

Online Dispute Resolution

A Design for Trader-Consumer Disputes

Certified by the UK Trading Standards Institute



Jo DeMars
NetNeutrals EU



*The Society of Consumer Affairs
Professionals
SOCAPiE Members Forum
London, 1 October 2015*

The NetNeutrals Online Dispute Resolution e-Book



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Complaint Handling

ODR Design

ODR for Business

Trust

Enforcement

Practical Application

Practitioner's View

The Future: ADR ODR



DeMars
& Associates, Ltd.
Innovative Dispute Resolution



Designing and Administering Dispute Resolution Systems Since 1988



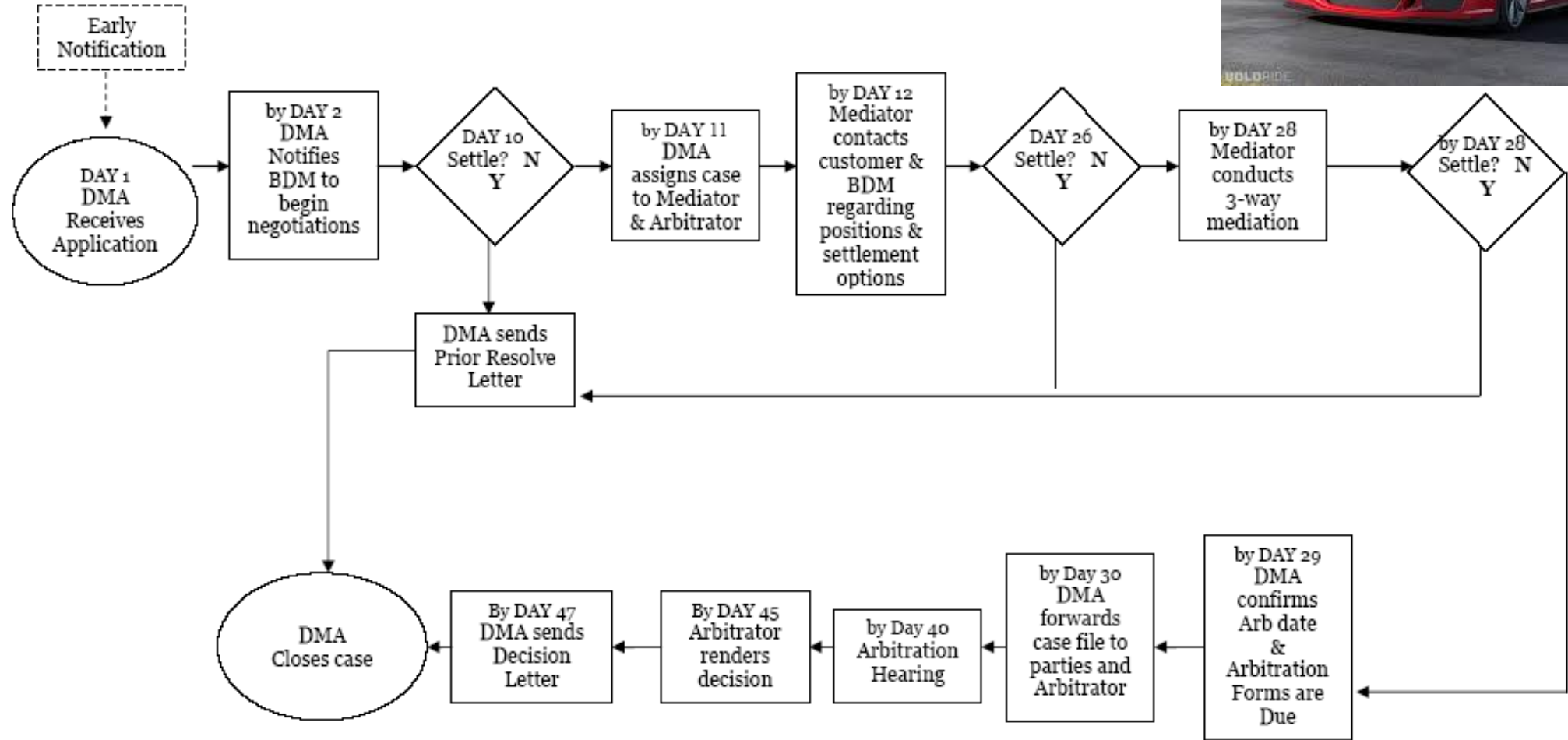
Business – Consumer

Business- Business

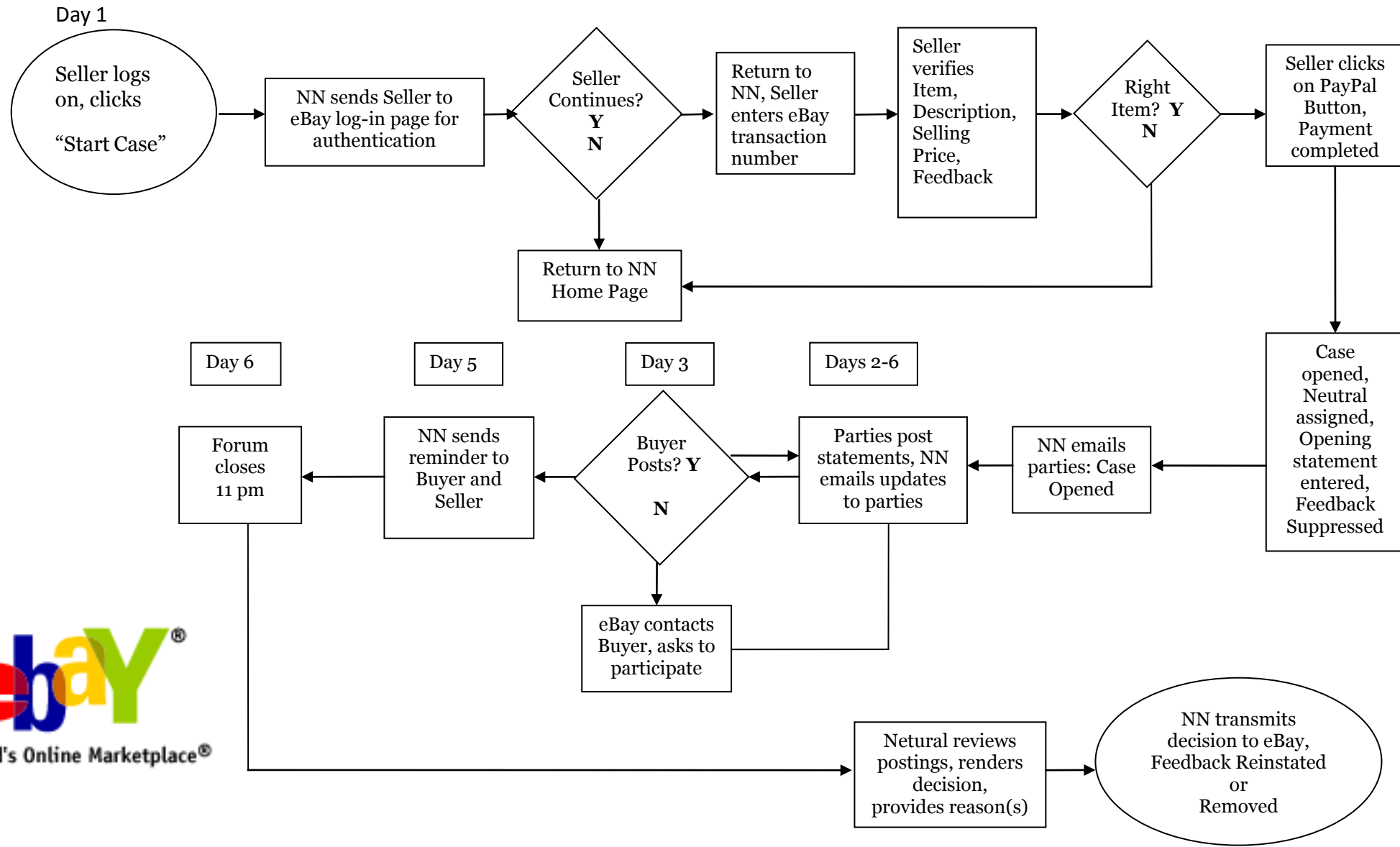
Face to Face

Online

Process Flow for Automobile Warranty Mediation and Arbitration



eBay Independent Feedback Review (IFR)



