GLOBAL POUND CONFERENCE SERIES 2016-17

SHAPING THE FUTURE OF DISPUTE RESOLUTION & IMPROVING ACCESS TO JUSTICE

LOCAL VOTING RESULTS

PARIS
April 26, 2017

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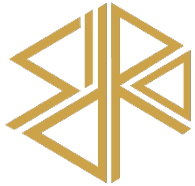

SINGAPORE INTERNATIONAL DISPUTE RESOLUTION ACADEMY

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Session 1

Session 1 – Demographic Results

Which category of stakeholder will you vote as today?
(If your regular practice involves several of these options, please select the one in which you have primarily been involved).

À quelle catégorie de participant appartenez-vous ?(Si votre activité habituelle inclut plusieurs de ces activités, veuillez sélectionner celle que vous exercez à titre principal)
(100)

Party (user of dispute resolution services): A person or in-house counsel involved in commercial disputes / Une partie ayant recours à une procédure de règlement de différends): a. Une personne impliquée dans des différends commerciaux b. Un juriste d'entreprise en charge des différends commerciaux (21) 21.00%

Advisor: An external lawyer or consultant to a party / Un conseil : a. Un avocat b. Un conseil externe d'une partie (26) 26.00%

Adjudicative Provider: A judge, arbitrator, or organisation providing their services / Une autorité juridictionnelle de règlement des différends: a. Un juge b. Un arbitre c. institution fournissant ces services (11) 11.00%

Non-Adjudicative Provider: A conciliator, mediator or organisation providing such services / Une autorité non jurdictionnelle de règlement des différends: a.Un conciliateur b. Un médiateur c. Une institution fournissant ces services (31) 31.00%

Influencer: A researcher, educator, employee/representative of government, or any other person not in categories 1-4 above / Une personne influente : a. Un chercheur, b. Un enseignant, c. Un fonctionnaire/représentant du Gouvernement d. Autre personne non comprise dans les catégories 1-4 ci-dessus (veuillez préciser) (11) 11.00%

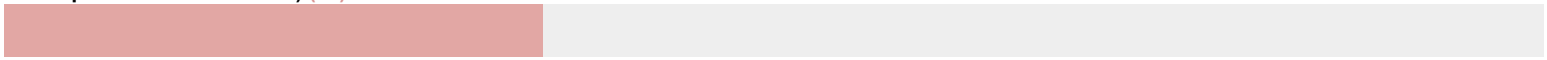
Session 1 , Question 1 – Group Results

What outcomes do parties most often want before starting a process in commercial civil dispute resolution?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Qu'est ce qui motive les parties à entamer une procédure de règlement de differends commerciaux ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= le plus souhaité, '2'= 2ème plus souhaité, '3' = 3ème plus souhaité)
(498)

2.Financial (e.g. damages, compensation, etc.) / 2. Un interêt pécuniaire (par exemple des dommages-intérêts) (193) **76.00%**

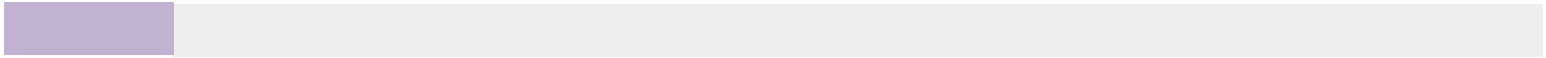
1.Action-focused (e.g. prevent action or require an action from one of the parties) / 1. L'action (par exemple empêcher une action ou exiger une action de l'une des parties) (134) **53.00%**

5.Relationship-focused (e.g. terminate or preserve a relationship) /5. Des motifs relationnels (par exemple mettre fin ou préserver une relation) (90) **35.00%**



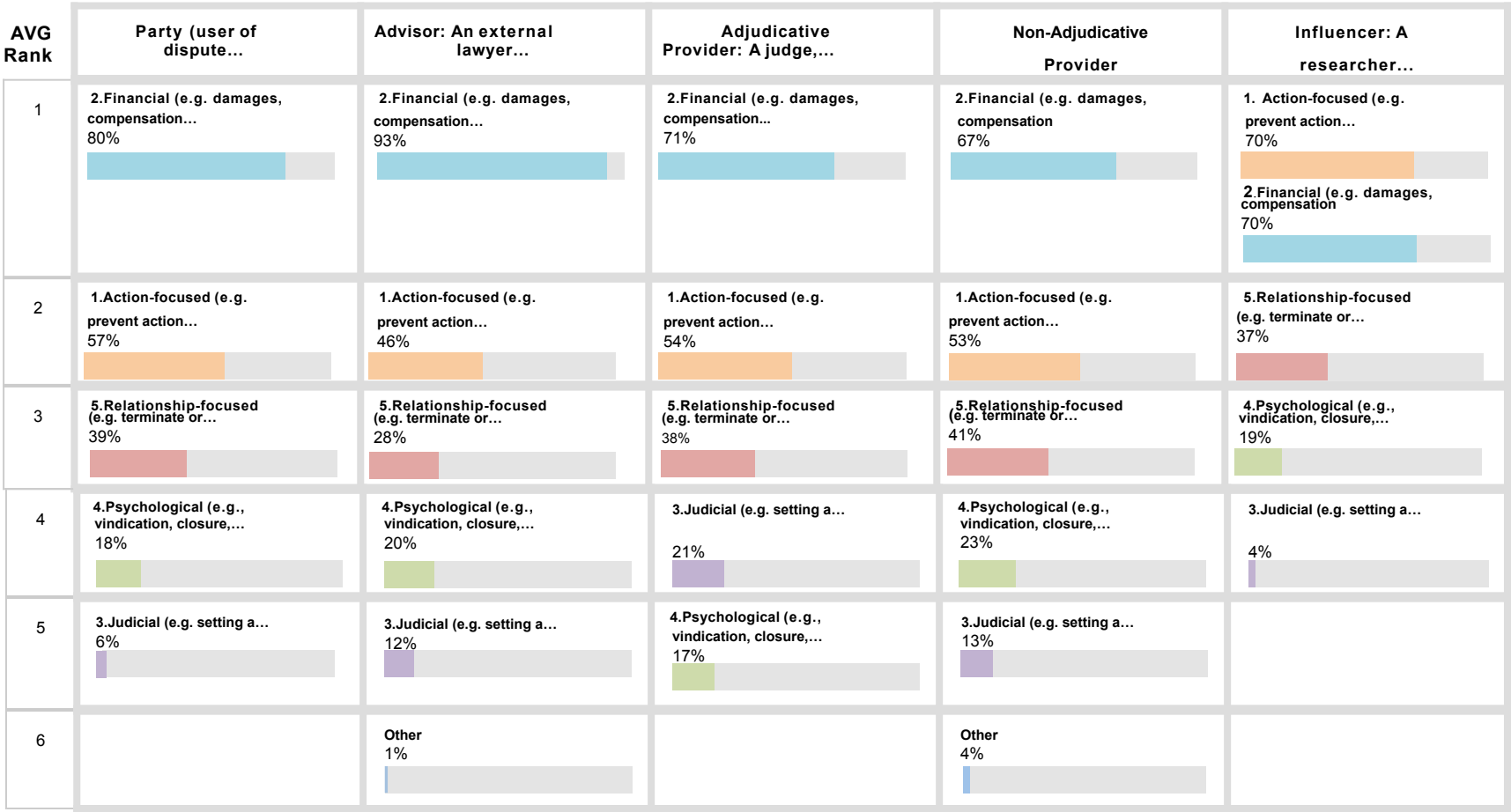
4.Psychological (e.g., vindication, closure, being heard, procedural fairness) / 4. Des motifs psychologiques (par exemple, argumentation, règlement, être entendu, équité procédurale) (50) **20.00%**

3.Judicial (e.g. setting a legal precedent) / 3. Des motifs judiciaires (par exemple créer un précédent) (27) **11.00%**



Other (4) **2.00%**

Session 1, Question 1 – Cross sorted Results



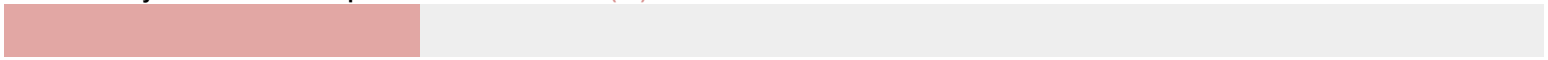
Session 1 , Question 2 – Group Results

When parties involved in commercial disputes are choosing the type(s) of dispute resolution process(es) to use, which of the following has the most influence?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Parmi les critères ci-dessous, quels sont ceux qui influencent le plus le choix des parties pour une procédure de règlement des différends ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= le plus influent, '2'= 2ème influent, '3' = 3ème influent)
(480)

3.Efficiency (e.g. time/cost to achieve outcome) / 3. L'efficacité (par exemple le rapport temps/coût pour atteindre le résultat) (177) 72.00%

1.Advice (e.g. from lawyer or other advisor) / 1. Les conseils d'un tiers (par exemple un avocat ou autre conseil) (100) 41.00%

5.Predictability of outcome / 5. La prévisibilité des résultats (67) 27.00%



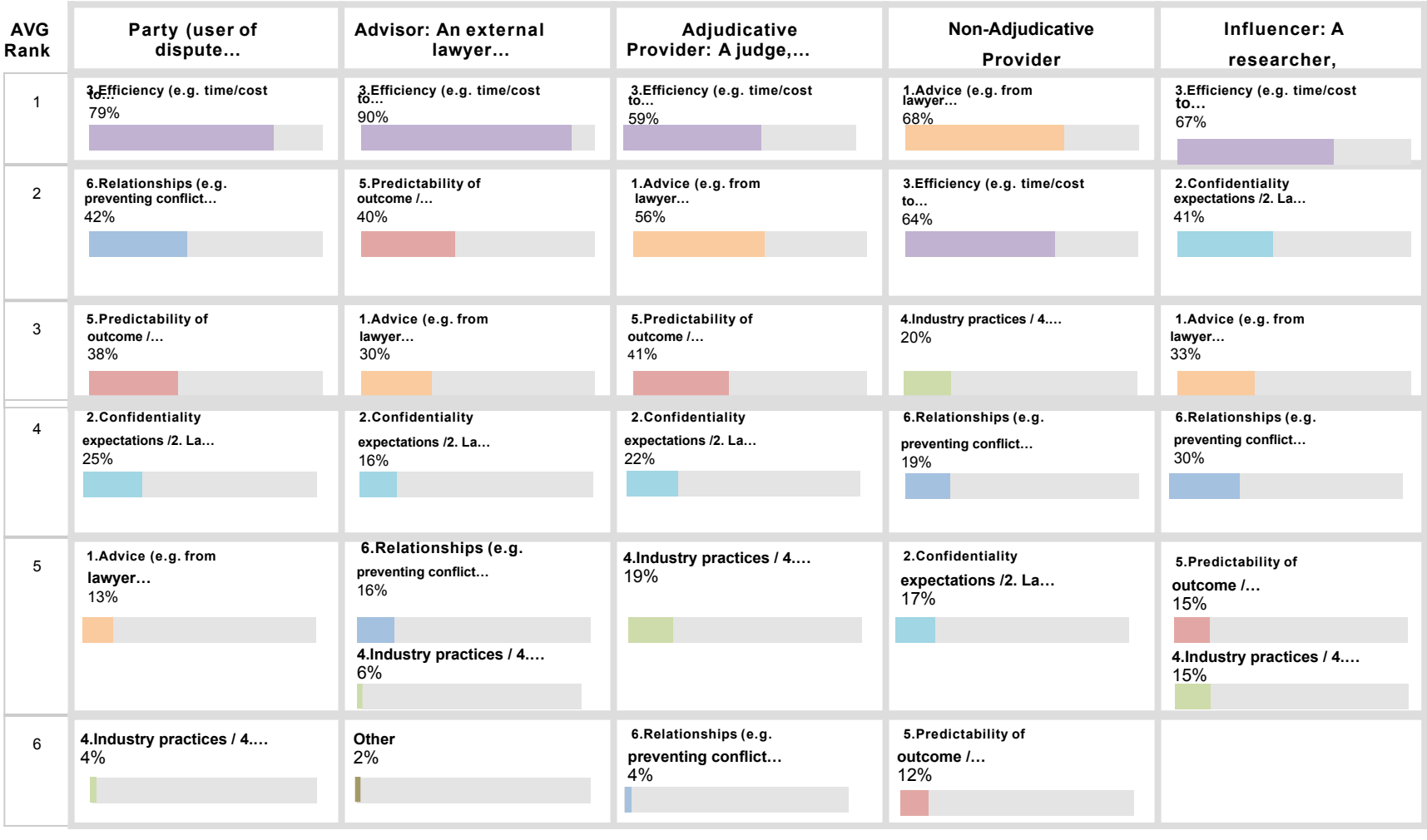
6.Relationships (e.g. preventing conflict escalation) / 6. Le maintien des relations (par exemple prévenir l'escalade des conflits) (53) 22.00%

2.Confidentiality expectations /2. La confidentialité (52) 21.00%

4.Industry practices / 4. Le respect des pratiques et usages habituels du secteur concerné (30) 12.00%

Other (1) 0.00%

Session 1, Question 2 – Cross sorted Results



Session 1 , Question 3 – Group Results

When lawyers (whether in-house or external) make recommendations to parties about procedural options for resolving commercial dispute, which of the following has the most influence?

