



**Asia-Pacific  
Economic Cooperation**

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## **Online Dispute Resolution - A Provider Perspective**

Submitted by: FairWay Resolution



**Stocktake Workshop on the Strengthening  
Economic Legal Infrastructure Online Dispute  
Resolution Work Plan  
Santiago, Chile  
2-3 March 2019**

# Online Dispute Resolution

A provider perspective

**FOR:**

APEC ODR Workshop  
Santiago, Chile

**PRESENTED BY:**

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FairWay Resolution  
New Zealand

**MARCH 2019**

## FairWay...some context

- Largest Alternative Dispute Resolution (ADR) provider in NZ
- Government and non-Government sectors:
  - Insurance, health, telco, financial, construction, family (social), education sectors and more
- Team of >200 with nationwide service offering
- We recognize B2B and B2C sectors expect new, efficient and affordable (relevant to dispute value) access to dispute resolution
- This understanding reaches through to our company strategy

# Our Strategy

*Our purpose - the simple reason for Fairway to exist!*



**Leading the prevention and resolution of disputes**



Be an employer of choice **leader**



Enhance and protect our **reputation**

Create an effective **ODR** solution and the corresponding market



Leverage **technology** innovation



Be the first choice for **Government**



Grow and **diversify** our revenue and activity

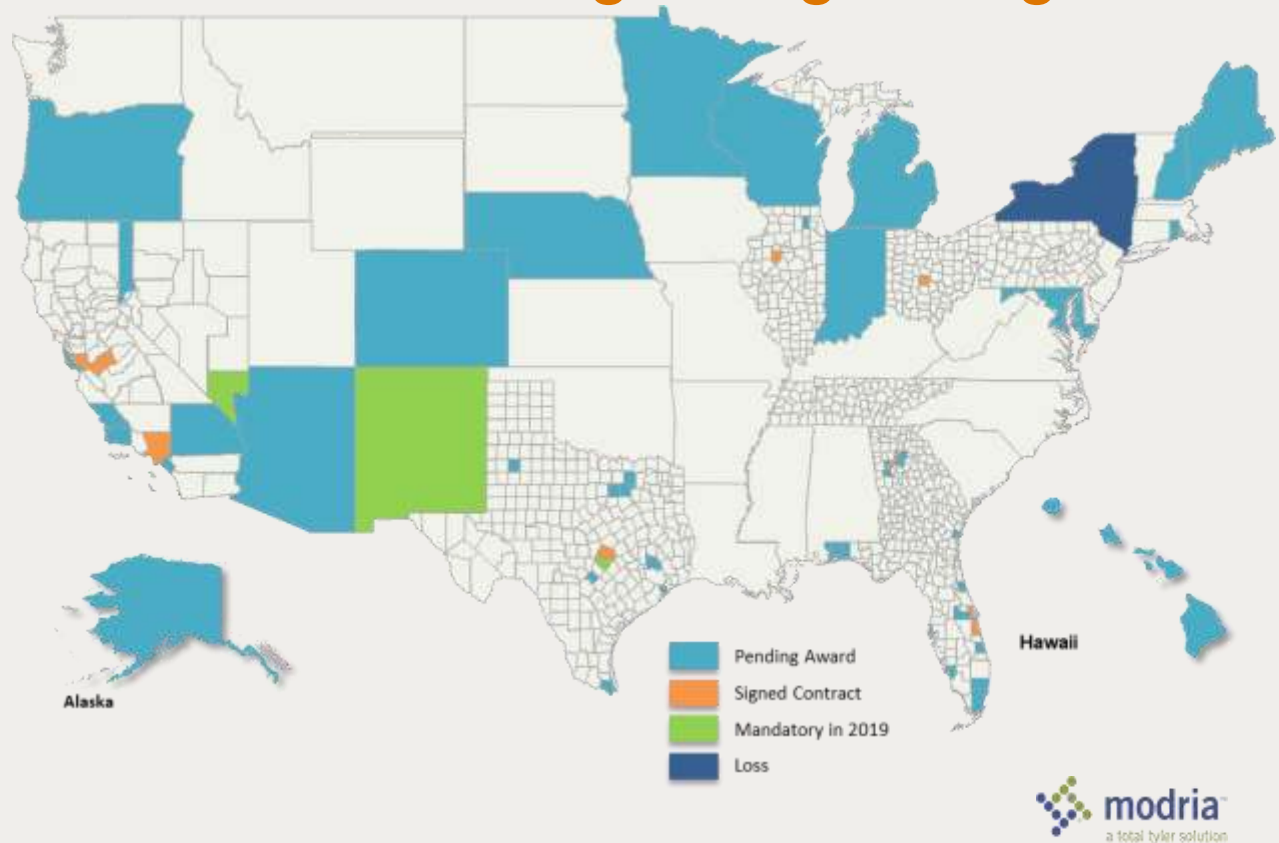


## The road to ODR

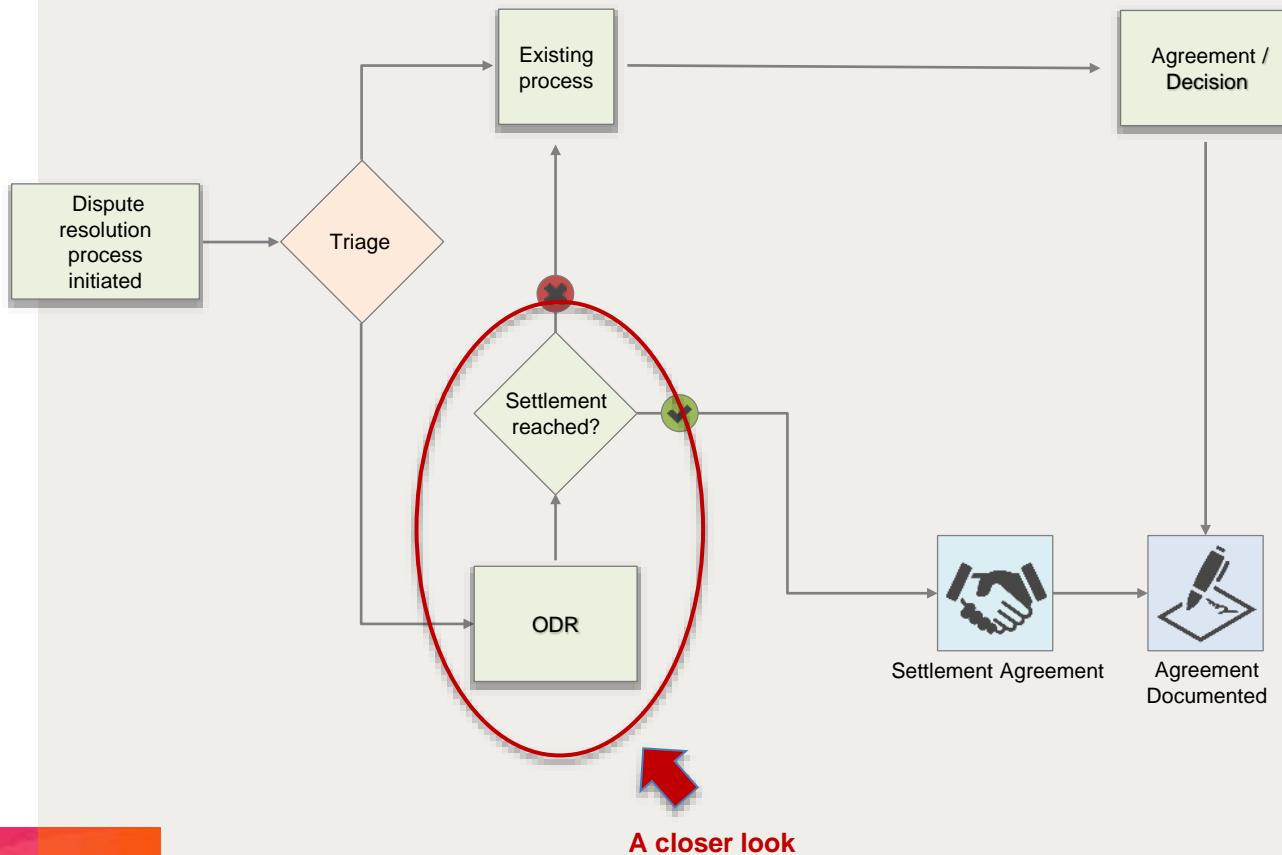
- Question was to develop ourselves or seek partners?
- Initial relationship with Modria, and now Tyler Technologies
- Exclusive agreement for NZ market and reach into Asia Pacific
- Establish relevant market and corresponding solution
- Leverage form global reach and relationship with Tyler Technologies

# ODR opportunities are closing and growing

- Our Tyler relationship provides access to world class capability and the ability to build from international deployments.
- Of particular interest are Family ODR (care of children agreements), and Small Claims deployments which are now live.
- Using this capability we are launching the first ODR deployment in New Zealand next month.
- The similarities align well with the B2B / SME sector.