Get your dispute settled quickly

so you can get back to business

NetNeutrals.com is eBay's trusted source for fast and fair online dispute resolution.

START HERE



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Start here >



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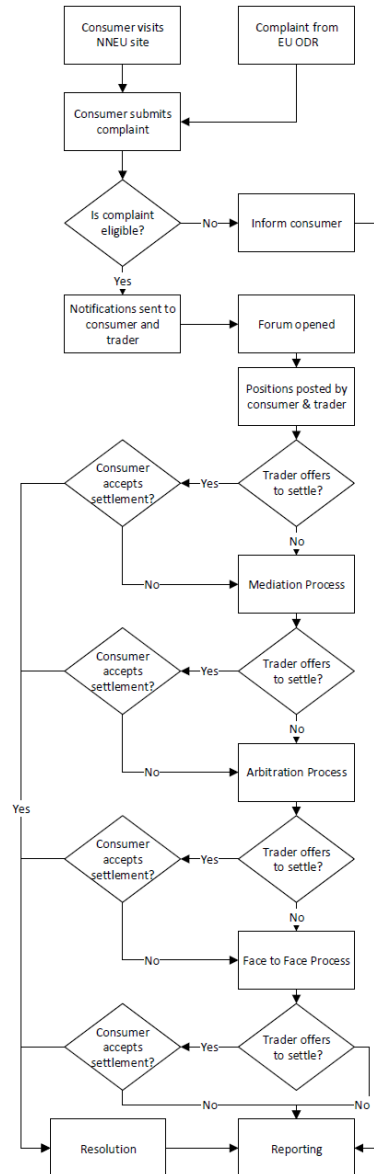
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Start here >

NetNeutrals EU Online Dispute Resolution Process Flow



1. Direct Negotiation

Trader and Consumer work together to find a solution

2. Mediation

ADR Professional (the Neutral) facilitates a discussion with the Trader and Consumer to find a mutually acceptable agreement

3. Adjudication (if available)

ADR Professional makes final decision

An Innovative Approach to Dispute Resolution

NetNeutrals helps businesses and consumers settle their differences online. We help you reach a resolution that is fast and fair.

[→ How It Works](#)



[+ Start a Case](#)

Get your online dispute settled quickly.

Use our conciliation forum, or request a skilled Neutral with technical expertise to join the discussion and help you reach resolution.

1. **Trader** 2. Problem 3. Request 4. Info 5. Submit

Trader [Next](#)

[Help! The Trader is not listed.](#)



Trader name appears
In drop down menu

or

Consumer provides
contact information
and
NetNeutrals contacts
Trader and invites
them to participate.

1. Trader 2. **Problem** 3. Request 4. Info 5. Submit



Item/Service
Not Received



Item/Service
Not As Described



Late delivery

Expected date

5/22/2015



Actual date

5/29/2015



Payment For
Cancelled Transaction



Charged twice



Incorrect amount
charged



Fraudulent
Transaction



Settlement Not
Fulfilled



Other

List of Problems
as identified in
UNCITRAL draft
rules



List of Solutions as identified in UNCITRAL draft rules

1. Trader 2. Problem 3. Request 4. Info 5. Submit



Refund



Replacement



Repair



Price Reduction



Return of Goods



Honor Original Agreement



Apology



Something Else

[Next](#)

1. Trader 2. Problem 3. Request **4. Info** 5. Submit



Has trader been contacted

- By Phone
- By Email
- Online Chat
- Post
- In-person
- Other

Have you filed a complaint about this transaction with any other services?