(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).

Lorsque des juristes ou avocats recommandent aux parties des options de procédure de règlement des differends commerciaux, quels facteurs ont le plus d'influence ?

(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= le plus influent, '2'= 2ème influent, '3' = 3ème influent)

(480)

1.Familiarity with a particular type of dispute resolution process / 1. La familiarité avec une forme particulière de procédure de règlement des différends (134) 54.00%

5.The type of outcome requested by the party (e.g. money, an injunction, etc.) / 5. La finalité recherchée par une partie (par exemple une somme d'argent, une injonction,etc.) (127) 52.00%

3.Impact on costs/fees the lawyer can charge / 3. L'impact sur les honoraires eventuels de l'avocat (87) 35.00%

4.The party's relationships with the other party(ies) or stakeholders / 4. Les relations entre les parties ou à l'égard des parties prenantes (72) 29.00%

2.Industry practices / 2. Les pratiques et usages du secteur concerné (57) 23.00%

Other (3) 1.00%

Session 1 , Question 3 – Group Results

AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider: A conciliator,...	Influencer: A researcher, educator,...
1	5.The type of outcome... 67%	1.Familiarity with a particular... 67%	1.Familiarity with a particular... 67%	1.Familiarity with a particular... 59%	2.Industry practices / 2.... 52%
2	1.Familiarity with a particular... 40%	5.The type of outcome... 65%	3.Impact on costs/fees the... 57%	5.The type of outcome... 45%	5.The type of outcome... 44%
3	4.The party's relationships with... 33%	3.Impact on costs/fees the... 27%	5.The type of outcome... 33%	3.Impact on costs/fees the... 40%	1.Familiarity with a particular... 37%
4	3.Impact on costs/fees the... 31%	4.The party's relationships with... 25%	2.Industry practices / 2.... 27%	4.The party's relationships with... 36%	3. Impact on costs/fees the... 33% 4. The party's relationships with... 33%
5	2.Industry practices / 2.... 29%	2.Industry practices / 2.... 11%	4.The party's relationships with... 17%	2.Industry practices / 2.... 20%	
6		Other 5%			

Session 1 , Question 4 – Group Results

What role do parties involved in commercial disputes want providers to take in the dispute resolution processes?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Selon les parties, comment les prestataires en charge des procédures de règlement des différends commerciaux devraient-ils voir leur rôle?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= rôle le plus voulu, '2'= 2ème rôle voulu, '3' = 3ème rôle voulu.)
(486)

5.The parties initially do not have a preference but seek guidance from the providers regarding optimal ways of resolving their dispute / 5. Les parties n'ont initialement pas de préférence mais souhaiteraient recevoir des conseils des prestataires sur les meilleurs moyens de régler leur différend (159) 63.00%

1.The parties decide how the process is conducted and how the dispute is resolved (the providers just assist) / 1. Les prestataires devraient aider les parties à décider eux-mêmes du déroulement de la procédure et du résultat du différend (141) 56.00%

2.The providers decide on the process and the parties decide how the dispute is resolved / 2. Les prestataires devraient décider du déroulement de la procédure, et les parties devraient décider du résultat de la procédure (102) 40.00%

3.The parties decide on the process and the providers decide how the dispute is resolved /3. Les parties devraient décider du déroulement de la procédure et les prestataires devraient décider du résultat de la procédure (48) 19.00%

4.The providers decide on the process and how the dispute is resolved / 4. Les prestataires devraient décider du déroulement et du résultat de la procédure (29) 12.00%

Other (7) 3.00%

Session 1, Question 4 – Cross sorted Results

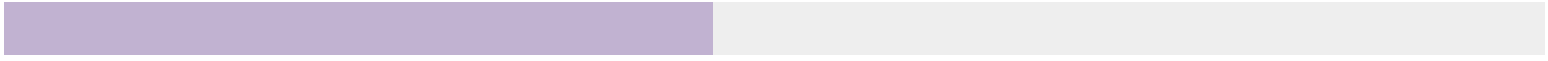
AVG Rank	Party (user of dispute...)	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider	Influencer
1	1.The parties decide how... 86%	5.The parties initially do... 67%	1.The parties decide how... 47% 5.The parties initially do... 47%	5.The parties initially do... 77%	1.The parties decide how... 88%
2	5.The parties initially do... 65%	1.The parties decide how... 49%	3.The parties decide on... 43%	2.The providers decide on... 67%	5.The parties initially do... 50%
3	2.The providers decide on... 33%	3.The parties decide on... 33%	2.The providers decide on... 37%	1.The parties decide how... 41%	2.The providers decide on... 38%
4	3.The parties decide on... 12%	2.The providers decide on... 24%	4.The providers decide on... 27%	4.The providers decide on... 11%	3.The parties decide on... 25%
5	4.The providers decide on... 2%	4.The providers decide on... 19%		3.The parties decide on... 3%	
6	Other 2%	Other 8%		Other 1%	

Session 1 , Question 5 – Group Results

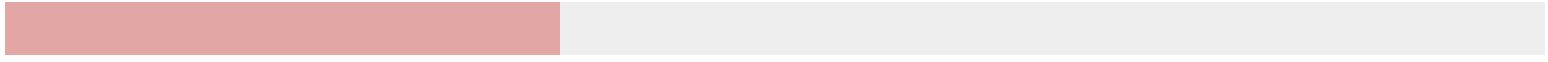
What role do parties involved in commercial disputes typically want lawyers (i.e., in-house or external counsel) to take in the dispute resolution processes?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Quel rôle les parties impliquées dans des différends commerciaux souhaitent-elles donner aux conseils (à savoir, juriste ou avocat) dans la procédure de règlement des différends ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= rôle le plus voulu, '2'= 2ème rôle voulu, '3' = 3ème rôle voulu.)
(462)

4.Working collaboratively with parties to navigate the process. May request actions on behalf of a party / 4. Un rôle de collaboration avec les parties pour avancer dans la procédure de règlement : pouvoir de demander des actions au nom d'une partie (149) 63.00%

3.Participating in the process by offering expert opinions, not acting on behalf of parties / 3. Un rôle participatif par la fourniture d'avis d'experts mais sans agir au nom des parties (109) 46.00%



5.Speaking for parties and/or advocating on a party's behalf / 5. Un rôle de parler pour les parties et/ou défendre au nom d'une partie (86) 36.00%



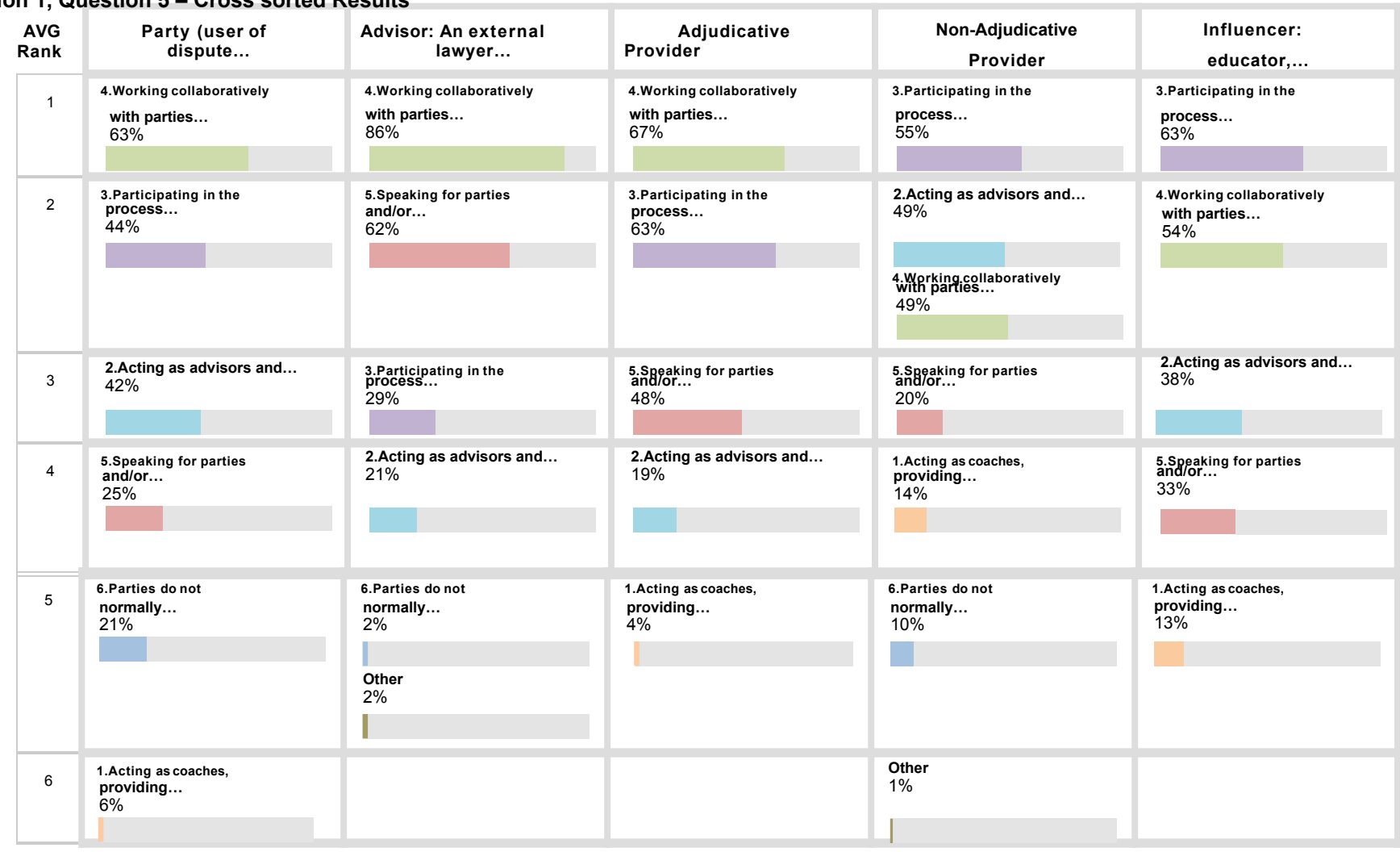
2.Acting as advisors and accompanying parties but not interacting with other parties or providers / 2. Un rôle de conseil : accompagner les parties, mais ne pas interagir avec d'autres parties ou intervenants (81) 34.00%

6.Parties do not normally want lawyers to be involved / 6. Les parties ne veulent généralement pas que les avocats soient impliqués (18) 8.00%

1.Acting as coaches, providing advice but not attending / 1. Un rôle de coach : fournir des conseils, mais ne pas assister (17) 7.00%

Other (2) 1.00%

Session 1, Question 5 – Cross sorted Results



Word Cloud – Session 1

What words would you use to describe a sophisticated commercial party?