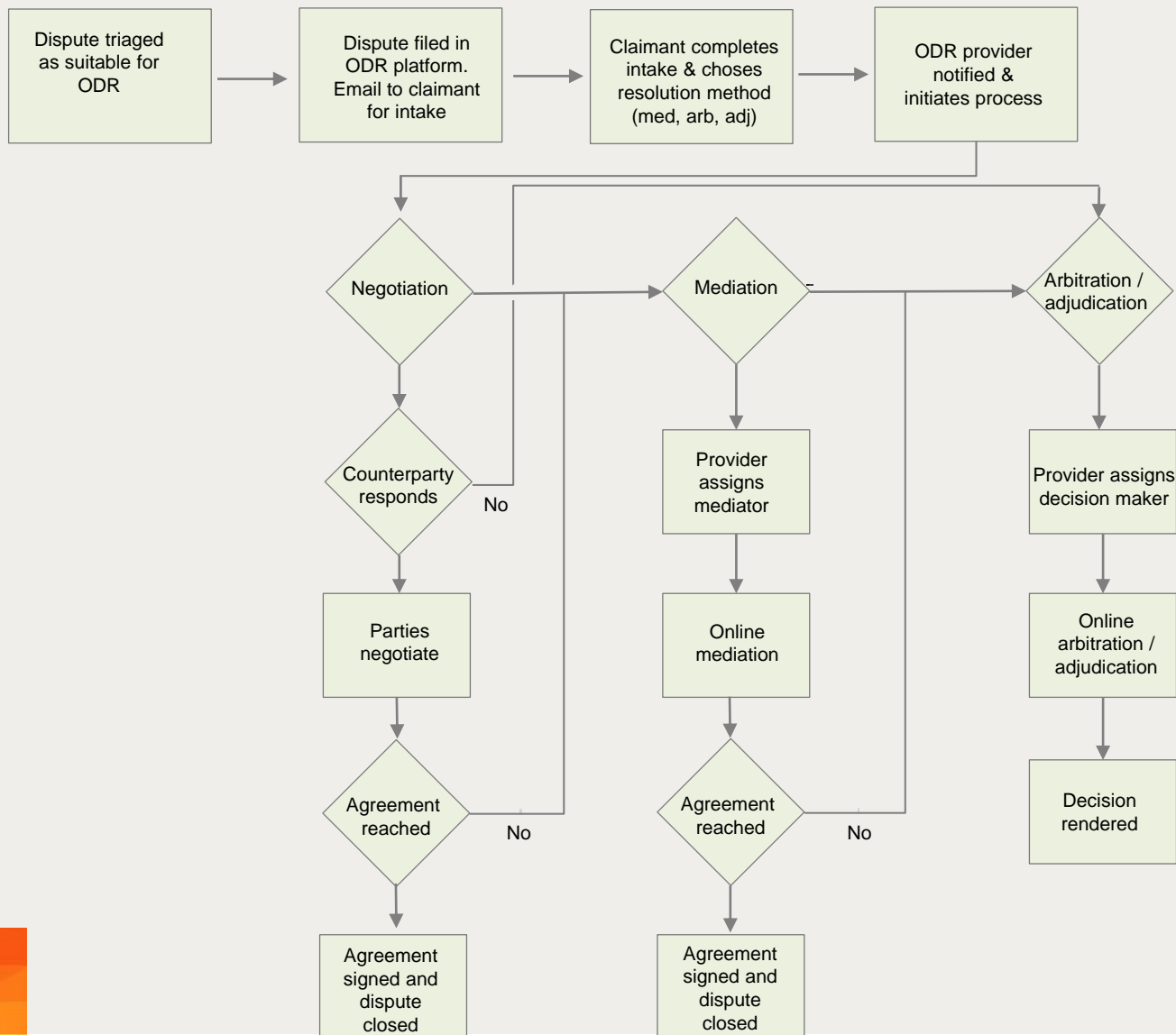


# ODR as part of our process...



- ODR does not eliminate any existing processes
- It is just another resolution option
- Let's look at how FairWay will be using it

