

THE GPC LOS ANGELES REPORT

Local findings from North America

GPC Series 2016-2017

An International Mediation Institute project

Supported by the AAA-ICDR Foundation

December 2019





GLOBAL POUND CONFERENCE SERIES 2016-17

INITIATED BY



International Mediation Institute

GLOBAL SPONSORS:

DIAMOND SPONSORS



PLATINUM SPONSORS



GOLD SPONSORS



SILVER SPONSORS



FOUNDER SPONSORS

Herbert Smith Freehills, Singapore International Dispute Resolution Academy, PWC, JAMS, AkzoNobel, BAC/BIC, Shell and ICDR.

The GPC Los Angeles Report is Copyright © 2019 International Mediation Institute, Netherlands.

Project funded by the AAA-ICDR Foundation.

Authored by Emma-May Litchfield and Danielle Hutchinson, Resolution Resources, Australia.

The findings contained within this report do not necessarily reflect the opinions or views of IMI, AAA-ICDR, Resolution Resources or sponsors associated with the GPC Series 2016-17. Rather they are a product of the responses from delegates who participated in the GPC Los Angeles event.

MESSAGE FROM THE GPC LOS ANGELES LOC

The Los Angeles Global Pound Conference was hosted at the University of Southern California Gould School of Law on March 16, 2017. The conference attracted numerous in-house lawyers and clients, external lawyers and consultants, dispute resolution providers, academics, government servants and others to consider perspectives on the current state and future of commercial dispute resolution.

Led by Local Organizing Committee Co-Chairs Richard Chernick of JAMS and Thomas Stipanowich of Pepperdine University School of Law (and now with JAMS), the conference looked at the significant impact the original Pound Conference had on the alternative dispute resolution movement globally, as well as shared best practice and the latest developments from across the world to streamline the ADR process in the United States.

The Hon. Dorothy W. Nelson, senior judge for the U.S. Court of Appeals for the Ninth Circuit and former dean of the USC Gould School of Law was the keynote speaker. Judge Nelson was a student of Roscoe Pound, in whose honor the historic Pound Conference of 1976 was named, and which led to the birth of the modern dispute resolution system. Judge Nelson was introduced by Hon. Judith Chirlin (Ret.). Hon. John K. Trotter (Ret.), Mediator and Arbitrator with JAMS, delivered the lunchtime keynote address. Many other notable speakers filled out the days' program, contributing to an interesting and robust discussion.

Local sponsors included USC Gould School of Law, The Rutter Group (Thomson Reuters), Richard Chernick, Arent Fox, Welsh Consulting, ARC (Alternative Resolution Centers), and the Southern California Mediation Association.

*Local Organizing Committee
GPC Los Angeles*

CONTENTS

Executive Summary	3
How to use this report	5
Local findings	6
Needs, wants and expectations	7
The market	10
Obstacles and challenges.	13
Vision.	17
Methodology	20
About the authors	21

EXECUTIVE SUMMARY

KEY THEMES FROM THE GPC LOS ANGELES

Parties who play an active role in resolving disputes are a feature of commercial dispute resolution (DR) in Los Angeles.

Lawyers as advisors are highly valued, as are providers who can ‘think outside the box’. Early intervention strategies, such as conflict coaching and early case assessment, are becoming increasingly popular due to their capacity to facilitate timely and cost-effective solutions. Despite the growing appetite for alternative dispute resolution (ADR), an adversarial mindset remains entrenched and there is a sense in some quarters that ADR is not a serious option. Effective communication about the full range of DR processes available to parties is seen as key to realizing Los Angeles’ desire to embed ADR within the commercial landscape. Continuing education for the legal sector, business sector and the wider community is a major priority for those promoting the uptake of ADR practices.



Strengths

- Skilled, proactive practitioners with subject expertise
- Adaptable and flexible processes, including non-adversarial options
- Awareness of the benefits of early assessment
- Focus on importance of non-financial interests and relationship-building
- Parties who feel empowered and involved
- Confidentiality, impartiality and fairness as priorities
- A culture of creative problem-solving
- Availability of third-party funding
- No regulation or accreditation required for providers
- Lawyers and providers who can bridge wide gaps in parties’ understanding