Make a Question or Comment – Session 1

Question	Votes
Est-ce que la médiation coute moins que l'arbitrage?	9

Session 2

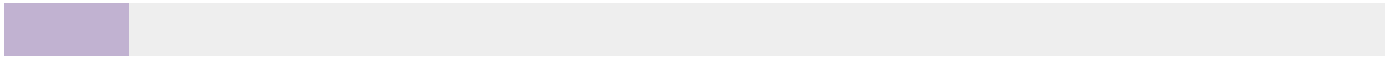
Session 1 – Demographic Results

Which category of stakeholder will you vote as today?
(If your regular practice involves several of these options, please select the one in which you have primarily been involved).
À quelle catégorie de participant appartenez-vous ?(Si votre activité habituelle inclut plusieurs de ces activités, veuillez sélectionner celle que vous exercez à titre principal).
(71)

Party (user of dispute resolution services): A person or in-house counsel involved in commercial disputes / Une partie ayant recours à une procédure de règlement de différends): a. Une personne impliquée dans des différends commerciaux b. Un juriste d'entreprise en charge des différends commerciaux (17) 23.94%

Advisor: An external lawyer or consultant to a party / Un conseil : a. Un avocat b. Un conseil externe d'une partie (21) 29.58%

Adjudicative Provider: A judge, arbitrator, or organisation providing their services / Une autorité juridictionnelle de règlement des différends: a. Un juge b. Un arbitre c. Une institution fournissant ces services (7) 9.86%



Non-Adjudicative Provider: A conciliator, mediator or organisation providing such services / Une autorité non jurdictionnelle de règlement des différends: a. Un conciliateur b. Un médiateur c. Une institution fournissant ces services (20) 28.17%

Influencer: A researcher, educator, employee/representative of government, or any other person not in categories 1-4 above / Une personne influente : a. Un chercheur, b. Un enseignant, c. Un fonctionnaire/représentant du Gouvernement d. Autre personne non comprise dans les catégories 1-4 ci-dessus (veuillez préciser) (6) 8.45%

Session 2 , Question 1 – Group Results

What outcomes do providers tend to prioritise in commercial dispute resolution?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Quels interêts les prestataires en charge de résoudre les différends commerciaux ont-ils tendance à privilégier?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1' = priorité la plus élevée, '2' = 2ème priorité, '3' = 3ème priorité)
(366)

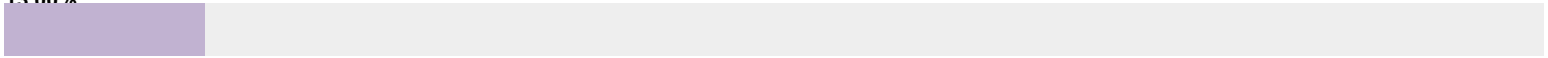
2.Financial (e.g. damages, compensation, etc.) /2. Un interêt pécuniaire (par exemple des dommages-intérêts) (114) **60.00%**

1.Action-focused (e.g. prevent action or require an action from one of the parties) / 1. L'action (par exemple empêcher une action ou exiger une action de l'une des parties) (103) **54.00%**

5.Relationship-focused (e.g. terminate or preserve a relationship) / 5. Des interêts relationnels (par exemple mettre fin ou préserver une relation) (75) **40.00%**

4.Psychological (e.g., vindication, closure, being heard, procedural fairness) / 4. Des interêts psychologiques (par exemple, argumentation, règlement, être entendu, équité procédurale) (45) **24.00%**

3.Judicial (e.g. setting a legal precedent) / 3. Des interêts procéduraux (par exemple créer un précédent) (25) **13.00%**



Other (4) **2.00%**

Session 2, Question 1 – Cross sorted Results

AVG Rank	Party (user of dispute…	Advisor: An external lawyer…	Adjudicative Provider: A judge,…	Non-Adjudicative Provider: A conciliator,…	Influencer: A researcher
1	2.Financial (e.g. damages, compensation,… 62%	2.Financial (e.g. damages, compensation,… 65%	1.Action-focused (e.g. prevent action… 71%	2.Financial (e.g. damages, compensation,… 54%	2.Financial (e.g. damages, compensation,… 80%
2	5.Relationship-focused (e.g. terminate or… 52%	1.Action-focused (e.g. prevent action… 63%	2.Financial (e.g. damages, compensation,… 67%	1.Action-focused (e.g. prevent action… 53%	1.Action-focused (e.g. prevent action… 53%
3	1.Action-focused (e.g. prevent action… 48%	5.Relationship-focused (e.g. terminate or… 27%	4.Psychological (e.g., vindication, closure,… 24% 5.Relationship-focused (e.g. terminate or… 24%	5.Relationship-focused (e.g. terminate or… 51%	5.Relationship-focused (e.g. terminate or… 40%
4	3.Judicial (e.g. setting a… 19% 4.Psychological (e.g., vindication, closure,… 19%	4.Psychological (e.g., vindication, closure,… 23%	3.Judicial (e.g. setting a… 14%	4.Psychological (e.g., vindication, closure,… 33%	3.Judicial (e.g. setting a… 4.Psychological (e.g., vindication, closure,… 13%
5		3.Judicial (e.g. setting a… 15%		3.Judicial (e.g. setting a… 9%	
6		Other 8%			

Session 2 , Question 2 – Group Results

The outcome of a commercial dispute is determined primarily by which of the following?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Parmi les critères ci-dessous, quels sont les critères les plus déterminants pour la solution d'un différend commercial ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= le plus souvent, '2'= 2ème souvent, '3' = 3ème souvent)
(372)

1.Consensus: the parties' subjective interests /1. Le consensus : les intérêts subjectifs des parties (120) 63.00%

4.Rule of Law: findings of fact and law or other norms /4. L'application du droit : l'application aux faits du droit ou d'autres normes (103) 54.00%

3.Equity: general principles of fairness / 3. L'équité : les principes généraux d'équité (85) 44.00%

2.Culture: based cultural and/or religious norms / 2. La culture : sur la base des normes culturelles et/ou religieuses (43) 22.00%

5.Status: deferring to authority/hierarchies / 5. Le statut : s'en remettre aux autorités/hiérarchies (17) 9.00%

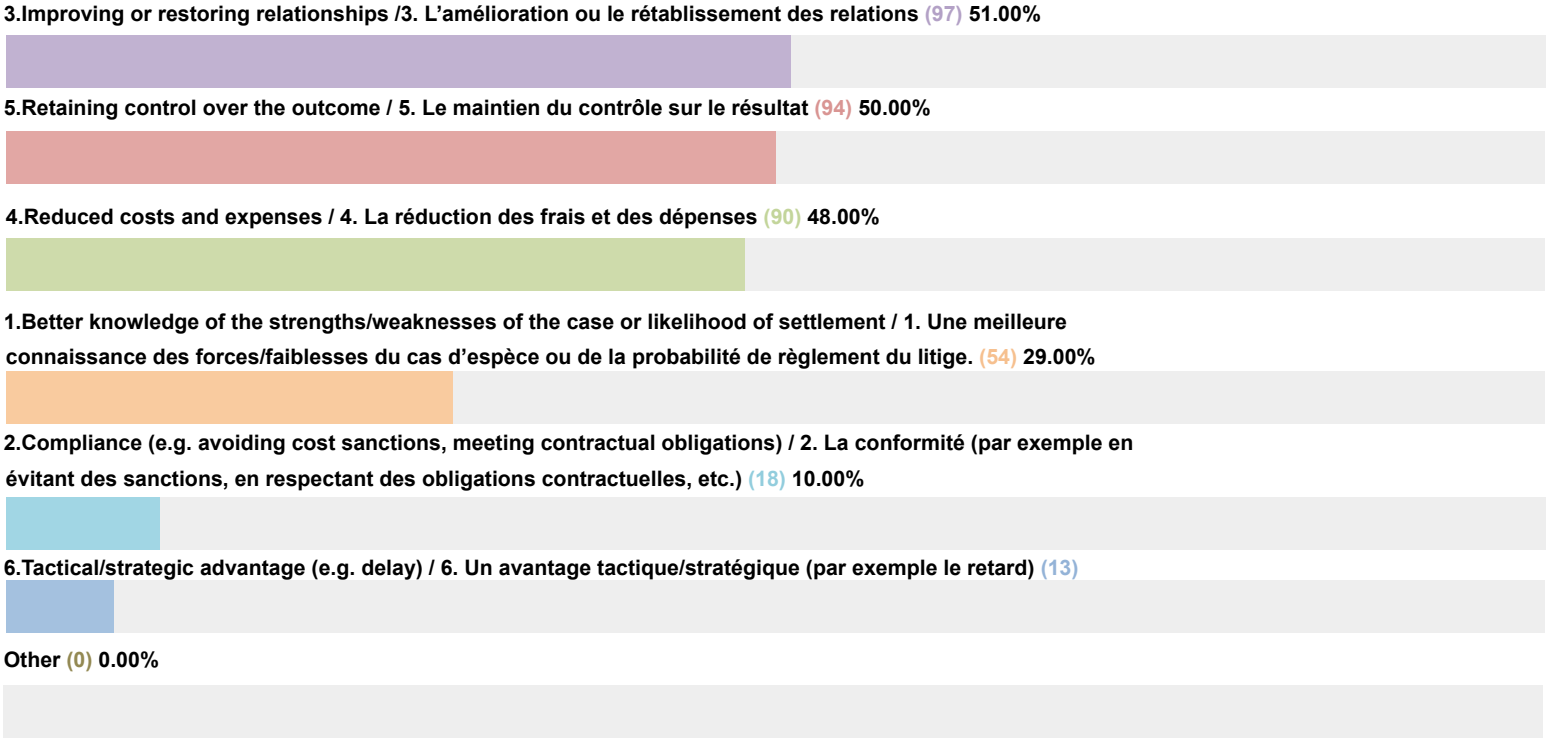
Other (4) 2.00%

Session 2, Question 2 – Cross sorted Results

AVG Rank	Party (user of dispute...)	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider: A conciliator,...	Influencer: A researcher, educator,...
1	1.Consensus: the parties' subjective... 85%	4.Rule of Law: findings... 69%	4.Rule of Law: findings... 67%	1.Consensus: the parties' subjective... 70%	1.Consensus: the parties' subjective... 67%
2	3.Equity: general principles of... 41% 4.Rule of Law: findings... 41%	3.Equity: general principles of... 47%	3.Equity: general principles of... 62%	4.Rule of Law: findings... 48%	4.Rule of Law: findings... 60%
3	2.Culture: based cultural and/or... 23%	1.Consensus: the parties' subjective... 45%	1.Consensus: the parties' subjective... 57%	3.Equity: general principles of... 43%	3.Equity: general principles of... 40%
4	5.Status: deferring to authority/hierarchies... 10%	2.Culture: based cultural and/or... 22%	2.Culture: based cultural and/or... 14%	2.Culture: based cultural and/or... 25%	2.Culture: based cultural and/or... 33%
5		5.Status: deferring to authority/hierarchies... 10%		5.Status: deferring to authority/hierarchies... 13%	
6		Other 8%			

Session 2 , Question 3 – Group Results

In commercial disputes, what is achieved by participating in a non- adjudicative process (mediation or conciliation) (whether voluntary or involuntary - e.g. court ordered)?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Dans les différends commerciaux, qu'obtient-on en participant à une procédure non juridictionnelle (médiation ou conciliation) (qu'elle soit volontaire ou non, par exemple ordonné par le tribunal) ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= principale réalisation, '2'= 2ème réalisation, '3' = 3ème réalisation.)
(366)



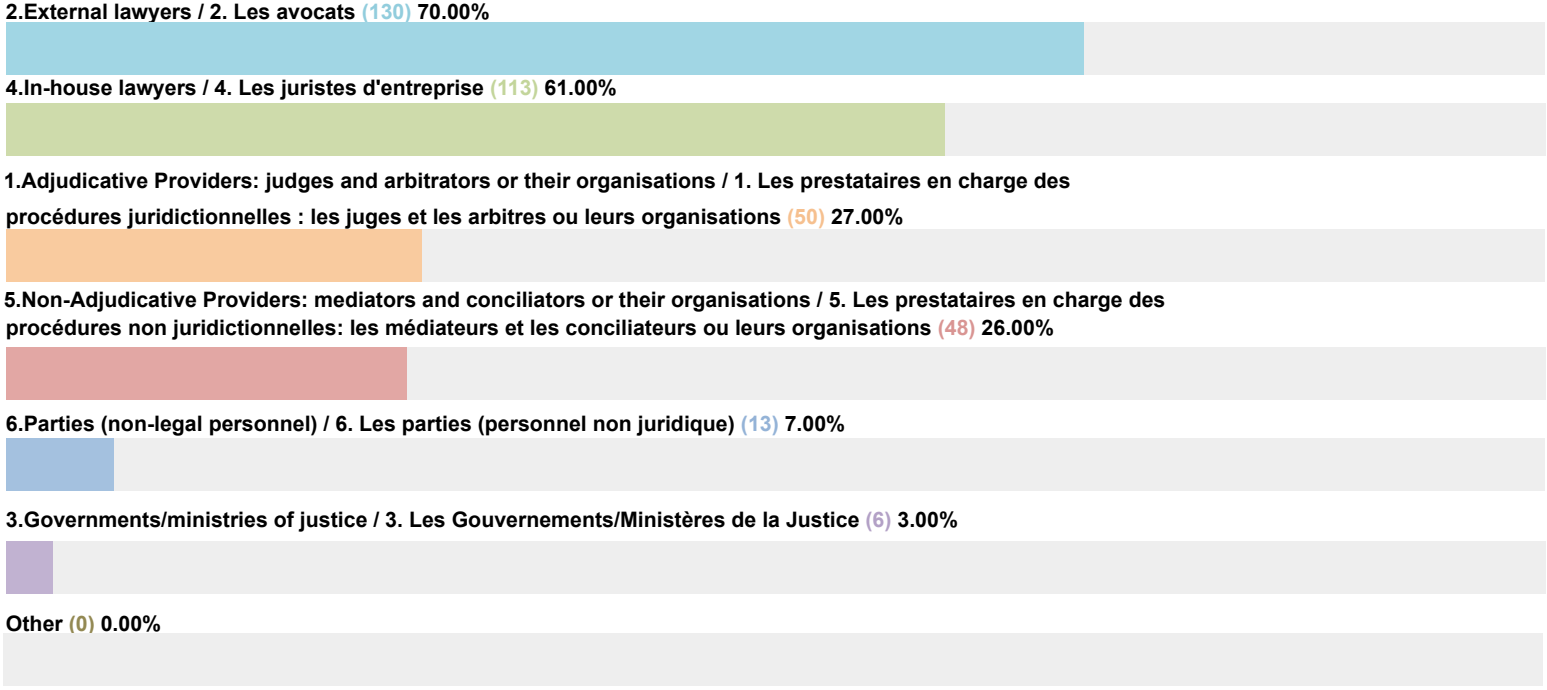
Session 2, Question 3 – Cross sorted Results