- Yes
- No

[Next](#)

Required contact information

Creates User Name and Password

Consumer must first seek resolution from Trader

Only 1 agency/scheme

1. Trader 2. Problem 3. Request 4. Info 5. **Submit**

Trader: Avastone

What is the problem?
Late Delivery

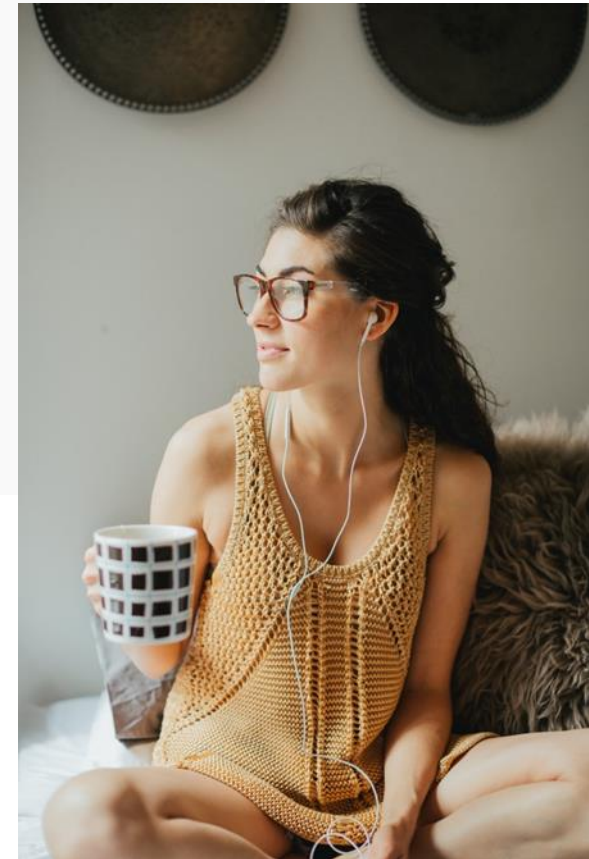
What do you request?
Reduce Price

Transaction details:
Transaction date: 5/15/2015 2:12:36 PM
Transaction ID: 90002 2387613
The trader has been contacted by email
No other service has been used to attempt resolution

Your information:
Name: Jane Smith
Email: jane.smith@1234.com
Password: jsmith

[Submit](#)

Summary of information consumer provided
If correct clicks submit



Jane Smith – Cases

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Avastone
Transaction 90002 2387613
15 May 2015

Status: Pending
Alternative Dispute Resolution Official:
None Assigned
Problem: Late Delivery
Request: Price Reduction

Customer can log in and see the case is pending

Confidential: only the parties and the Neutral can access the case



Avastone – Cases

Balance: £75

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Jane Smith
Transaction 90002 2387613
15 May 2015

[→ Accept and Pay](#)

[× Decline](#)

Status: Pending

Alternative Dispute Resolution Official:

None Assigned

Problem: Late Delivery

Request: Price Reduction

Trader page

Case is opened when the Trader clicks Accept and Pay

Jane Smith – Cases

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Avastone
Transaction 90002 2387613
15 May 2015

Status: Open
Alternative Dispute Resolution Official:
None Assigned
Problem: Late Delivery
Request: Price Reduction

- [→ View Dispute Resolution Forum](#)
- [+ Request Mediation Process](#)

Case landing page for Trader's representative, Mary
Choices: direct negotiation (view Forum) or request Mediation

Case 10

View modes:

Threaded ▾



Jsmith - 9/22/2015 9:07:44 PM

I ordered the item in May and it was supposed to arrive by 22 May. That was just in time for my niece's birthday party and it was a give for her. But it didn't arrive then, so I had no gift for her at her party. It didn't arrive until 29 May, which is a week late!

So I was embarrassed at the party and had to give the gift more than a week late. I think I should get a discount from the original price!