Limitations

- Expense and complexity of arbitration
- Discovery dragging out time and expense
- Misuse of mediation as means of discovery
- Lack of lawyer knowledge about DR
- Lawyer self-interest manifesting as a tendency toward litigious approaches
- Dominance of ‘old boys’ networks
- Parties not informed about the range of DR processes available to them
- Unprepared, overcommitted or biased providers
- Providers who are unable to effectively ‘switch hats’
- Mediation not taken seriously as a DR process in its own right

EXECUTIVE SUMMARY CONT'D



Priorities for your jurisdiction

Building DR knowledge and skills for the legal profession and the general community through awareness campaigns, educational programs, volunteer-led community mediation and advertising for DR services

Building stronger links between ADR practitioners and lawyers through State Bar Associations and professional development events

Embedding ADR into law school curricula and continuing legal education programs

Enabling ADR providers to develop specialized areas of practice

Encouraging the standardization of DR clauses to promote ADR in the first instance

Developing incentives for lawyers to take non-litigious approaches where possible

Examining barriers to justice such as the expense and complexity of arbitration and the misuse of mediation

Strengthening the quality and diversity of mediators, including specialist training for providers engaged in hybrid processes

Investigating scope to increase small claims thresholds and provide additional resourcing linked to pre-discovery, ADR resources and early access to ADR practitioners

Continuing the use of arbitral panels composed of three members to mitigate effect of outlier members

HOW TO USE THIS REPORT

Initiated by the International Mediation Institute (IMI), the GPC Series 2016-17 was a series of 28 conferences held in 22 countries across the globe. For further information about the GPC and its supporters, see The North America Report or the IMI website.

Suite of Reports

A set of eight North American reports has been created as part of an IMI project funded by the AAA-ICDR Foundation. All the reports are available on the IMI website.

The complete suite of reports includes:

- The GPC North America Report
- The GPC Austin Report
- The GPC Baltimore Report
- The GPC Los Angeles Report
- The GPC Miami Report
- The GPC New York Report
- The GPC San Francisco Report
- The GPC Toronto Report

Together, these reports offer a picture of the commercial dispute resolution (DR) landscape in the North America region and include a series of actionable recommendations specific to the participating jurisdictions. The reports contain an analysis of responses to the questions posed to focus groups at each GPC event. The questions are available in the North America Report. Collectively, the suite of North American reports draws on data generated from 301 focus groups.

The Los Angeles Report contains a synthesis of responses to 13 open text questions answered by 31 focus groups spread across Sessions 1-4.

Delegates in the focus groups identified themselves as belonging to a primary stakeholder group. The five stakeholder groups were:

Parties: end-users of DR, generally in-house counsel and executives

Advisors: private practice lawyers and other external consultants

Adjudicative Providers: judges, arbitrators and their supporting institutions

Non-Adjudicative Providers: mediators, conciliators and their supporting institutions

Influencers: academics, government officers, policy makers

The GPC Los Angeles Report offers insight into four areas of interest in commercial DR:

Needs, Wants and Expectations:

Parties' needs, wants and expectations in commercial DR in Los Angeles

The Market: The current market and the extent to which it is addressing parties' needs, wants and expectations in Los Angeles

Obstacles and Challenges: The obstacles and challenges faced in commercial DR in Los Angeles and the scale of change required to overcome them

Vision: The vision for commercial DR in Los Angeles in the short, medium and long term
For a comprehensive overview and description of similarities and differences between cities, it is recommended you read this report in conjunction with The North America Report.

LOCAL FINDINGS

The following part of the report provides detailed findings from the GPC Los Angeles event.

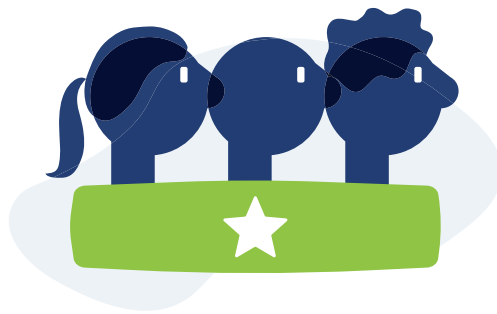
The approach taken draws directly on the responses provided by the focus groups and each of the four sections is best read as a collective statement from those who participated.

Each section also includes recommendations.

The recommendations are general in nature and can be used by businesses, advisors, providers, and influencers of policy as a stimulus or prompt for shaping the future of commercial DR in Los Angeles.