AVG Rank	Party (user of dispute…	Advisor: An external lawyer…	Adjudicative Provider: A judge,…	Non-Adjudicative Provider:	Influencer: A researcher,
1	4.Reduced costs and expenses… 60%	3.Improving or restoring relationships… 58%	1.Better knowledge of the… 48% 3.Improving or restoring relationships… 48% 5.Retaining control over the… 48%	5.Retaining control over the… 65%	3.Improving or restoring relationships… 67%
2	3.Improving or restoring relationships… 45%	4. Reduced costs and expenses… 50% 5- Retaining control over the… 50%	4.Reduced costs and expenses… 33%	3. Improving or restoring relationships… 53% 4- Reduced costs and expenses… 53%	5.Retaining control over the… 53%

AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider:	Influencer: A researcher,
3	1.Better knowledge of the... 38%	1.Better knowledge of the... 29%	2.Compliance (e.g. avoiding cost... 24%	1.Better knowledge of the... 21%	2.Compliance (e.g. avoiding cost... 27% 4.Reduced costs and expenses... 27%
4	5.Retaining control over the... 36%	2.Compliance (e.g. avoiding cost... 13%		6.Tactical/strategic advantage (e.g. delay)... 5%	1.Better knowledge of the... 13% 6.Tactical/strategic advantage (e.g. delay)... 13%
5	6.Tactical/strategic advantage (e.g. delay)... 19%			2.Compliance (e.g. avoiding cost... 4%	
6	2.Compliance (e.g. avoiding cost... 2%				

Session 2 , Question 4 – Group Results

Who is primarily responsible for ensuring parties involved in commercial disputes understand their process options, and the possible consequences of each process before deciding which one to use?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Qui doit s'assurer que les parties impliquées dans des différends commerciaux ont compris les différentes procédures de règlement des différends et les conséquences qui y sont attachées avant de décider laquelle choisir?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1' = le plus responsable, '2' = 2ème responsable, '3' = 3ème responsable.)
(360)



Session 2, Question 4 – Cross sorted Results

AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider: A conciliator,...	Influencer: A researcher, educator,...
1	4.In-house lawyers / 4.... 76%	2.External lawyers / 2.... 93%	4.In-house lawyers / 4.... 67%	2.External lawyers / 2.... 70%	2.External lawyers / 2.... 80%
2	2.External lawyers / 2.... 57%	4.In-house lawyers / 4.... 49%	2.External lawyers / 2.... 57%	4.In-house lawyers / 4.... 63%	4.In-house lawyers / 4.... 60%
3	5.Non-Adjudicative Providers: mediators and... 29%	1.Adjudicative Providers: judges and... 31%	5.Non-Adjudicative Providers: mediators and... 33%	5.Non-Adjudicative Providers: mediators and... 35%	1.Adjudicative Providers: judges and... 33%
4	1.Adjudicative Providers: judges and... 26%	5.Non-Adjudicative Providers: mediators and... 13%	1.Adjudicative Providers: judges and... 29%	1.Adjudicative Providers: judges and... 25%	5.Non-Adjudicative Providers: mediators and... 20%
5	6.Parties (non-legal personnel) /... 7%	6.Parties (non-legal personnel) /... 9%	6.Parties (non-legal personnel) /... 14%	6.Parties (non-legal personnel) /... 5%	3.Governments/ministries of justice /... 7%
6	3.Governments/ministries of justice /... 5%	3.Governments/ministries of justice /... 4%		3.Governments/ministries of justice /... 2%	

Session 2 , Question 5 – Group Results

Session 2 Question 5 Currently, the most effective commercial dispute resolution processes usually involve which of the following?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Session 2 Question 5 Selon vous, quels sont les procédures les plus efficaces de règlement des différends commerciaux?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= le plus efficace, '2'= 2ème efficace, '3' = 3ème efficace.)
(360)

5.Pre-dispute or pre-escalation processes to prevent disputes /5. Une procédure préalable au litige ou à l'escalade visant à prévenir les différends (112) **60.00%**

2.Combining adjudicative and non-adjudicative processes (e.g. arbitration/litigation with mediation/conciliation) /
2. La combinaison de procédures juridictionnelles et non juridictionnelles (par exemple arbitrage/contentieux avec médiation/conciliation) (95) **51.00%**

4.Non-adjudicative dispute resolution methods (mediation or conciliation) / 4. Les procédures non juridictionnelles de règlement des différends (médiation ou conciliation) (81) **44.00%**

3.Encouragement by courts, tribunals or other providers to reduce time and/or costs / 3. Un encouragement des tribunaux ou d'autres prestataires à réduire le temps et/ou les coûts (32) **17.00%**

1.Adjudicative dispute resolution methods (litigation or arbitration) / 1. Les procédures juridictionnelles de règlement des différends (contentieux ou arbitrage) (29) **16.00%**

6.Technology to enable faster, cheaper procedures, (e.g. Online Dispute Resolution, electronic administration, remote hearings) / 6. La mise en place de technologies pour permettre des procédures plus rapides et/ou moins coûteuses (par exemple règlement des différends en ligne, administration électronique, audiences à distance)
(10) **5.00%**

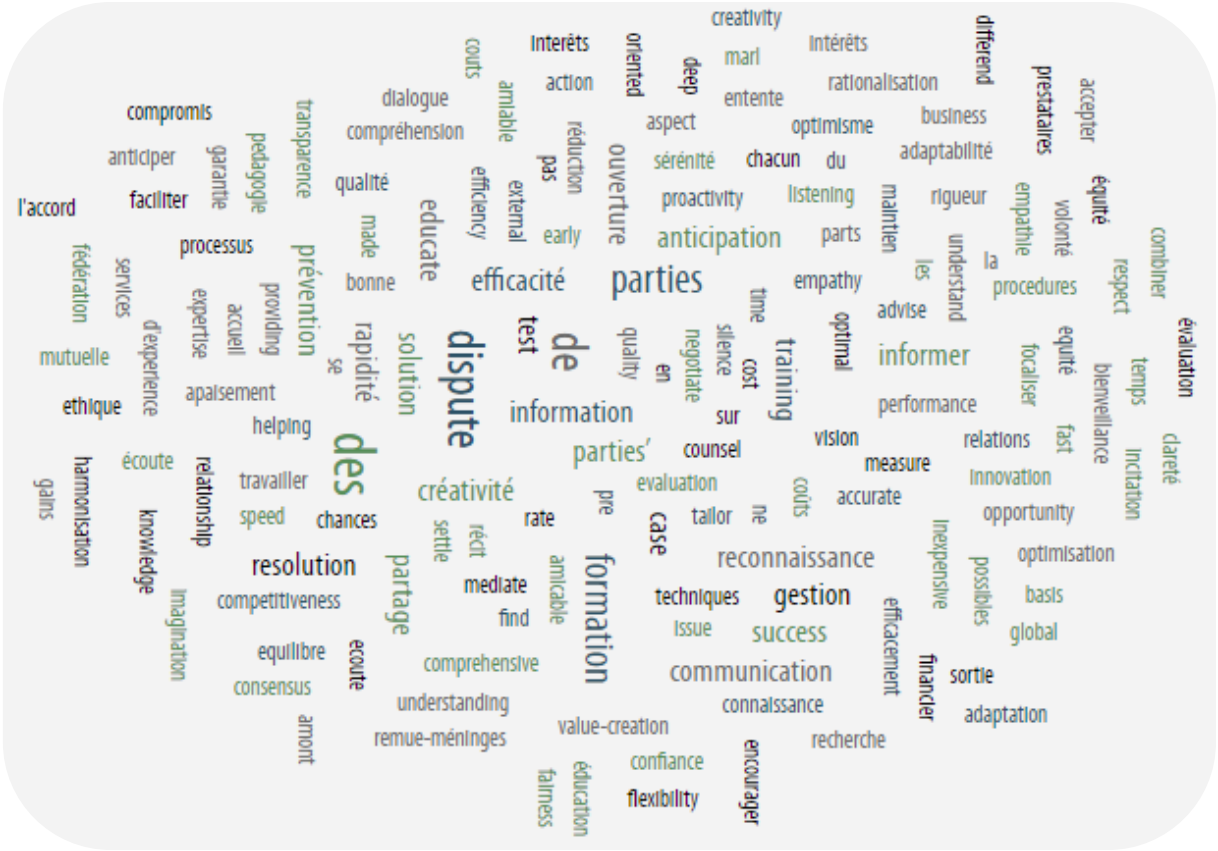
Other (1) **1.00%**

Session 2, Question 5 – Cross sorted Results

AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider:	Influencer: A researcher,
1	5.Pre-dispute or pre-escalation processes... 69%	5.Pre-dispute or pre-escalation processes... 71%	2.Combining adjudicative and non-adjudicative... 57%	5.Pre-dispute or pre-escalation processes... 60%	2.Combining adjudicative and non-adjudicative... 67%
2	4.Non-adjudicative dispute resolution methods... 40%	2.Combining adjudicative and non-adjudicative... 69%	5.Pre-dispute or pre-escalation processes... 48%	4.Non-adjudicative dispute resolution methods... 58%	4.Non-adjudicative dispute resolution methods... 53%
3	2.Combining adjudicative and non-adjudicative... 33%	4.Non-adjudicative dispute resolution methods... 31%	4.Non-adjudicative dispute resolution methods... 43%	2.Combining adjudicative and non-adjudicative... 49%	5.Pre-dispute or pre-escalation processes... 47%
4	3.Encouragement by courts, tribunals... 29%	1.Adjudicative dispute resolution methods... 16%	1.Adjudicative dispute resolution methods... 29%	3.Encouragement by courts, tribunals... 21%	6.Technology to enable faster,... 20%
5	1.Adjudicative dispute resolution methods... 21%	3.Encouragement by courts, tribunals... 9%	3.Encouragement by courts, tribunals... 14%	1.Adjudicative dispute resolution methods... 11%	1.Adjudicative dispute resolution methods... 7% 3.Encouragement by courts, tribunals... 7%
6	6.Technology to enable faster,... 7%	6.Technology to enable faster,... 4%	6.Technology to enable faster,... 5% Other 5%	6.Technology to enable faster,... 2%	

Word Cloud – Session 2

What words would you use to describe what can be done to exceed parties' expectations?



Session 3

Session 3 – Demographic Results

Which category of stakeholder will you vote as today?
(If your regular practice involves several of these options, please select the one in which you have primarily been involved).

