

## ***Online Alternative Dispute Resolution And Why Law Schools***

A Practical Approach to Alternative Dispute Resolution will appeal to law students and practitioners looking for a book that deals with the full range of ADR processes. This comprehensive guide covers core topics on the dispute resolution module for the BPTC. Its practical focus highlights the key processes and procedures for each topic.

Individuals, groups, and organizations have solely relied on the court system to resolve disputes for quite a long time. On the contrary, many people today are able to solve their disagreements without involving the courts. Mechanisms through which disputes are resolved outside the court system are known as Alternative Dispute Resolutions. In order to make Alternative Dispute Resolutions more expensive and more efficient, modern technologies can be integrated into the dispute resolution process. This book specifically focuses on Online Arbitration procedures as one of the most effective Alternative Dispute Resolutions. Whenever they encounter disagreements in transactions, business to business (B2B) organizations prefer Online Arbitration, also known as Electronic Arbitration (Online Arbitration) to other mechanisms of resolving disputes to come into agreements. This is because Online Arbitration allows those involved in the dispute to choose a professional to help solve their disagreement, while at the same time ensuring that all the necessary procedures are followed to the latter. Moreover, disputes that arise from business to business are resolved faster, and parties easily get access to relevant documents from their locations and at any time whenever Online Arbitration is used to resolve disputes. Currently, no legal framework guide Online Arbitration procedures. For this reason, rules that have traditionally governed commercial arbitration are applied in arbitrations that are conducted online. Although the conventional commercial adjudication outlines rules that also take care of the online version, online arbitration requires rules that are specifically designed for it due to its unique framework. A legal framework for online arbitration must specify how technology will be used in the dispute resolution process, how performance of notifications will be carried out, and how acknowledgment will be granted. Furthermore, it should state the obligation of the parties to maintain high ethical standards during the dispute resolution process and allow parties to freely select the judicial mechanisms for faster and easier enforcement of the proposed ruling.

Improving access to justice has been an ongoing process, and on-demand justice should be a natural part of our increasingly on-demand society. What can we do for example when we have a problem with our bank account, we're harassed on Twitter, discover that our credit report contains errors, or receive a negative review on Airbnb? How do we effectively resolve these and other such issues? This book introduces the reader to new technological tools to resolve and prevent disputes bringing dispute resolution to cyberspace, where those who would never look to a court for assistance can now do so via a smartphone. The authors focus particular attention on five areas that have seen great innovation as well as large volumes of disputes: ecommerce, healthcare, social media, courts, and consumer protection. As conflicts escalate with the increase in innovation, the authors emphasize the need for new dispute resolution processes and new ways to avoid disputes, something that has been sought to improve access to justice in the past.

The Internet and Dispute Resolution

Alternative Dispute Resolution and Domestic Violence

challenges and opportunities

The Role of Ethics in ADR

Online Dispute Resolution and the Future of Consumer Protection

B2B, ECommerce, Consumer, Employment, Insurance, and other Commercial Conflicts

The Internet and Dispute Resolution: Untangling the Web shows you how ODR works and how it's already transforming dispute resolution in both business-to-business and business-to-consumer

Online Dispute Resolution

Practical examples of Alternative Dispute Resolution in the US and EU - a handbook for best practice today and tomorrow

A Promise Unfulfilled and What to Do About It - Complaint Handling Now

Marc Grainer; Scott Broetzmann, David Beinhacker, and

Richard Grainer

Online Dispute Resolution - Designing Systems for Effective Dispute Settlement - a US practitioner perspective

Jo DeMars

Online Dispute Resolution for Business - Embedding Online Dispute Resolution in the Civil Justice System

Pablo Cortes

Consumer Trust and Business Benefits with ODR

Immaculada Barral-Viñals

Where Law, Technology, Theory and Practice Overlap: Enforcement Mechanisms and System Design

Riika Koulu

The Experience of Combining Traditional Face to Face Dispute Resolution Mediation with an Online Dispute Resolution Tool

- Benefits and Challenges

Amy Koltz

Online Dispute Resolution Decision Making - A NetNeutrals Practitioner's View

Katherine G. Newcomer

One Man's View of One Country - ADR & ODR and the future of complaint management in the UK

