but for each case separately

8)   Payment of ODR costs is separate from this app (e.g. special price packages by Partner or ODR provider)

9)   Unspecified option(s)/other option(s)/does not know

18. Q: Will your system include procedural fines?

Select from the following options:

1)   Yes

2)   No

3)   Unspecified option(s)/other option(s)/does not know

19. Q: Do you want to allow parties to be able to set/change the time for an online hearing?

Select from the following options:

   1)   Yes

   2)   No

   3)   Unspecified option(s)/other option(s)/does not know

20. Q: Do you want to include in your ODR procedure interlocutory injunctions ?

Select from the following options:

1)   Yes but only via Messages functionality

2)   Yes but only as separate online forms

3)   Yes via either Messages or separate online forms

4)   No, only a quick decision based on initial submissions of the parties

5)   Unspecified option(s)/other option(s)/does not know

21. Q: Will a deposit be required for interlocutory injunctions?

1)   Yes, deposit will be required for all types of interlocutory injunctions

2)   Yes, but only as a discretion of a judge

3)   No

4)   Unspecified option(s)/other option(s)/does not know

22. Q: Do you want to include in your ODR procedure a right of either party to request online hearing with a JO?

1)   Yes

2)   Yes, but judge has a discretion to allow such request(s)

3)   No

23. Q: Will a JO have a right to order online or physical hearing?

1)   Yes

2)   Yes, but only online hearing

3)   No

24. Q: Will the online hearing be open to the public?

1)   Yes, always

2)   Yes, unless a judge decides on the contrary

3)   Yes whenever a party requests it

4)   Never

5)   Unspecified option(s)/other option(s)/does not know

25. Q: Do you want to allow in your ODR system additional procedures mentioned below?

Select from the following options:

1)   Interlocutory measures

2)   Unspecified option(s)/other option(s)/does not know

26. Q: Do you want to implement the following dispute resolution process-focusing technology?

Select from the following options:

1)   Blind Bidding

2)   Video-conferencing

3)   Chat room

4)   Unspecified option(s)/other option(s)/does not know