À quelle catégorie de participant appartenez-vous ?
(Si votre activité habituelle inclut plusieurs de ces activités, veuillez sélectionner celle que vous exercez à titre principal).
(80)

Party (user of dispute resolution services): A person or in-house counsel involved in commercial disputes / Une partie ayant recours à une procédure de règlement de différends): a. Une personne impliquée dans des différends commerciaux b. Un juriste d'entreprise en charge des différends commerciaux (18) 22.50%

Advisor: An external lawyer or consultant to a party / Un conseil : a. Un avocat b. Un conseil externe d'une partie (26) 32.50%

Adjudicative Provider: A judge, arbitrator, or organisation providing their services / Une autorité juridictionnelle de règlement des différends: a. Un juge b. Un arbitre c. Une institution fournissant ces services (10) 12.50%

Non-Adjudicative Provider: A conciliator, mediator or organisation providing such services / Une autorité non jurdictionnelle de règlement des différends: a. Un conciliateur b. Un médiateur c. Une institution fournissant ces services (20) 25.00%

Influencer: A researcher, educator, employee/representative of government, or any other person not in categories 1-4 above / Une personne influente : a. Un chercheur, b. Un enseignant, c. Un fonctionnaire/représentant du Gouvernement d. Autre personne non comprise dans les catégories 1-4 ci-dessus (veuillez préciser) (6) 7.50%

Session 3, Question 1 – Group Results

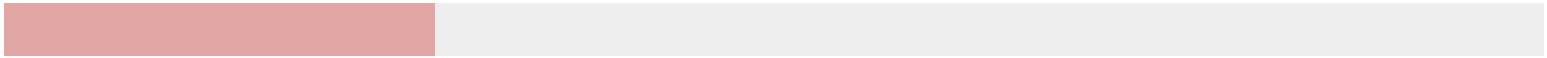
What are the main obstacles or challenges parties face when seeking to resolve commercial disputes?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Quels sont les principaux obstacles et/ou défis auxquels font face les parties lorsqu'elles cherchent à résoudre leurs différends commerciaux ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= plus grand obstacle, '2'= 2ème plus grand obstacle, '3' = 3ème plus grand obstacle)
(444)

4.Insufficient knowledge of options available to resolve disputes / 4. Une connaissance insuffisante des options possibles pour résoudre leurs différends (133) 60.00%

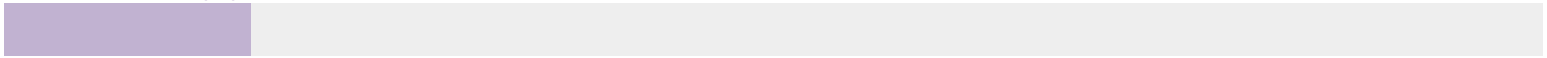
2.Financial or time constraints / 2. Des contraintes financières et/ou de temps (122) 55.00%

1.Emotional, social, or cultural constraints / 1. Des contraintes émotionnelles, sociales et/ou culturelles (90) 41.00%

5.Uncertainty (e.g. unpredictable behaviour or lack of confidence in providers) / 5. De l'incertitude (par exemple un comportement imprévisible ou un manque de confiance vis-à-vis des autorités de règlement des différends) (63) 28.00%



3.Inadequate range of options available to resolve disputes / 3. Des options procédurales inadaptées au règlement de leurs différends (35) 16.00%



Other (1) 0.00%

Session 3, Question 1 – Cross sorted Results

AVG Rank	Party (user of dispute...)	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider: A conciliator,...	Influencer: A researcher, educator,...
1	1. Emotional, social, or cultural... 49% 2. Financial or time constraints... 49%	2.Financial or time constraints... 72%	4.Insufficient knowledge of options... 56%	4.Insufficient knowledge of options... 80%	2.Financial or time constraints... 67%
2	4.Insufficient knowledge of options... 45%	4.Insufficient knowledge of options... 58%	2.Financial or time constraints... 52%	2.Financial or time constraints... 35%	4.Insufficient knowledge of options... 56%
3	5.Uncertainty (e.g. unpredictable behaviour... 35%	1.Emotional, social, or cultural... 39%	1.Emotional, social, or cultural... 48%	3.Inadequate range of options... 31%	1.Emotional, social, or cultural... 44%
4	3.Inadequate range of options... 20%	5.Uncertainty (e.g. unpredictable behaviour... 26%	5.Uncertainty (e.g. unpredictable behaviour... 33%	1.Emotional, social, or cultural... 30%	5.Uncertainty (e.g. unpredictable behaviour... 22%
5	Other 2%	3.Inadequate range of options... 4%	3.Inadequate range of options... 11%	5.Uncertainty (e.g. unpredictable behaviour... 24%	3.Inadequate range of options... 11%

Session 3 , Question 2 – Group Results

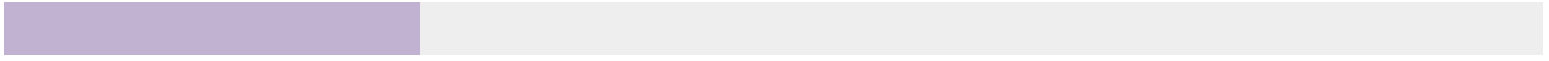
To improve the future of commercial dispute resolution, which of the following processes and tools should be prioritised?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Afin d'améliorer le règlement des différends commerciaux, lesquels des procédures et outils suivants devraient être favorisés ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : 1 = priorité la plus élevée, 2 = 2ème priorité, 3 = 3ème priorité)
(450)

5.Pre-dispute or pre-escalation processes to prevent disputes / 5. Mise en place de procédures préalables visant à prévenir les différends ou leur escalade (140) 61.00%

2.Combining adjudicative and non-adjudicative processes (e.g. arbitration/litigation with mediation/conciliation) / 2. Combinaison de procédures juridictionnelles et non juridictionnelles (par exemple arbitrage/contentieux avec médiation/conciliation) (109) 48.00%

4.Non-adjudicative dispute resolution methods (mediation or conciliation) /4. Procédures non juridictionnelles de règlement des différends (médiation ou conciliation) (102) 45.00%

3.Encouragement by courts, tribunals or other providers to reduce time and/or costs / 3. Réduction de la durée de la procédure de règlement des différends et/ou des coûts (62) 27.00%

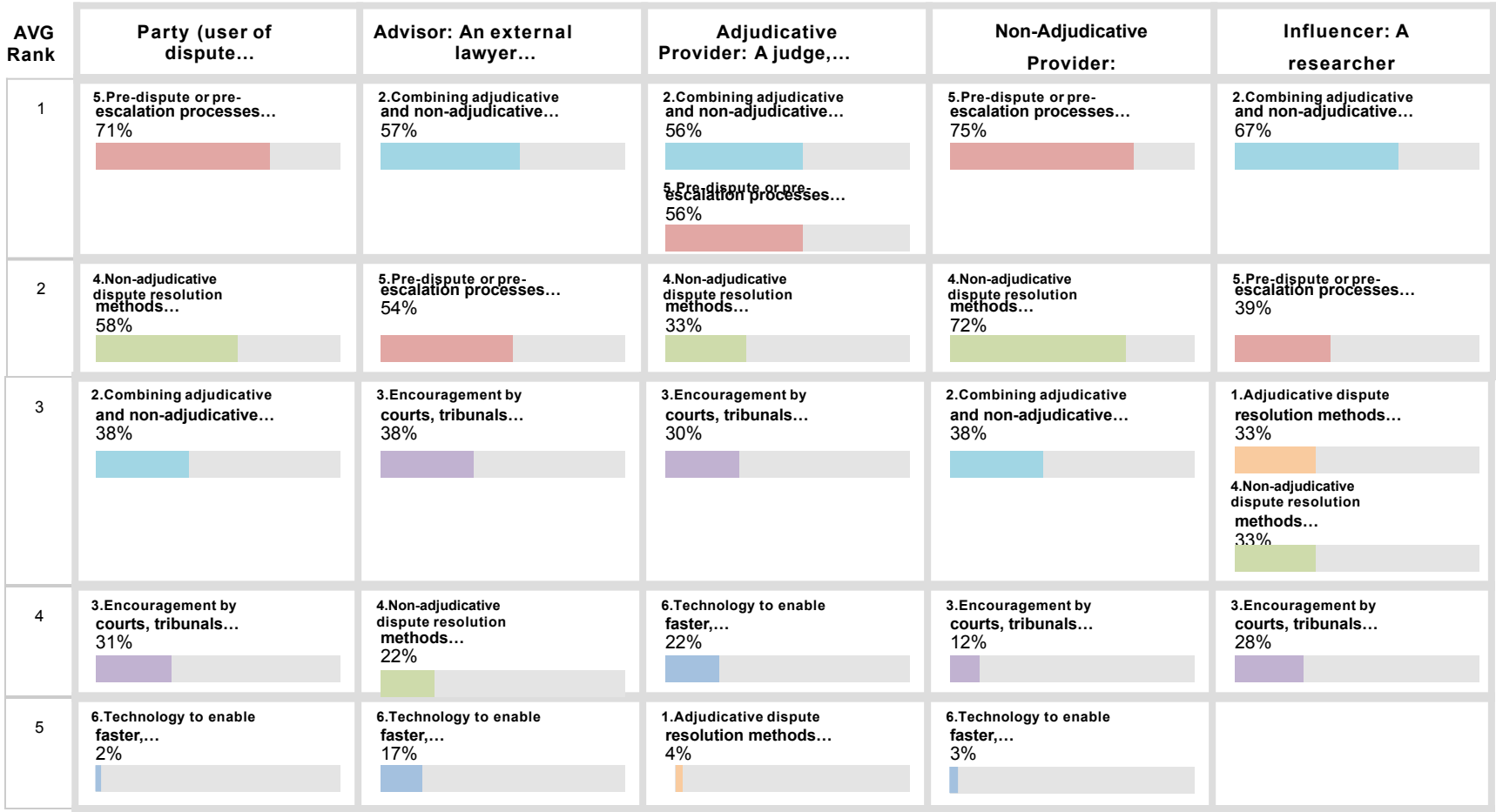


6.Technology to enable faster, cheaper procedures, (e.g. Online Dispute Resolution, electronic administration, remote hearings) / 6. Mise en place de technologies pour permettre notamment de réduire la durée et les coûts de la procédure de règlement (par exemple règlement des différends en ligne, administration électronique, audiences à distance) (21) 9.00%

1.Adjudicative dispute resolution methods (litigation or arbitration) / 1. Procédures juridictionnelles de règlement des differends (contentieux ou arbitrage) (13) 6.00%

Other (3) 1.00%

Session 3, Question 2 – Cross sorted Results

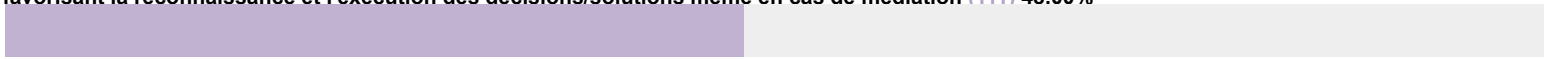


AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider:	Influencer: A researcher
6		1.Adjudicative dispute resolution methods... 8%			
7		Other 4%			

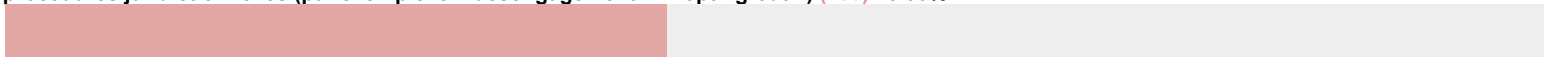
Session 3 , Question 3 – Group Results

Which of the following areas would most improve commercial dispute resolution?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Laquelle des propositions suivantes améliorerait le plus le règlement des différends commerciaux ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : 1 = priorité la plus élevée, 2 = 2ème priorité, 3 = 3ème priorité.)
(456)

3.Legislation or conventions that promote recognition and enforcement of settlements, including those reached in mediation / 3. Une législation ou des conventions favorisant la reconnaissance et l'exécution des décisions/solutions même en cas de médiation (111) 48.00%



5.Use of protocols promoting non-adjudicative processes before adjudicative processes (e.g. opt-out) /5. Le recours à des protocoles favorisant les procédures non juridictionnelles de règlement des différends avant les procédures juridictionnelles (par exemple le « désengagement »/ « opting-out ») (100) 43.00%

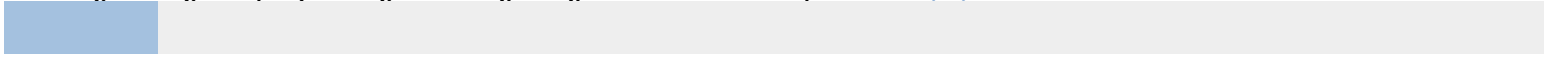


1.Accreditation or certification systems for dispute resolution providers / 1. Des systèmes d'accréditation ou de certification pour les prestataires2 en charge du règlement des différends (84) 36.00%

4.Quality control and complaint mechanisms applicable to dispute resolution providers / 4. Des mécanismes de contrôle de la qualité des services rendus par les prestataires3 en charge de résoudre les différends (75) 32.00%

2.Cost sanctions against parties for failing to try non-adjudicative processes (e.g. mediation or conciliation) before litigation/arbitration. / 2. Des sanctions financières à l'encontre des parties défaillantes dans leurs tentatives de règlement non juridictionnel du différend (par exemple médiation ou conciliation) avant tout contentieux/arbitrage. (61) 26.00%