Adrian Lawes

This volume is an essential, cutting-edge reference for all practitioners, students, and teachers in the field of dispute resolution. Each chapter was written specifically for this collection and published. The contributors--drawn from a wide range of academic disciplines--contains many of the most prominent names in dispute resolution today, including Frank E. A. Sander, Bruce Patton, Lawrence Susskind, Ethan Katsh, Deborah Kolb, and Max Bazerman. The Handbook of Dispute Resolution contains the most current thinking about dispute resolution. It features thirty years of research into cogent, practitioner-focused chapters that assume no previous background in the field. At the same time, the book offers path-breaking research and insights from those who have been immersed in the study or practice of dispute resolution for years. The Handbook also offers insights on how to understand disputants. It explores how personality factors such as about identity, relationship dynamics, and perceptions contribute to the escalation of disputes. The volume also explains some of the lessons available from viewing disputes through the lens of cultural differences.

Theory and Practice : a Treatise on Technology and Dispute Resolution

Online Arbitration

there is more on the line, than just getting Online

The Law of Consumer Redress in an Evolving Digital Market

Costs and Quality of Online Dispute Resolution

Perspectives from the European Union, the UK, and China

Consumer out-of-court redress in the European Union is experiencing a significant transformation; indeed the current changes are the most important that have occurred in the history of the EU. This is due to the recent implementation of the Alternative Dispute Resolution (ADR) Directive 2013/11/EU and the Online Dispute Resolution (ODR) Regulation (EU) 2013/524. The Directive ensures the availability of quality ADR schemes and sets information obligations on businesses, and the Regulation enables the resolution of consumer disputes through a pan European ODR platform. The New Regulatory Framework for Consumer Dispute Resolution examines the impact of the new EU law in the field of consumer redress. Part I of the volume examines the new European legal framework and the main methods of consumer redress, including mediation, arbitration, and ombudsman schemes. Part II analyses the implementation of the ADR Directive in nine Member States with very different legal cultures in consumer redress, namely: Belgium, Ireland, Italy, Germany, France, Portugal, Spain, the Netherlands and the UK, as well as the distinct approach taken in the US. Part III evaluates new trends in consumer dispute resolution (CDR) by identifying best practices and looking at future trends in the field. In particular, it offers a vision of the future of CDR which is more than a mere dispute resolution tool, it poses a model on dispute system design for CDR, it examines the challenges of cross-border disputes, it proposes a strategy to promote mediation, and it identifies good practices of CDR and collective redress. The book concludes by calling for the mandatory participation of traders in CDR.

In this original and highly useful resource, Colin Rule—a pioneer in the field of online dispute resolution (ODR)—shows how ODR can be used to resolve conflicts which inevitably arise both online and offline in business and commerce. Based on exclusive research and up-to-date best practices, Online Dispute Resolution for Business presents expert advice on how ODR can save time and money, offering timely suggestions and proven approaches for resolving business related conflicts online.

This book analyses the most recent processes, laws and best practices for consumer dispute resolution and the law related to consumer redress.

Alternative Methods of Dispute Resolution

Challenges for Contemporary Justice

Online Alternative Dispute Resolution

A Solution to Cross-border Electronic Commercial Disputes

Digital Justice

Mediation, Negotiation, Conciliation, Lawsuit, Online Dispute Resolution, Alternative Dispute Resolution

**The Role of Ethics in ADR provides an authoritative, insiders perspective on the ethical considerations that attorneys need to be aware of during alternative dispute resolution. Featuring partners from some of the nations leading law firms, this book guides the reader through today's ADR arena and the ethical concerns that lawyers are currently facing. With a focus on issues such as disclosure, neutrality, and the rule of candor, these top lawyers analyze the various ethical rules and protocols to which attorneys, arbitrators, and mediators must adhere and how they come into play during the actual ADR process. These authors also discuss what to do when the rules overlap or are inconsistent, or if an ethical violation is suspected. Finally, these leaders identify strategies for preparing clients for the ADR process, explaining their options, and developing a successful attorney-client relationship. The different niches represented and the breadth of perspectives presented enable readers to get inside some of the great legal minds of today, as these experienced lawyers offer up their thoughts on the keys to success within this critical field.**

