

Online Dispute Resolution

What Can It Do For Your Court?

75%
of civil cases
have at least
one side with
no lawyer.¹

Customer Service

Over 80% of voters want more online access to local courts.

Efficiency & Fairness

Available online 24/7.
Reduced procedural errors.

Reduce Costs

No need for lawyers and court visits. Saves clerks time.

Supported by the Judicial Branch

Not a private online arbitration site.

NATIONAL CENTER FOR STATE COURTS

www.ncsc.org
1-800-616-6164

For more information about ODR or to talk through how to apply this in your jurisdiction, contact Danielle Hirsch at [dhirsch@ncsc.org/303-308-4318](mailto:dhirsch@ncsc.org) and Zach Zarnow at zzarnow@ncsc.org.

Court ODR is a public facing digital space that allows litigants to resolve disputes by managing a case from start to finish without requiring a user to step foot inside a courtroom.

Imagine what it would mean to the efficiency of your court system **if the small claims docket were reduced by a third.**

ODR is an opportunity to rethink existing court processes – to streamline, improve, and make more efficient the way litigants interact with your court. Done well, this may save you staff time and expense and may reduce litigant confusion.

Studies have shown that litigants are willing and able to solve their problems online. Legal information in ODR systems doesn't cross the line into advice and there can be privacy and security safeguards built into the system.

Pilot projects around the country have seen preliminary results that indicate it may be possible to achieve fewer default judgments, greater defendant engagement, reduced clerk time, and yes, resolution rates of a third or more via ODR – meaning that **those litigants never appeared in court at all.**

Even when parties go through ODR but ultimately decided to go to trial, **judges can see how litigants may be better prepared, which further aids in court efficiency.**

In Short, ODR May:

- Save you time
- Allow you to revise existing court processes
- Result in fewer people coming to court

What Makes It Work?

- ODR happens from a computer or mobile device. It allows for **asynchronous communication**, meaning that people can access ODR at any time, including outside of court hours.
- ODR provides **legal information and triage** using right-sized, plain-language legal information, without giving advice.
- ODR allows for negotiation of terms, which can be utilized by court sanctioned **mediators/facilitators.**
- ODR can provide **negotiation spaces** where litigants can talk through a dispute without a mediator via a secure chat.
- ODR allows litigants to **create, store, and manage documents.** The system can convert agreed-upon terms into court documents, store documents and evidence, and allows a user to pay for their case online.

1. NCSC Civil Justice Improvement Projects: <https://www.ncsc.org/Services-and-Experts/Areas-of-expertise/Civil-justice.aspx>