6. Rules governing third party funding / 6. Des règles régissant le financement par les tiers (22) 10.00



Other (3) 1.00%

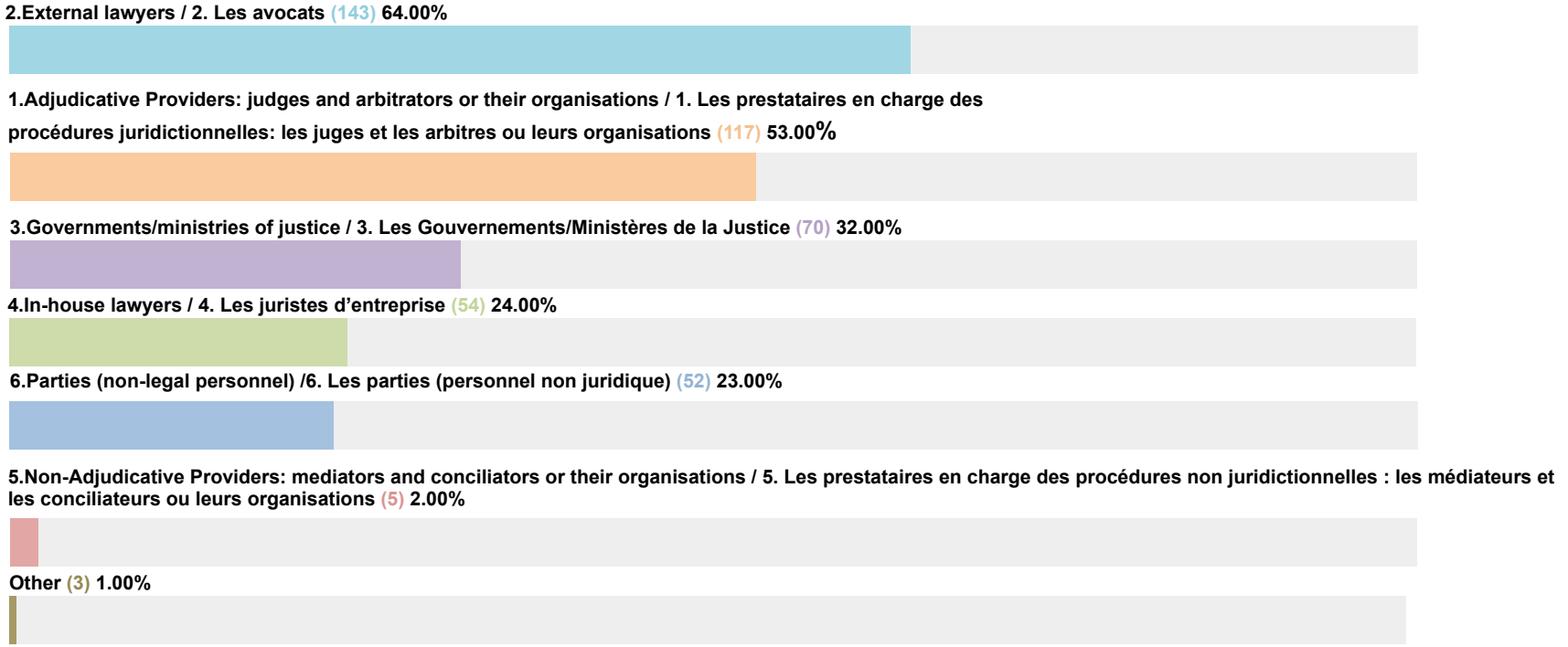
Session 3, Question 3 – Cross sorted Results

AVG Rank	Party (user of dispute…)	Advisor: An external lawyer…	Adjudicative Provider: A judge,…	Non-Adjudicative Provider	Influencer: A researcher,
1	3.Legislation or conventions that… 58%	3.Legislation or conventions that… 48% 5.Use of protocols promoting… 48%	3.Legislation or conventions that… 52%	5.Use of protocols promoting… 52%	3.Legislation or conventions that… 50%
2	1.Accreditation or certification systems… 50%	4.Quality control and complaint… 36%	5.Use of protocols promoting… 41%	1.Accreditation or certification systems… 45%	1.Accreditation or certification systems… 39% 5.Use of protocols promoting… 39%
3	5.Use of protocols promoting… 31%	2.Cost sanctions against parties… 32%	6. Rules governing third… 30%	3.Legislation or conventions that… 40%	2.Cost sanctions against parties… 33% 4.Quality control and complaint… 33%
4	4.Quality control and complaint… 29%	1.Accreditation or certification systems… 27%	4.Quality control and complaint… 26%	4.Quality control and complaint… 35%	6. Rules governing third… 6%
5	2.Cost sanctions against parties… 27%	6. Rules governing third… 9%	1.Accreditation or certification systems… 22%	2.Cost sanctions against parties… 22%	

AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider	Influencer: A researcher,
6	**6. Rules governing third...** 4%		**2.Cost sanctions against parties...** 19%	**6. Rules governing third...** 7%	
7			**Other** 11%		

Session 3 , Question 4 – Group Results

Which stakeholders are likely to be most resistant to change in commercial dispute resolution practice?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Quelles parties prenantes sont susceptibles d'être les plus récalcitrantes au changement dans les pratiques et usages du règlement des différends commerciaux ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1' = le plus résistant, '2' = 2ème résistant, '3' = 3ème résistant)
(444)



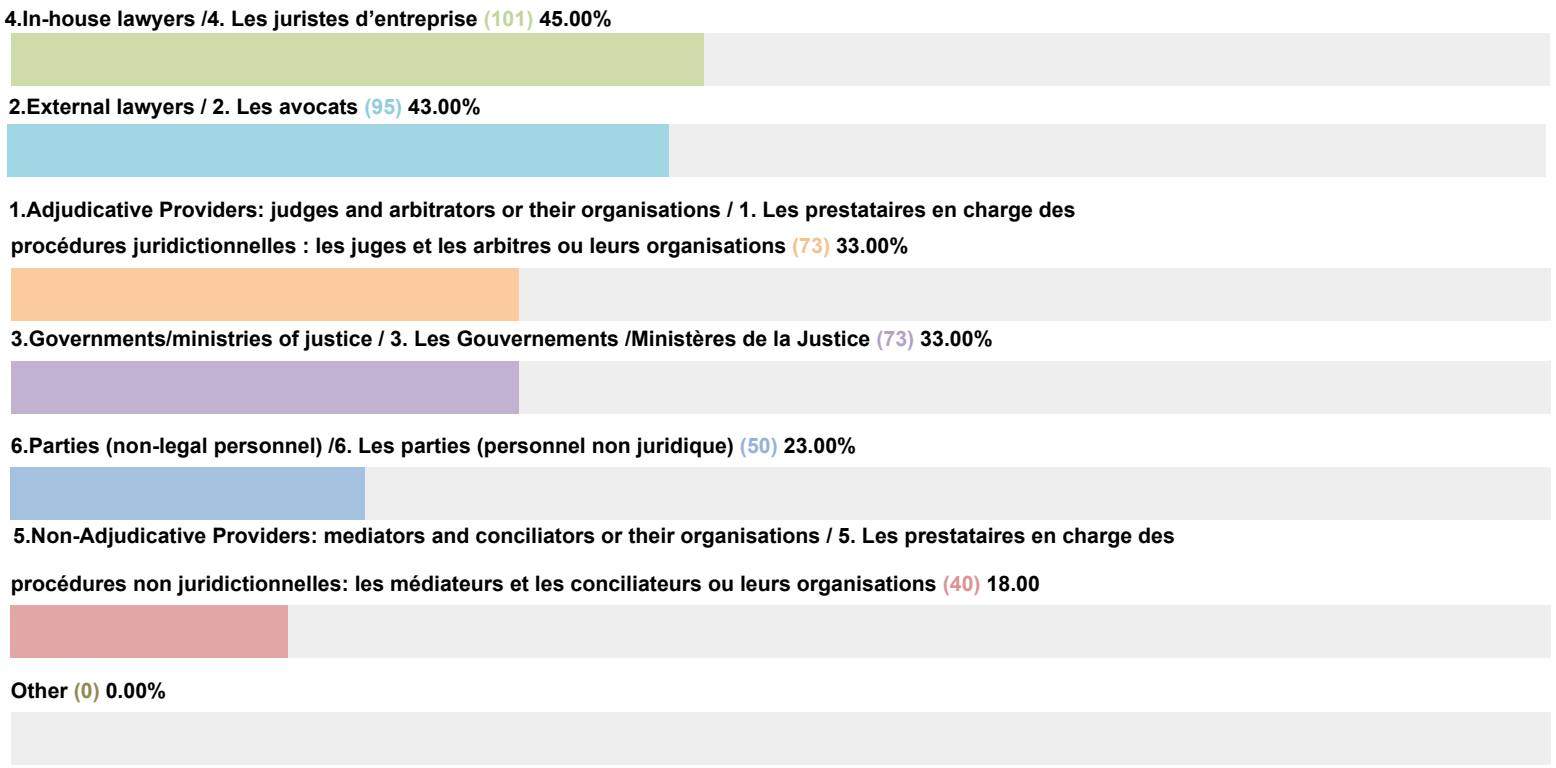
Session 3, Question 4 – Cross sorted Results

AVG Rank	Party (user of dispute...)	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider: A conciliator,...	Influencer: A researcher, educator,...
1	2.External lawyers / 2.... 69%	1.Adjudicative Providers: judges and... 59%	4.In-house lawyers / 4.... 58%	2.External lawyers / 2.... 83%	2.External lawyers / 2.... 73%
2	1.Adjudicative Providers: judges and... 52%	2.External lawyers / 2.... 51%	2.External lawyers / 2.... 46%	1.Adjudicative Providers: judges and... 58%	6.Parties (non-legal personnel) /6.... 40%
3	3.Governments/ministries of justice /... 33%	3.Governments/ministries of justice /... 35%	1.Adjudicative Providers: judges and... 42%	3.Governments/ministries of justice /... 25%	3.Governments/ministries of justice /... 33%
4	6.Parties (non-legal personnel) /6.... 29%	4.In-house lawyers / 4.... 25% 6.Parties (non-legal personnel) /6.... 25%	3.Governments/ministries of justice /... 33%	4.In-house lawyers / 4.... 20%	4.In-house lawyers / 4.... 27%
5	4.In-house lawyers / 4.... 10%	5.Non-Adjudicative Providers: mediators and... 5%	6.Parties (non-legal personnel) /6.... 21%	6.Parties (non-legal personnel) /6.... 13%	1.Adjudicative Providers: judges and... 20%
6	Other 6%				5.Non-Adjudicative Providers: mediators and... 7%

Session 3 , Question 5 – Group Results

Which stakeholders have the potential to be most influential in bringing about change in commercial dispute resolution practice?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Quelles parties prenantes sont susceptibles d'être les plus influentes dans l'évolution des pratiques et usages du règlement des différends commerciaux ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1' = le plus influent, '2' = 2ème influent, '3' = 3ème influent.)

(432)

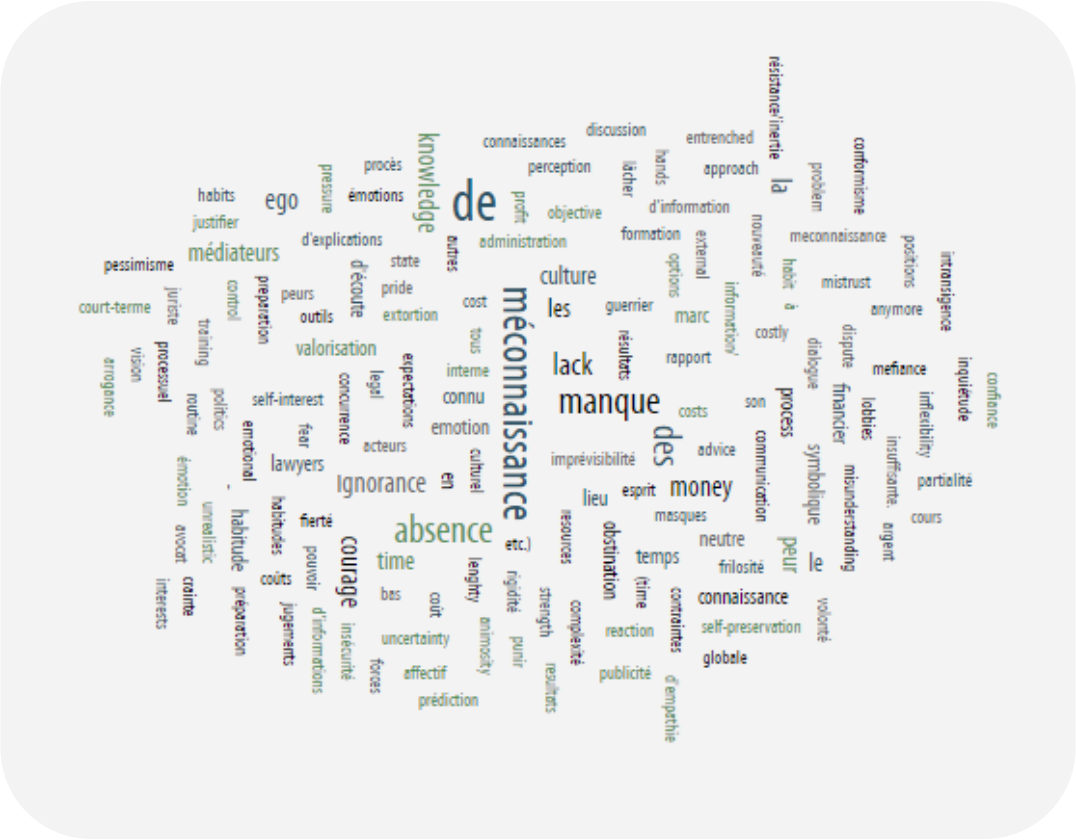


Session 3, Question 5 – Cross sorted Results

AVG Rank	Party (user of dispute…	Advisor: An external lawyer…	Adjudicative Provider: A judge,…	Non-Adjudicative Provider	Influencer: A researcher
1	4.In-house lawyers /4. Les… 71%	2.External lawyers / 2.… 56%	4.In-house lawyers /4. Les… 59%	2.External lawyers / 2.… 46%	4.In-house lawyers /4. Les… 67%
2	6.Parties (non-legal personnel) /6.… 33%	1.Adjudicative Providers: judges and… 38% 3.Governments/ministries of justice /… 38%	1.Adjudicative Providers: judges and… 48%	3.Governments/ministries of justice /… 41%	2.External lawyers / 2.… 53%
3	5.Non-Adjudicative Providers: mediators and… 27%	4.In-house lawyers /4. Les… 28%	3.Governments/ministries of justice /… 41%	4.In-house lawyers /4. Les… 39%	1.Adjudicative Providers: judges and… 47%
4	2.External lawyers / 2.… 25%	6.Parties (non-legal personnel) /6.… 22%	2.External lawyers / 2.… 37%	1.Adjudicative Providers: judges and… 28% 6.Parties (non-legal personnel) /6.… 28%	3.Governments/ministries of justice /… 20%
5	1.Adjudicative Providers: judges and… 23%	5.Non-Adjudicative Providers: mediators and… 19%	6.Parties (non-legal personnel) /6.… 11%	5.Non-Adjudicative Providers: mediators and… 19%	5.Non-Adjudicative Providers: mediators and… 13%
6	3.Governments/ministries of justice /… 21%		5.Non-Adjudicative Providers: mediators and… 4%		

Word Cloud – Session 3

What words would you use to describe the most common impediments that keep parties from resolving their disputes?