**Please note that the content of this book primarily consists of articles available from Wikipedia or other free sources online. Pages: 89. Chapters: Mediation, Negotiation, Conciliation, Lawsuit, Online dispute resolution, Alternative dispute resolution, Organizational conflict, Search for Common Ground, Conflict resolution, Dispute settlement in the World Trade Organization, Protracted social conflict, George W. Taylor, Cyrus S. Ching, Cost of conflict, 1999-2002 FARC-Government peace process, Marc Gopin, Mediation**

in Australia, Khap, Jerusalem-Project, Ombudsman for Banking Services and Investments, Centre for Effective Dispute Resolution, Credit ombudsman service, Best alternative to a negotiated agreement, Negotiation theory, Lawburrows, Suitable age and discretion, Program on Negotiation, Lawrence Brahm, Intervention, Dispute Mechanism, Complaint system, Organizational ombudsman, Polder Model, Dispute board, Participatory justice, Teen courts, Jirga, Lok Adalat, JAMS, Fair fighting, Party-directed mediation, Thomas Kilmann Conflict Mode Instrument, National Arbitration and Mediation, Peacemaking, Peninsula Conflict Resolution Center, Muslim Arbitration Tribunal, Dispute Settlement Body, Party participation in the mediation process, Special referee, Win-win game, National Mediation Training Registry, Family mediation, Adat, Healing the Divide, Dispute Systems Design, Spaak method, Community Boards, Memorandum of agreement, Preventive diplomacy, Kraybill Conflict Style Inventory, Newton hearing, Conflict management style, Program on Intrastate Conflict and Conflict Resolution, California Academy of Distinguished Neutrals, Civil Mediation Council, Gunnysacking, Expert determination, Two-level game theory, Dispute pyramid, Negotiated order, Watching brief, Public Advocate. Excerpt: Mediation, as used in law, is a form of alternative dispute resolution (ADR), is a way of resolving disputes between two or more parties. A third party, the mediator, assists the par...

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**An International Business Approach to Solving Consumer Complaints**

**Online Alternative Dispute Resolution as a Solution to Cross-border Electronic Commercial Disputes**

**Assessment and Redesign of Teaching "theories and Methods of Alternative Dispute Resolution" Online**

**ADR and cyberspace**

**Leading Lawyers on Understanding the Ethical Obligations of Attorneys Engaging in Alternative Dispute Resolution**

**The Handbook of Dispute Resolution**

*Discusses the greater range of dispute resolution mechanisms that have developed in recent years and the need to match disputes with processes. It takes a holistic approach by looking at litigation, arbitration, mediation and other developing forms of resolution procedures and how they may develop in the future.*

*This book discusses how technological innovations have affected the resolution of disputes arising from electronic commerce in the European Union, UK and China. Online dispute resolution (ODR) is a form of alternative dispute resolution in which information technology is used to establish a process that is more effective and conducive to resolving the specific types of dispute for which it was created. This book focuses on out-of-court ODR and the resolution of disputes in the field of electronic commerce. It explores the potential of ODR in this specific e-commerce context and investigates whether the current use of ODR is in line with the principles of access to justice and procedural fairness. Moreover, it examines the major concerns surrounding the development of ODR, e.g. the extent to which electronic ADR agreements are recognized by national courts in cross-border e-commerce transactions, how procedural justice is ensured in ODR proceedings, and whether ODR outcomes can be effectively enforced. To this end, the book assesses the current and potential role of ODR in resolving e-commerce disputes, identifies the legal framework for and legal barriers to the development of ODR, and makes recommendations as to the direction in which practice and the current legal framework should evolve. In closing, the book draws on the latest legislation in the field of e-commerce law and dispute resolution in order to make recommendations for future ODR design, such as the EU Platform-to-Business Regulation on Promoting Fairness and Transparency for Business Users of Online Intermediation Services (2019) and the United Nations Convention on International Settlement Agreements Resulting from Mediation (2018), which provide the legal basis for ODR's future development.*