[Reply](#) | [Quote](#) | [Subscribe to post](#)

[Edit](#) [Delete](#) [Attachments](#) [Report abuse](#)

Consumer and Trader post their information, add attachments, explain, make offers, etc. Emails sent to other party each time a new post is filed.

Avastone – Cases

Balance: £0

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Jane Smith
Transaction 90002 2387613
15 May 2015

Status: Open

Alternative Dispute Resolution Official:

None Assigned

Problem: Late Delivery

Request: Price Reduction

[→ View Dispute Resolution Forum](#)

[+ Request Mediation Process](#)

Trader landing page lists status of each case and cash balance

Case 10

View modes:

Threaded ▾



Jsmith - 21/9/2015 9:47PM

I ordered the item in May and it was supposed to arrive by 22 May. That was just in time for my niece's birthday party and it was a give for her. But it didn't arrive then, so I had no gift for her at her party. It didn't arrive until 29 May, which is a week late!

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[Reply](#) | [Quote](#) | [Subscribe to post](#)

[Edit](#) [Delete](#) [Attachments](#) [Report abuse](#)



Avastone - 22/9/2015 8:03AM

We are sorry for the inconvenience the delivery delay caused you, but the item was shipped from our facility immediately. The strong storms that caused delays in shipping throughout the country are beyond our control.

We are not able to offer you a discount. Please accept our apology.

[Reply](#) | [Quote](#) | [Subscribe to post](#)

[Edit](#) [Delete](#) [Attachments](#) [Report abuse](#)

System stores a record of dialogue

Avastone – Cases

Balance: £0

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Jane Smith
Transaction 90002 2387613
15 May 2015

Status: Open
Alternative Dispute Resolution Official:
None Assigned
Problem: Late Delivery
Request: Price Reduction

- [→ View Dispute Resolution Forum](#)
- [+ Request Mediation Process](#)



Negotiation unsuccessful -Trader requests Mediation

Request Mediation Process

One of the three Alternative Dispute Resolution Officials will be assigned to your case.

Please review and indicate your first, second and third choice.

Your ratings and the ratings of the consumer will be combined to determine which Official is assigned to your case.



Anne

18 years in certified arbitration and dispute resolution. Holds an advanced degree in business administration

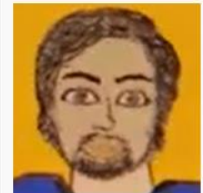
Ranking:



James

18 years in certified arbitration and dispute resolution.

Ranking:



Brad

18 years in certified arbitration and dispute resolution.

Ranking:

Trader and Consumer rank Neutrals
Highest ranked is appointed

Rank

Jane Smith – Cases

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Avastone
Transaction 90002 2387613
15 May 2015

- [→ View Dispute Resolution Forum](#)
- [+ Request Adjudication Process](#)

Status: Open

Alternative Dispute Resolution Official:
Anne

Problem: Late Delivery

Request: Price Reduction



Trader and Consumer log in to view form

Case 10

View modes:

Threaded ▾



Jsmith - 21/9/2015 9:47PM

I ordered the item in May and it was supposed to arrive by 22 May. That was just in time for my niece's birthday party and it was a give for her. But it didn't arrive then, so I had no gift for her at her party. It didn't arrive until 29 May, which is a week late!

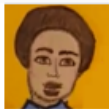
So I was embarrassed at the party and had to give the gift more than a week late. I think I should get a discount from the original price!

[Reply](#) | [Quote](#) | [Subscribe to post](#)[Edit](#) [Delete](#) [Attachments](#) [Report abuse](#)

Avastone - 22/9/2015 8:03AM

We are sorry for the inconvenience the delivery delay caused you, but the item was shipped from our facility immediately. The strong storms that caused delays in shipping throughout the country are beyond our control.

We are not able to offer you a discount. Please accept our apology.