Session 4

Session 1 – Demographic Results

Which category of stakeholder will you vote as today?
(If your regular practice involves several of these options, please select the one in which you have primarily been involved).
À quelle catégorie de participant appartenez-vous ?(Si votre activité habituelle inclut plusieurs de ces activités, veuillez sélectionner celle que vous exercez à titre principal).
(61)

Party (user of dispute resolution services): A person or in-house counsel involved in commercial disputes / Une partie ayant recours à une procédure de règlement de différends): a. Une personne impliquée dans des différends commerciaux b. Un juriste d'entreprise en charge des différends commerciaux (14) 22.95%

Advisor: An external lawyer or consultant to a party / Un conseil : a. Un avocat b. Un conseil externe d'une partie (17) 27.87%

Adjudicative Provider: A judge, arbitrator, or organisation providing their services / Une autorité juridictionnelle de règlement des différends: a. Un juge b. Un arbitre c. Une institution fournissant ces services (7) 11.48%

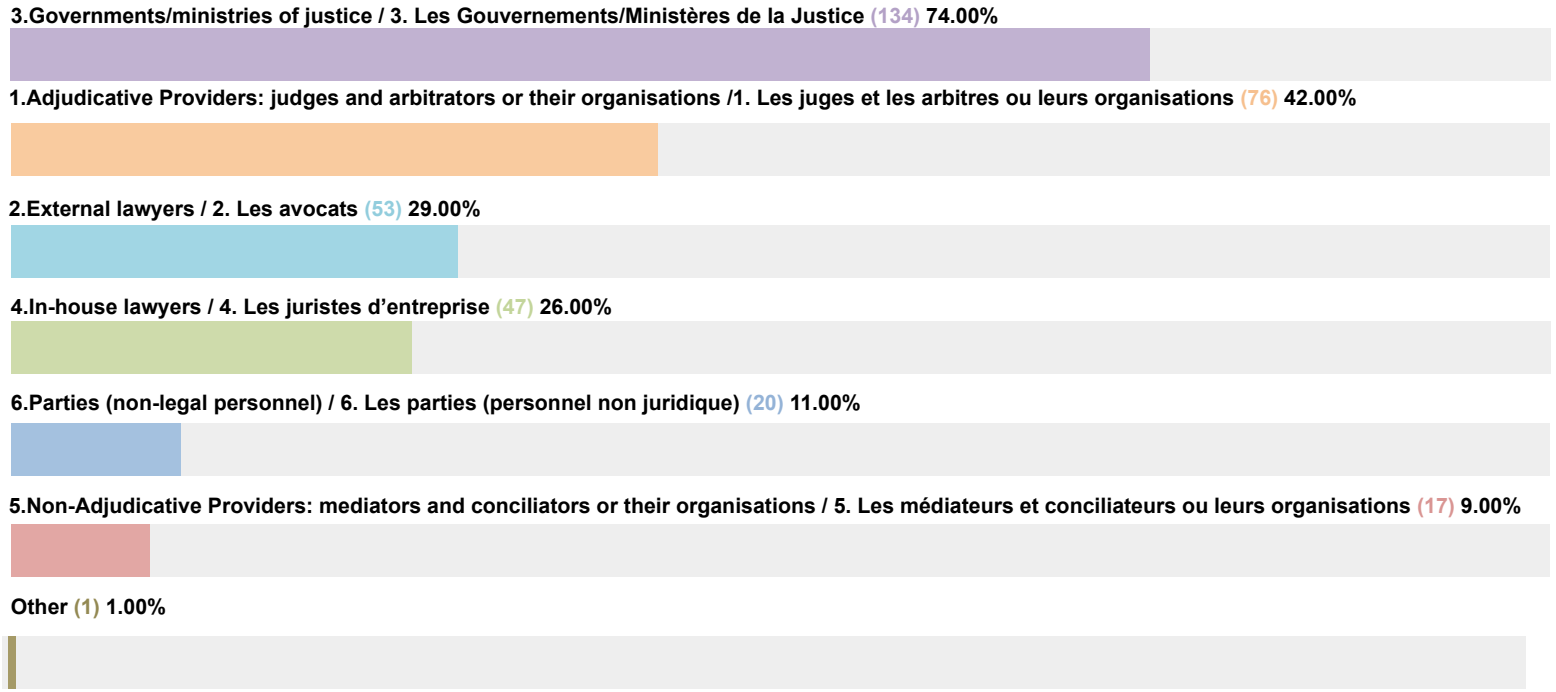
Non-Adjudicative Provider: A conciliator, mediator or organisation providing such services / Une autorité non jurdictionnelle de règlement des différends: a. Un conciliateur b. Un médiateur c. Une institution fournissant ces services (17) 27.87%

Influencer: A researcher, educator, employee/representative of government, or any other person not in categories 1-4 above / Une personne influente : a. Un chercheur, b. Un enseignant, c. Un fonctionnaire/représentant du Gouvernement d. Autre personne non comprise dans les catégories 1-4 ci-dessus (veuillez préciser) (6) 9.84%

Session 4 , Question 1 – Group Results

Who has the greatest responsibility for taking action to promote better access to justice in commercial dispute resolution?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).

Qui doit prendre des mesures pour promouvoir un meilleur accès à la justice dans le règlement des différends commerciaux ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= le plus responsable, '2'= 2ème plus responsable, '3' = 3ème plus responsable, etc.)
(348)



Session 4, Question 1 Cross sorted Results

AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider:	Influencer: A researcher
1	3.Governments/ministries of justice /... 74%	3.Governments/ministries of justice /... 82%	3.Governments/ministries of justice /... 72%	3.Governments/ministries of justice /... 78%	3.Governments/ministries of justice /... 67% 4.In-house lawyers / 4.... 67%
2	1.Adjudicative Providers: judges and... 40%	1.Adjudicative Providers: judges and... 47%	2.External lawyers / 2.... 44%	1.Adjudicative Providers: judges and... 51%	2.External lawyers / 2.... 50%
3	4.In-house lawyers / 4.... 31%	2.External lawyers / 2.... 31%	1.Adjudicative Providers: judges and... 39% 4.In-house lawyers / 4.... 39%	2.External lawyers / 2.... 33%	1.Adjudicative Providers: judges and... 17%
4	6.Parties (non-legal personnel) /... 29%	4.In-house lawyers / 4.... 18%	5.Non-Adjudicative Providers: mediators and... 6%	4.In-house lawyers / 4.... 20%	
5	2.External lawyers / 2.... 14%	6.Parties (non-legal personnel) /... 12%		5.Non-Adjudicative Providers: mediators and... 14%	
6	5.Non-Adjudicative Providers: mediators and... 12%	5.Non-Adjudicative Providers: mediators and... 8%		6.Parties (non-legal personnel) /... 4%	
7		Other 2%			

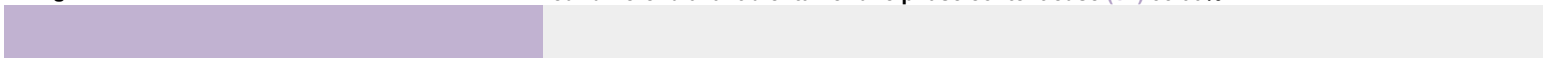
Session 4 , Question 2 – Group Results

What is the most effective way to improve parties' understanding of their options resolving commercial disputes?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).

Quel est le moyen le plus efficace pour permettre aux parties de mieux comprendre leurs options afin de régler leurs différends commerciaux ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1' = le plus efficace, '2' = 2ème efficace, '3' = 3ème efficace, etc. Veuillez utiliser '0' pour indiquer les options qui ne sont pas des obstacles)
(348)

2.Education in business and/or law schools and the broader business community about adjudicative and non- adjudicative dispute resolution options / 2. La mise en place de formations dans les écoles de commerce et/ou de droit et plus largement dans la communauté des affaires sur les options en matière de règlement des différends (141) 77.00%

3.Procedural requirements for all legal personnel and parties to declare they have considered non-adjudicative dispute resolution options before initiating arbitration or litigation / 3. L'obligation procédurale pour les parties ainsi que pour leurs conseils de déclarer qu'ils ont envisagé une procédure non juridictionnelle de règlement de leur différend avant d'entamer une phase contentieuse (64) 35.00%



1.Creating collaborative dispute resolution centres or hubs to promote awareness / 1. La création de centres collaboratifs de règlement des différends ou de plateformes pour sensibiliser les parties aux options (54) 30.00%

4.Providing access to experts to guide parties in selecting the most appropriate dispute resolution process(es) /4. La fourniture d'un accès à des experts afin de guider les parties dans le choix le plus approprié de la procédure de règlement des différends (44) 24.00%

5.Requiring parties to attempt non-adjudicative options (i.e., mediation or conciliation) before initiating litigation or arbitration / 5. La mise en place d'une procédure non juridictionnelle obligatoire de règlement des differends (notamment médiation ou conciliation) préalable à tout contentieux ou arbitrage (42) 23.00%

Other (3) 2.00%

Session 4, Question 2 – Cross sorted Results

AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider:	Influencer: A researcher,
1	2.Education in business and/or... 87%	2.Education in business and/or... 76%	2.Education in business and/or... 86%	2.Education in business and/or... 76%	2.Education in business and/or... 92%
2	1.Creating collaborative dispute resolution... 36%	3.Procedural requirements for all... 43%	3.Procedural requirements for all... 43%	1.Creating collaborative dispute resolution... 37%	3.Procedural requirements for all... 58%
3	4.Providing access to experts... 33%	1.Creating collaborative dispute resolution... 27% 5.Requiring parties to attempt... 27%	4.Providing access to experts... 38%	3.Procedural requirements for all... 33%	1.Creating collaborative dispute resolution... 17% 4. Providing access to experts... 17% 5. Requiring parties to attempt... 17%
4	3.Procedural requirements for all... 23%	4.Providing access to experts... 20%	1.Creating collaborative dispute resolution... 24%	5.Requiring parties to attempt... 31%	
5	5.Requiring parties to attempt... 21%	Other 6%	5.Requiring parties to attempt... 10%	4.Providing access to experts... 22%	

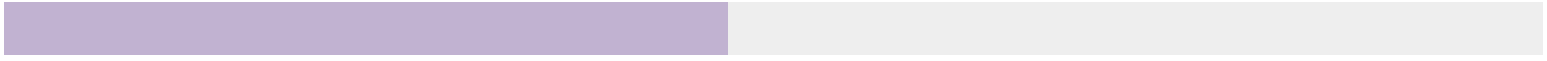
Session 4 , Question 3 – Group Results

To promote better access to justice for those involved in commercial disputes, where should policy makers, governments and administrators focus their attention? (Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Sur quels points les décideurs, les gouvernements et les administrateurs devraient-ils concentrer leur attention afin d'améliorer l'accès à la justice des personnes impliquées dans des différends commerciaux, ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : 1 = attention la plus élevée, 2 = 2ème attention, 3 = 3ème attention.)
(336)

1.Legislation or conventions promoting recognition and enforcement of settlements including those reached in mediation /1. Une législation ou des conventions favorisant la reconnaissance et l'exécution des décisions/solutions même en cas de médiation (90) 52.00%

5.Use of protocols promoting non-adjudicative processes (mediation or conciliation) before adjudicative processes / 5. Le recours à des protocoles favorisant les procédures non juridictionnelles (médiation ou conciliation) avant les procédures juridictionnelles (88) 51.00%