*Where we are now -- What consumers want -- Lessons learned on ebay -- The business case for resolutions -- Bringing consumer advocacy online -- Ethical considerations -- Envisioning a global redress system -- The design: newhandshake.org -- How it could succeed and how it could fail -- Case studies -- What's next -- Conclusion*

*Technology and the Internet of Disputes*

*Dispute Resolution*

*A Practical Approach to Alternative Dispute Resolution*

## *Alternative dispute resolution and emerging online technologies*

### *Online Dispute Resolution For Business*

Conflicts in Africa have a great deal in common, and striking parallels can be drawn between them at all levels. Dynamics affecting the most complex war-time conflicts, civil unrest and other macro disputes are in play even in the smallest community conflicts. The converse is also true: lessons learned through community mediation, for example in South Africa, are applicable to the most complex and largest conflicts to be found on the continent. Together, the eleven chapters in this publication, in addition to the prologue and epilogue, suggest that a comprehensive assessment of efforts and investments in conflict resolution and peace studies in Africa since the mid-1990s is due in order to identify lessons and challenges, as well as best practices. Just as conflict dynamics are comparable between African conflicts, whether large or small, local or international, so are alternative dispute resolution processes. Effective approaches to resolving large-scale conflicts and civil wars are effective at the community level, and ineffectual techniques at the community level are just as likely to be counter-productive in mediating international disputes. While there may be some differences in mediating macro- and micro-conflicts (such as the time required, the need for negotiation teams, and the complexities of agenda development or pre-negotiations), as far as the mediation process is concerned, the differences are more like variations on a theme than real substantive dissimilarities. This volume provides case studies of programs and policies, and legislations on alternative dispute resolution and peace building, and examines and proposes some new, promising ideas for conflict prevention, as well as maintenance of peace, justice and security in Africa.

In a world governed by speed, the Internet plays a growing role in many of today's innovations, and the resolution of disputes using electronic means of communication may soon be part of everyday legal practice. This book offers a survey of the current state of play in online dispute resolution, from the methods and information technology currently in use to the range of regulatory solutions proposed by shareholders. Taking their analysis a step further, the authors also address this new field's most pressing issues, including possible amendments of existing legislation, treaties, and arbitration and other ADR rules. *Online Dispute Resolution: Challenges for Contemporary Justice* is an in-depth study of online dispute resolution today, discussing among other topics: the different methods of ODR; fields of use; ways to bring parties to online dispute resolution; validity and effects of clauses entered into online and providing for online mediation or arbitration; issues surrounding electronic communications and evidence in arbitration; and, enforcement of online dispute resolution outcomes, both through court proceedings and built-in enforcement mechanisms. This book also covers issues related to security and e-commerce in general. As a special feature, it contains a section on existing online dispute resolution providers, complete with interviews and statistics. *Online Dispute Resolution: Challenges for Contemporary Justice* is a significant resource for legal counsel, to arbitral institutions, ODR and ADR service providers, governments and governmental and non-governmental organizations, as well as to those with a more academic interest. This book will provide a greater understanding of online dispute resolution to persons in the fields of arbitration and ADR, e-commerce, intellectual property, civil procedure, international law, international trade and commerce, and information technology.

This book advances the emerging of a new sub-field of study, the law of consumer redress, which encompasses the various dispute resolution processes for consumers, their regulations, and best practices. The book argues that the institutionalisation of alternative dispute resolution (ADR) bodies are expanding their functions beyond dispute resolution, as they are increasingly providing a public service for consumers that complements, and often replaces, the role of the courts. Although the book focuses on ADR, it also analyses other redress methods, including public enforcement, court adjudication and business internal complaints systems. It proposes a more efficient rationalisation of certified redress bodies, which should be better co-ordinated and accessible through technological means. Accordingly, the book calls for greater integration amongst redress methods and offers recommendations to improve their process design to ensure that, inter alia, traders are encouraged to participate in redress schemes, settle early meritorious claims and comply with outcomes.

