



MEDIATING ONLINE

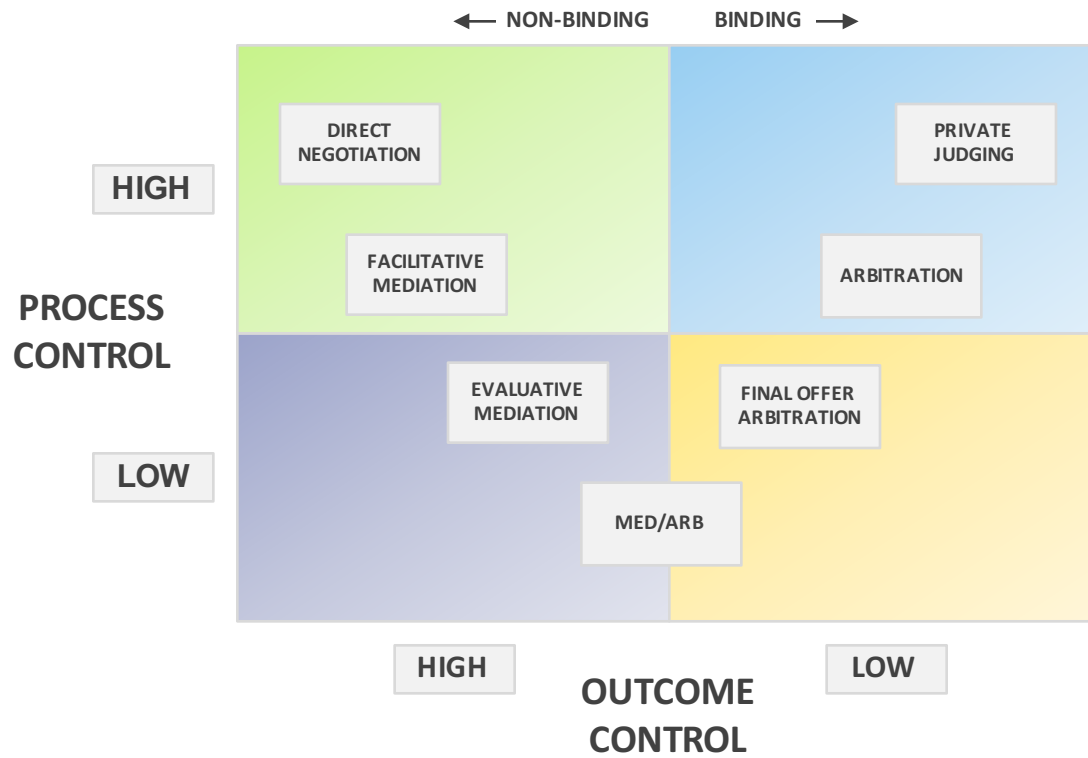
Moving from Offline to Online Practice

ODR Advantages and Disadvantages



ODR is ADR

The Resolution Matrix



Types of Online Communication

ASYNCHRONOUS

emails

discussion boards

chats

instant messaging

audio conferencing

video conferencing

SYNCHRONOUS

Common (but not all) ODR Processes



Problem Diagnosis

An automated process that provides buyers and sellers key information and sets reasonable expectations



Direct Negotiation

A tool that enables disputants to communicate directly through a web forum in an attempt to reach agreement



Mediation

A process in which an impartial third party joins the discussion between the disputants to help them find resolution



Evaluation

The endpoint for ODR, where a neutral hears both sides of the dispute and then renders a decision that is binding on both sides



ODR Advantages

- Asynchronous interaction
 - “cooling” distance
 - you don’t have to react immediately
- Pre-communication re-framing
- Concurrent caucusing
- Archived communication
 - re-usable language
 - text-based interaction
- Automated procedures (the “fourth party”)



ODR Disadvantages

- “ODR” is a bad acronym (too late)
- Online, you lose important information
 - body language
 - non-verbal cues
- It’s easy for people to drop out or stonewall
- People are more strategic online
 - more likely to lie
 - less trusting of information
- Privacy and confidentiality

Discussion