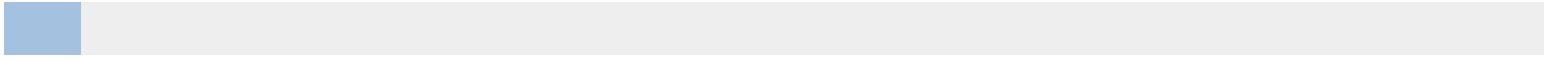
3.Pre-dispute or early stage case evaluation or assessment systems using third party advisors who will not be involved in subsequent proceedings / 3. Des systèmes d'évaluation ou d'appréciation liminaires ou préalables au différend à l'aide de conseils indépendants qui ne seront pas impliqués dans les procédures7 ultérieures (81)



2.Making non-adjudicative processes (mediation or conciliation) compulsory and/or a process parties can "opt-out" of before adjudicative processes can be initiated /2. Un recours obligatoire aux procédures non juridictionnelles (médiation ou conciliation) et/ou une autorisation des parties à «se désengager»/«opt-out» avant le commencement des procédures juridictionnelles (37) 21.00%

4.Reducing pressures on the courts to make them more efficient and accessible / 4. L'allègement des pressions pesant sur les tribunaux pour un accès facillité et plus efficace (32) 18.00%

Other (8) 5.00%



Session 1, Question 3 – Cross sorted Results

AVG Rank	Party (user of dispute…	Advisor: An external lawyer…	Adjudicative Provider: A judge,…	Non-Adjudicative Provider:	Influencer: A researcher,
1	5.Use of protocols promoting… 62%	1.Legislation or conventions promoting… 49% 5..Use of protocols promoting… 49%	1.Legislation or conventions promoting… 67%	5.Use of protocols promoting… 57%	3.Pre-dispute or early stage… 60%
2	1.Legislation or conventions promoting… 59%	3.Pre-dispute or early stage… 40%	3.Pre-dispute or early stage… 50%	1.Legislation or conventions promoting… 53% 3.Pre-dispute or early stage… 53%	5.Use of protocols promoting… 47%
3	3.Pre-dispute or early stage… 46%	2.Making non-adjudicative processes (mediation… 29% 4.Reducing pressures on the… 29%	5.Use of protocols promoting… 33%	2.Making non-adjudicative processes (mediation… 22%	1.Legislation or conventions promoting… 40%
4	4.Reducing pressures on the… 21%	Other 4%	2.Making non-adjudicative processes (mediation… 28%	Other 10%	4.Reducing pressures on the… 27%
5	2.Making non-adjudicative processes (mediation… 13%		4.Reducing pressures on the… 22%	4.Reducing pressures on the… 6%	2.Making non-adjudicative processes (mediation… 20%
6					Other 7%

Session 4 , Question 4 – Group Results

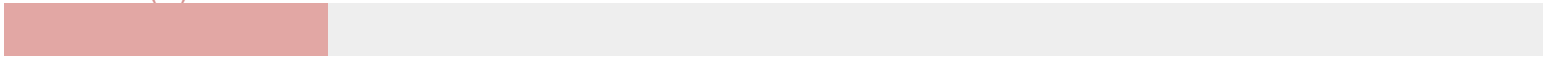
Which of the following will have the most significant impact on future policy-making in commercial dispute resolution?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Lequel des éléments suivants aura l'impact le plus significatif sur les règles de conduite futures en matière de règlement des différends commerciaux ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= le plus significatif, '2'= 2ème significatif, '3' = 3ème significatif.)
(324)

1.Demand for certainty and enforceability of outcomes / 1. L'assurance du caractère exécutoire des résultats (91) **54.00%**

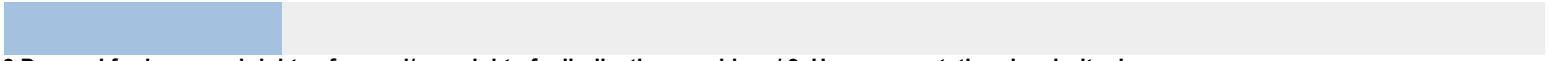
2.Demand for increased efficiency of dispute resolution processes, including through technology. / 2. Une plus grande efficacité des procédures de règlement des différends, y compris grâce à la technologie. (87) **52.00%**

4.Demand for increased transparency / 4. Une transparence accrue (55) **33.00%**

5.Demand for increased uniformity and standardisation /5. Une augmentation de l'uniformité et de la normalisation (36) **21.00%**



6.Demand for processes that allow parties to represent themselves, without lawyers / 6. La mise en place de procédures qui permettent aux parties de se représenter sans avocat (30) **18.00%**



3.Demand for increased rights of appeal/oversight of adjudicative providers / 3. Une augmentation des droits de faire appel/de surveillance des prestataires en charge de procédures juridictionnelles (20) **12.00%**

Other (5) **3.00%**

Session 4, Question 4 – Cross sorted Results

AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider:	Influencer: A researcher,
1	2.Demand for increased efficiency... 60%	1.Demand for certainty and... 62%	1. Demand for certainty and... 60% 2. Demand for increased efficiency... 60%	1. Demand for certainty and... 56% 2. Demand for increased efficiency... 56%	5.Demand for increased uniformity... 53%
2	1.Demand for certainty and... 57%	2.Demand for increased efficiency... 56%	4.Demand for increased transparency... 40%	4.Demand for increased transparency... 36%	6.Demand for processes that... 40%
3	4.Demand for increased transparency... 33%	4.Demand for increased transparency... 31%	3.Demand for increased rights... 20%	6.Demand for processes that... 24%	1.Demand for certainty and... 33% 4.Demand for increased transparency...

AVG Rank	Party (user of dispute...	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider:	Influencer: A researcher,
4	5. Demand for increased uniformity... 21% 6.Demand for processes that... 21%	5.Demand for increased uniformity... 22%	5.Demand for increased uniformity... 13%	5.Demand for increased uniformity... 16%	2.Demand for increased efficiency... 20%
5	3.Demand for increased rights... 7%	3.Demand for increased rights... 16%	6.Demand for processes that... 7%	3.Demand for increased rights... 11%	3.Demand for increased rights... 13%
6		6.Demand for processes that... 7% Other 7%		Other 2%	Other 7%

Session 4 , Question 5 – Group Results

What innovations/trends are going to have the most significant influence on the future of commercial dispute resolution?
(Please rank your 3 preferred answers in order of priority: '1st choice'= 3 points, '2nd choice'= 2 points, '3rd choice' = 1 point).
Quelles innovations/tendances auront le plus d'influence sur l'avenir du règlement des différends commerciaux ?
(Veuillez classer vos 3 réponses préférées par ordre de priorité : '1'= le plus significatif, '2'= 2ème significatif, '3' = 3ème significatif.)
(324)

1.Changes in corporate attitudes to conflict prevention / 1. Des changements dans le comportement des entreprises en prévention des conflits (103) 60.00%

3.Greater emphasis on collaborative instead of adversarial processes for resolving disputes / 3. Le développement de procédures collaboratives au lieu de procédures accusatoires de règlement des différends (92) 54.00%

2.Enhanced understanding regarding how people behave and resolve conflict (e.g. from brain and social sciences) / 2. Une meilleure compréhension du comportement des individus et de la manière dont ces derniers résolvent les conflits (par exemple apport des neuroscience et sciences sociales) (59) 35.00%

5.Harmonisation of international laws and standards for dispute resolution systems /5. L'harmonisation des législations et des normes internationales relatives aux systèmes de règlement des différends (30) 18.00%

6.Technological innovation (e.g. on-line dispute resolution) /6. L'innovation technologique (par exemple, la résolution en ligne des différends) (22) 13.00%

4.Greater emphasis on personal wellbeing and stress reduction of parties / 4. La valorisation du bien-être personnel et de la réduction du stress des parties (16) 9.00%

Other (2) 1.00%

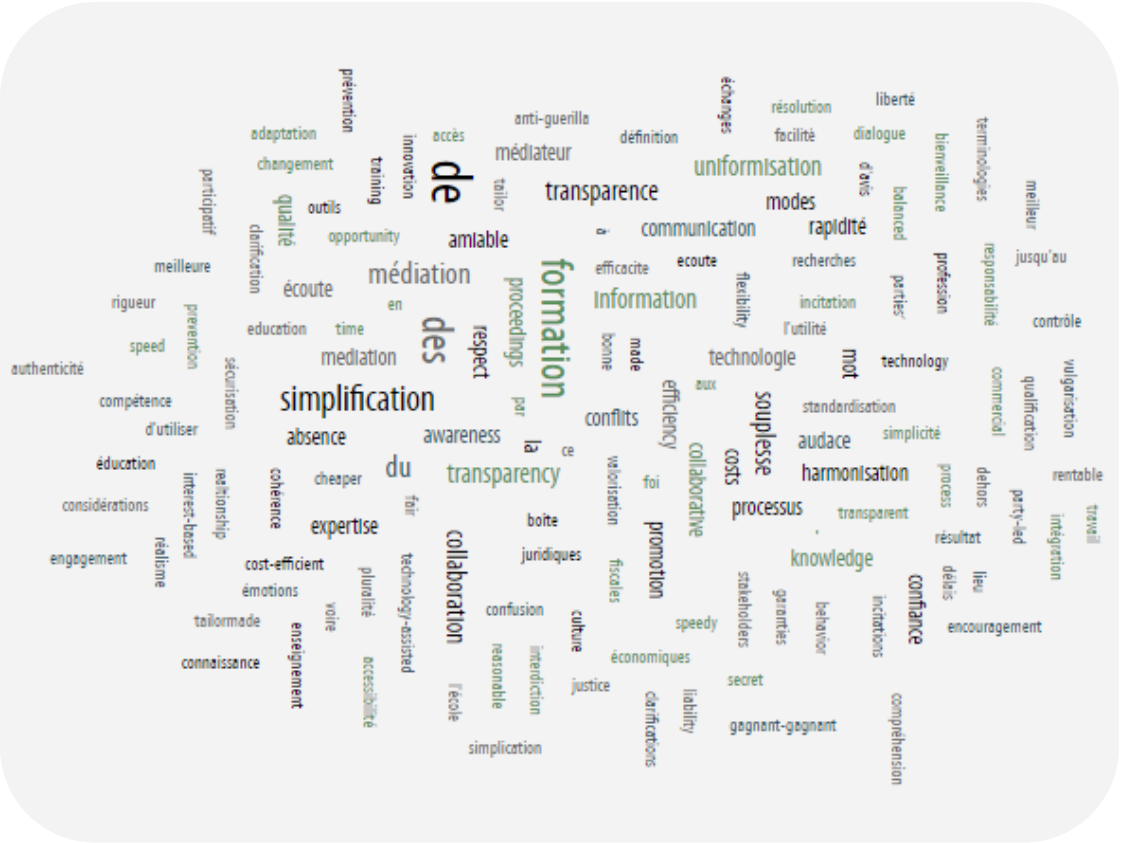
Session 4, Question 5 – Cross sorted Results

AVG Rank	Party (user of dispute…	Advisor: An external lawyer…	Adjudicative Provider: A judge,…	Non-Adjudicative Provider	Influencer: A researcher…
1	1.Changes in corporate attitudes… 79%	1.Changes in corporate attitudes… 67%	3.Greater emphasis on collaborative… 60%	3.Greater emphasis on collaborative… 63%	1.Changes in corporate attitudes… 75%
2	3.Greater emphasis on collaborative… 50%	3.Greater emphasis on collaborative… 62%	5.Harmonisation of international laws… 53%	2.Enhanced understanding regarding how… 54%	2.Enhanced understanding regarding how… 42% 4.Greater emphasis on personal… 42%
3	2.Enhanced understanding regarding how… 29%	2.Enhanced understanding regarding how… 33%	1.Changes in corporate attitudes… 40% 6.Technological innovation (e.g. on-line… 40%	1.Changes in corporate attitudes… 52%	3.Greater emphasis on collaborative… 33%

AVG Rank	Party (user of dispute...)	Advisor: An external lawyer...	Adjudicative Provider: A judge,...	Non-Adjudicative Provider: A conciliator,...	Influencer: A researcher, educator,...
4	5. Harmonisation of international laws... 17% 6.Technological innovation (e.g. on-line... 17%	5. Harmonisation of international laws... 13% 6.Technological innovation (e.g. on-line... 13%	2.Enhanced understanding regarding how... 7%	5.Harmonisation of international laws... 17%	5.Harmonisation of international laws... 8%
5	4.Greater emphasis on personal... 10%	4.Greater emphasis on personal... 9%		4.Greater emphasis on personal... 6% 6..Technological innovation (e.g. on-line... 6%	
6		Other 2%		Other 2%	

Word Cloud – Session 4

What words would you use to describe the changes to focus on in the future?



THANK YOU