Upgrading from Alternative to Online Dispute Resolution

Mediation, Negotiation, Conciliation, Lawsuit, Online Dispute Resolution, Alternative Dispute Resolution, Organizational Conflict, Digital Family Justice

Women, Divorce and Alternative Justice

The Future of Dispute Resolution

ADR through Online Arbitration - The Future of Justice

**The editors' earlier book *Delivering Family Justice in the 21st Century (2016)* described a period of turbulence in family justice arising from financial austerity. Governments across the world have sought to reduce public spending on private quarrels by promoting mediation (ADR) and by beginning to look at digital justice (ODR) as alternatives to courts and lawyers. But this book describes how mediation has failed to take the place of courts and lawyers, even where public funding for legal help has been removed. Instead ODR has developed rapidly, led by the Dutch *Rechtwijzer*. The authors question the speed of this development, and stress the need for careful evaluation of how far these services can meet the needs of divorcing families. In this book, experts from Canada, Australia, Turkey, Spain, Germany, France, Poland, Scotland, and England and Wales explore how ADR has fallen behind, and how we have learned from the rise and fall of ODR in the *Rechtwijzer* about what digital justice can and cannot achieve. Managing procedure and process? Yes. Dispute resolution? Not yet. The authors end by raising broader questions about the role of a family justice system: is it dispute resolution? Or dispute prevention, management, and above all legal protection of the vulnerable?**

**A PDF version of this book is available for free in open access via [www.tandfebooks.com](http://www.tandfebooks.com) as well as the OAPEN Library platform, [www.oapen.org](http://www.oapen.org). It has been made available under a Creative Commons Attribution-Non Commercial-No Derivatives 3.0 license and is part of the OAPEN-UK research project. E-commerce offers immense challenges to traditional dispute resolution methods, as it entails parties often located in different parts of the world making contracts with each other at the click of a mouse. The use of traditional litigation for disputes arising in this forum is often inconvenient, impractical, time-consuming and expensive due to the low value of the transactions and the physical distance between the parties. Thus modern legal systems face a crucial choice: either to adopt traditional dispute resolution methods that have served the legal systems well for hundreds of years or to find new methods which are better suited to a world not anchored in territorial borders. Online Dispute Resolution (ODR), originally an off-shoot of Alternative Dispute Resolution (ADR), takes advantage of the speed and convenience of the Internet, becoming the best, and often the only option for enhancing consumer redress and strengthening their trust in e-commerce. This book provides an in-depth account of the**

**potential of ODR for European consumers, offering a comprehensive and up to date analysis of the development of ODR. It considers the current expansion of ODR and evaluates the challenges posed in its growth. The book proposes the creation of legal standards to close the gap between the potential of ODR services and their actual use, arguing that ODR, if it is to realise its full potential in the resolution of e-commerce disputes and in the enforcement of consumer rights, must be grounded firmly on a European regulatory model.**

**Innovative initiatives for online arbitration are needed to aid in resolving cross-border commercial and consumer disputes in the EU, UK, US and China. This book provides a comparative study of online dispute resolution (ODR) systems and a model of best practices, taking into consideration the features and characteristics of various practical experiences/examples of ODR services and technological development for ODR systems and platforms. The book begins with a theoretical approach, looking into the challenges in the use of online arbitration in commercial transactions and analysing the potential adoption of technology-assisted arbitration (e.g. Basic ODR systems and Intelligent/Advanced ODR systems) in resolving certain types of international commercial and consumer disputes. It then investigates the legal obstacles to adopting ODR by examining the compatibility of technology with current legislation and regulatory development. Finally, it suggests appropriate legal and technological measures to promote the recognition of ODR, in particular online arbitration, for cross-border commercial and consumer disputes. By exploring both the theoretical framework and the practical considerations of online arbitration, this book will be a vital reference for lawyers, policy-makers, government officials, industry professionals and academics who are involved with online arbitration.**