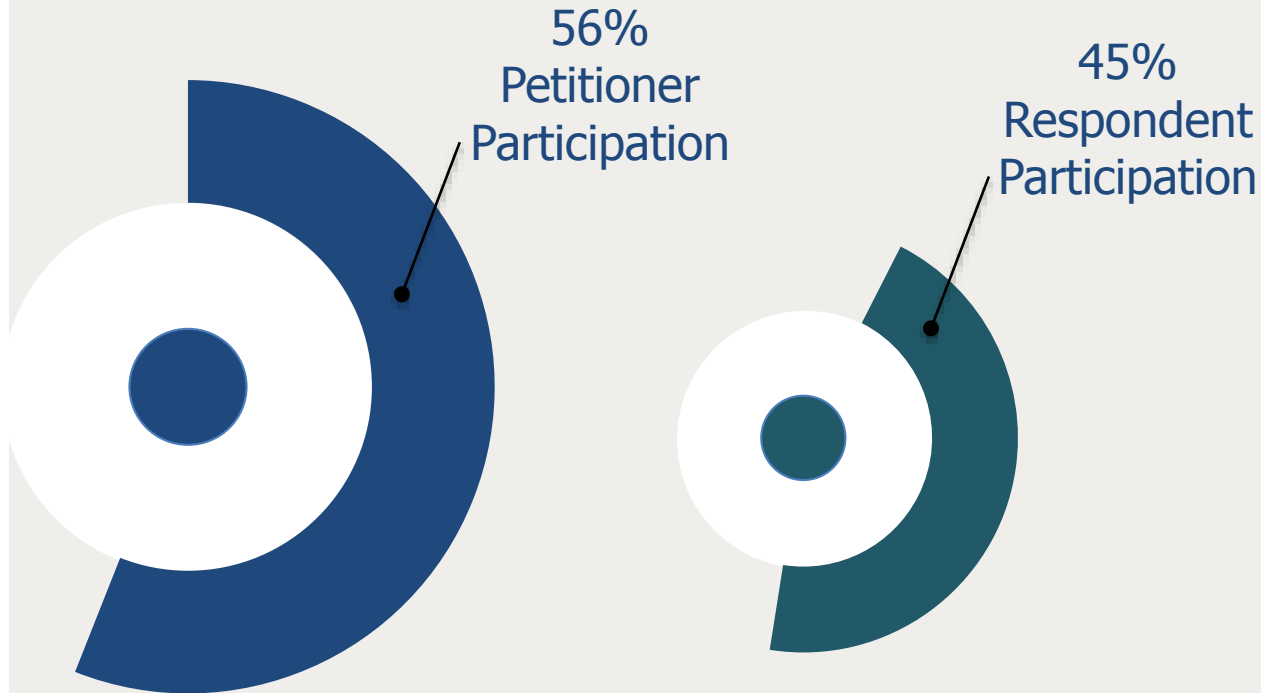
# A closer look...





# What we are expecting...

Clark and Travis County provide some clues

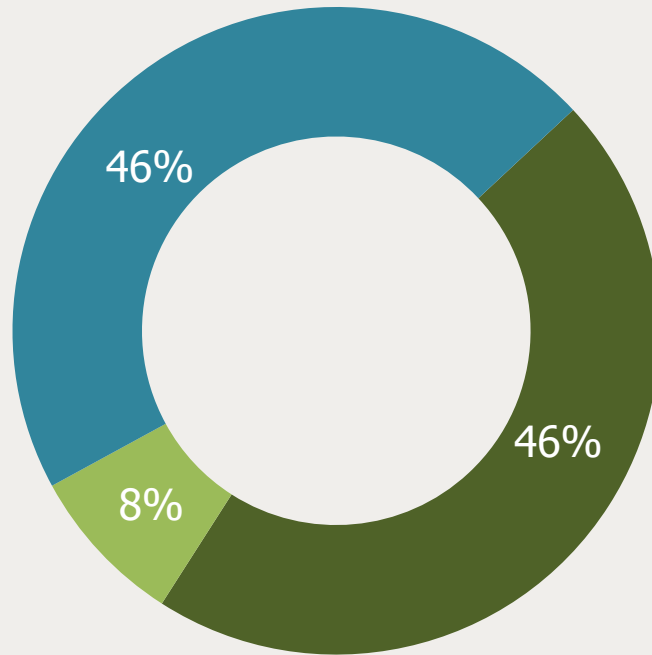


ADR: 71%  
resolution  
rate

ODR: 74%  
resolution  
rate

# What we are expecting...

Insights from the Outcomes of completed disputes



- Partial Parenting Plans
- Completed Parenting Plans without Mediator Assistance
- Completed Parenting Plans with Mediator Assistance

## Mediator Efficiencies are expected

parties were able to agree to almost half of the topics prior to engaging the mediator, resulting in less time and cost associated with mediation sessions

## Completed Online Agreements

were generated for more than half of the cases where there was party engagement

## ODR is Expanding Access to Justice

90% of all agreements finalized were done so outside of court hours

## In summary

- The dispute resolution sector recognises the need and role of ODR.
- Scale, expertise and experience matters.
- ODR does not replace existing dispute resolution processes, it offers an alternative, and has relevant benefits.
- Credible ODR providers have examples, insights and data to share.
- The marriage of ODR capability and dispute resolution expertise provides credibility, vital to generating trust within user groups.

# Thank you

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