ODR: Adoption of Technology in a post pandemic world

August 2020
Why ODR?

How much time/money are companies spending on dispute resolution in courts (or consumer courts)

- **Company A**: ~X hrs / ~$sum
- **Company B**: ~X hrs / ~$sum
- **Company C**: ~X hrs / ~$sum

**Post Covid urgency**

- Contact-less
- Cost implications
- Legal Courts operating at 15-20% capacity
ODR Spectrum...

Tier 1 Evaluation

Problem diagnosis, information & self-help

Tier 2 Mediation

Party to party negotiation (monitored)

Case mgmt: facilitated ADR & hearing prep

Tier 3 Adjudication*

Adjudication

Post-resolution support

Information explorer & auto-resolver solution

Dynamic case management system (CMS); Distance collaboration

Focus on technology platform

Human facilitators take the lead**

Avoidance
Within the firm; reliance on case-specific data/processes

Escalation/Mediation/ Adjudication
Outside, by a neutral party

Courtesy: Thomson Reuters, Impact of ODR Technology on Dispute Resolution in the UK (2016)
Handshake with 3rd party ‘mediator’

**Within the Firm**
- Handshake
  - Trusted Interface
  - Permission
  - Data Format
  - Workflow
  - Virtual Collaboration

**Mediation/Adjudication**

**Process** - through a well-defined TRUSTED interface

**Data + insights** - safeguarding privacy of individuals; permissioned

**Collaboration** - virtual courtroom plus email/chat/etc

**Searchability of “cases”** - intelligent search, domain based
Technology: AI/ML/Insights

Customers

- Flight / hotel bookings
- Customer interaction logs
- Supplier interaction logs

AI/ML Model

Feedback Loop for “learning”

- Problem Diagnosis
- Dispute Resolution
- Analysis / Dashboards

Raw Data → Refined Data → Trusted Insight
**ODR - Internationally...**

<table>
<thead>
<tr>
<th>Country</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td><strong>USA</strong></td>
<td>Modria, coming out of eBay and PayPal; online resolution rooms; from home</td>
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<tr>
<td></td>
<td>• Tech platform driven</td>
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<tr>
<td><strong>Netherlands</strong></td>
<td>Mostly for divorce settlement (paid for by govt.)</td>
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<tr>
<td><strong>China</strong></td>
<td>Internet courthouses; judge-centric; hybrid models in experimentation</td>
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<tr>
<td><strong>Hong Kong</strong></td>
<td>For MSME, opt-in model</td>
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<tr>
<td><strong>EU</strong></td>
<td>ODR platform for traders and consumers for settlement of disputes for cross-border transactions</td>
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ODR at “India Scale”: multi-tiered federated architecture

Central agency for dispute resolution
- Example: consumer forum/courts

TRUST
Transparency
DigiLocker
Workflow
Virtual Courts
Case-Search

Tier 1
Nodal agency for Motor Insurance

Tier 2
Specific Insurance Agency/firm

Tier 1
Nodal agency for Bank Refunds/Claims

Tier 2
Specific banks and payment gateways

Tier 2
Specific airlines or hotel chains

Tier 2
Specific OTA agencies from where the customer buys products

Tier 1
Nodal agency for Travel

Tier 2
Nodal agency for Travel
Thank you!

Deep Kalra
Founder and Group Executive Chairman
[MakeMyTrip, GoIbibo, Redbus]