**Online Resolution of E-commerce Disputes**

**The New Handshake**

**Alternative dispute resolution in cyberspace**

**Alternative Dispute Resolution and Peace-building in Africa**

**Exploration Report Prepared for the Department of Justice, Victoria**

**Online Dispute Resolution**

The internet has changed the way we do business, communicate, shop, travel, and learn. Technologies are already assisting people to solve their disputes. E-bay alone deals with more than 60 million disagreements per year using smart online dispute resolution (ODR) tools. In the Netherlands, some people already arrange their divorce using the advantages of online mediation. In this book, a team of experts - from academia, the ODR industry, and civil society - discuss the status quo of ODR in the European Union. But it goes beyond a mere overview. The book also outlines the results of the EMCOD project, which aims to broaden the access to justice and has developed a method for measuring the costs and quality of ODR processes. It has been written for providers and users of ODR services, as well as for policy makers committed to innovations in the field of dispute resolution.

Online Dispute Resolution For BusinessB2B, ECommerce, Consumer, Employment, Insurance, and other Commercial ConflictsJossey-Bass

Dealing with the interface between the Alternative Dispute Resolution (ADR) movement and the phenomenon of domestic violence against women, this book examines the phenomenon of divorce disputes involving violence through the prism of 'alternative justice' and the dispute resolution mechanisms offered by the ADR movement. This book is the first academic treatise presenting the theoretical underpinnings of the correlation between the ADR movement and divorce disputes involving violence, and the potential contribution of this movement to the treatment of disputes of this nature. Through mapping the main values of the ADR movement, the book proposes a theoretical-analytical basis for understanding the inability of the legal system to deal with disputes of this nature, alongside a real alternative, in the form of the ADR mechanisms.

Online Dispute Resolution for Consumers in the European Union

A Handbook for Measuring the Costs and Quality of ODR

Essays on Online Alternative Dispute Resolution

The New Regulatory Framework for Consumer Dispute Resolution

Alternative Dispute Resolution

Research Into Online Alternative Dispute Resolution

This book provides a state-of-the-art overview and assessment of the status quo and future of the Online Dispute Resolution (ODR) field. International, comparative, and interdisciplinary approaches have been utilized. Written by leading ODR scholars, the first part of the book includes an in-depth assessment of ODR, its applications, and its future in a comparative and analytical context. The second section offers a regional oriented approach, where the prospects, challenges, and success of ODR - and its applications in the North America, Latin America, Africa, Australia, Europe, and Asia - are mapped and fully addressed. The book is a must read text by scholars, practitioners, academics, and researchers in the dispute resolution and information technology field.

This textbook describes different methods of dispute resolution and outlines the advantages and disadvantages of each. Specific examples are used to illustrate key concepts, and role play exercises are included as a means of reinforcing the main ideas. Unilateral, bilateral, and third-party approaches are all considered, with discussion of inaction, acquiescence, self-help, negotiation, juries, mediation, arbitration, litigation, and private judging.

This book helps lawyers, practitioners, legislators and students understand and cope with the challenges of e-commerce, and to learn about the most up-to-date technology and regulation of Online Dispute Resolution (ODR). It introduces different forms of online dispute resolution, against the background of Alternative Dispute Resolution (ADR) developments in the off-line environment; crucially, it examines the current technology and legal status of ODR in the EU, US, Asia and Australia, and discusses the relations between the various parties in dispute resolutions, especially the Fifth party for the provider of the technology. It further analyses the four most successful examples, such as Michigan Cybercourt, WIPO-UDRP, eBay-SquareTrade and AAA-CyberSettle. Finally, a proposal for resolving e-contract disputes via ODR is provided, and a code of conduct recommended in order to regulate the electronic commerce market. Based on exclusive research and up-to-date best practices within the online dispute resolution field Simple and clear with an in-depth analysis and of a wide range of topics such as

technology, management and law Provides practical solutions to real-world problems with a proposal of core principles and codes of conduct, which is of great value in academia and legislative organizations such as the European Commission and UNCITRAL

Application of online systems in alternative dispute resolution

Untangling the Web

Online Alternative Dispute Resolution Framework

From Alternative Dispute Resolution to Online Dispute Resolution?

the role of alternative dispute resolution in online commerce, intellectual property and defamation

Technology, Management and Legal Practice from an International Perspective