[Reply](#) | [Quote](#) | [Subscribe to post](#)[Edit](#) [Delete](#) [Attachments](#) [Report abuse](#)

Anne - 24/9/2015 11:16AM

After reviewing the information provided, I recommend that Avastone issue a formal letter of apology. The delay was beyond their control.

[Reply](#) | [Quote](#) | [Subscribe to post](#)[Edit](#) [Delete](#) [Attachments](#) [Report abuse](#)

Mediation
Ends in
Impasse.
Mediator
files
Proposed
Settlement

Jane Smith – Cases

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Avastone
Transaction 90002 2387613
15 May 2015

Status: Open
Alternative Dispute Resolution Official:
Anne
Problem: Late Delivery
Request: Price Reduction

- [→ View Dispute Resolution Forum](#)
- [+ Request Adjudication Process](#)

Settlement offered on
26 September 2015
[Apology](#)

Trader and Consumer comment on proposal.
Consumer rejects Proposed Settlement.

Avastone – Cases

Balance: £0

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Jane Smith
Transaction 90002 2387613
15 May 2015

Status: Open

Alternative Dispute Resolution Official:
Anne

Problem: Late Delivery

Request: Price Reduction

[→ View Dispute Resolution Forum](#)

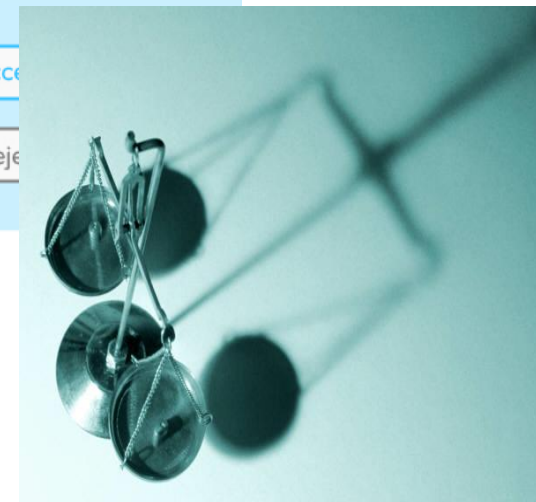
[+ Request Adjudication Process](#)

Settlement offered on
26 September 2015

[Apology](#)

[Accept](#)

[Reject](#)



Trader requests Adjudication (if available)

Request Adjudication Process

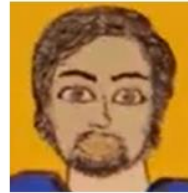
One of the three Alternative Dispute Resolution Officials will be assigned to your case.

Please review and indicate your first, second and third choice.

Your ratings and the ratings of the consumer will be combined to determine which Official is assigned to your case.

Consumer and Trader Rank Neutrals

Highest ranked Neutral is appointed



Joe

18 years in certified arbitration and dispute resolution. Holds an advanced degree in business administration

Ranking:



Debbie

18 years in certified arbitration and dispute resolution.

Ranking:



Stan

18 years in certified arbitration and dispute resolution.

Ranking:

[Rank](#)

Avastone — Cases

Balance: £0

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Jane Smith
Transaction 90002 2387613
15 May 2015

Status: Open

Alternative Dispute Resolution Official:
Stan

Problem: Late Delivery

Request: Price Reduction



[View Dispute Resolution Forum](#)

Settlement offered on

30 September 2015

Apology and Shipping Discount
Offer

[Accept](#)

[Reject](#)

Neutral posts final decision

Jane Smith – Cases

[Change Password](#)
[Change Email](#)
[Change Address](#)

Case 10



Avastone
Transaction 90002 2387613
15 May 2015

[→ View Dispute Resolution Forum](#)

Status: Open
Alternative Dispute Resolution Official:
Stan
Problem: Late Delivery
Request: Price Reduction

Settlement offered on
30 September 2015
Apology and Shipping Discount
Offer

[Accept](#)

[Reject](#)

Consumer views apology and terms of refund.
Consumer accepts.
Case closed.

Role Play:

An actual case, slightly amended



Contact us: NetNeutrals

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www.netneutrals.uk