NEEDS, WANTS AND EXPECTATIONS

This section offers a picture of parties using commercial DR in Los Angeles. Organized into three distinct profiles, each profile describes the needs, wants and expectations of parties based on their level of sophistication or experience in commercial DR. For example, in Los Angeles, less experienced parties often have a need to tell their story and feel that they have been heard, whereas the most dispute-savvy users may want to take a more strategic approach to DR.



Profile 1: Inexperienced or unsophisticated parties

Parties at this level typically want a fast and inexpensive win. Usually, this involves either receiving or avoiding a monetary award. Inherent in this desire to win is a strong focus on obtaining validation, vindication and a sense that justice has been served. This drive is often predicated on parties' need to tell their story and feel that they have been heard. As such, psychological needs play an important role in the way that parties at this level approach commercial DR.

It was also suggested that parties at this level often lack an awareness of the need to compromise and instead expect to have everything go their way. Interestingly, it was perceived that parties seek processes and outcomes that are fair. It was not stated whether fairness is defined subjectively or objectively. Sometimes parties have unrealistic expectations based on what they have seen on television and may be seduced by the notion of 'having their day in court'. It was also stated that some parties may want to pursue claims that have minimal legal basis or seek categories of damages that are unavailable to them.

Parties at this level may become frustrated when lawyers or providers do not move quickly to 'bludgeon the other side' or resolve the dispute for them. This sits in contrast to parties' desire for providers who are impartial. It was noted that parties are particularly vulnerable to the quality of the advice provided by their lawyers, particularly where they are naive regarding DR generally.

On the other hand, some with more experience may appreciate the risks and burdens of pursuing their matter even though their approach may remain quite unsophisticated. Finally, parties at this level may value processes that allow them to keep their dispute confidential.



Profile 2: Moderately experienced or sophisticated parties

Parties at this level may often have more experience within the DR landscape and are becoming attuned to the qualities and skills they want in lawyers and providers. For example, they may understand the role of the mediator and have respect for the way mediators can assist parties in coming to a settlement. This is helped by parties understanding that they may need to 'dance' with their opponent as they work toward a compromise.

Alternatively, parties may value an arbitrator who has the skills to manage the process efficiently. Within this context, parties at this level may want to have more 'skin in the game' and seek input into the selection and implementation of the DR process. They may even have strong opinions or preferences for particular providers, especially where they have had previous dealings.

Parties at this level often recognize the benefit of engaging in coaching or other pre-session strategies and tend to look for opportunities to use their resources efficiently. They may want neutrals who take the time to read the brief and come into the process familiar with parties' starting positions. They may be more budget-conscious and oriented toward achieving results. Parties at this level may face similar emotional obstacles to those with less experience. However, they may also be more risk-avoidant. Further, they may be increasingly conscious of the important roles that the exchange of information and confidentiality play in the resolution of commercial disputes.



Profile 3: Highly experienced or sophisticated parties

At this level, parties take a strategic approach to DR. Typically, they account for complexity and may look to creative solutions or customized processes that cater to the needs of both the parties and the dispute. These parties are often able to empathize with their opponents and may strive to balance the desire for tactical advantage with a capacity to help the other party achieve their goals. While parties are open to compromise, they may also be more attuned to their alternatives to a negotiated agreement. They may be more willing to walk away from a negotiation or mediation where they know that the merit of their case is strong.

Dispute-savvy parties tend to have an understanding of the processes available to them and may seek to maximize efficiency and avoid risk. For example, they may opt for mediation but have strong feelings about the way that joint sessions and caucuses are used. As a result, they may seek additional information about potential neutrals to ascertain their level of expertise and ensure a good fit for the particular dispute. To this extent, parties at this level want neutrals who are very familiar with the subject matter of the dispute.

This preference is in keeping with their desire for a sense of predictability and certainty wherever possible. Finally, parties tend to be results-focused and many will adopt a 'rational' or reasoned approach when negotiating a resolution. Even so, some parties at this level may want or expect to avoid adverse judgements.

Recommendations

General:

Use the different party profiles to develop action plans targeted to the needs, wants and expectations of parties in your local jurisdiction.

Business:

Reflect on the approaches being taken by all of the parties at the negotiating table and consider leading the way by adopting a dispute-savvy mindset when developing your DR strategy.

Lawyers:

Understand your clients so that you can respond to their needs and manage their expectations in a way that impacts positively on resolution rates and client satisfaction.

Providers:

Understand the parties and modify processes to accommodate their needs. You can thereby target your services to your preferred market.

Influencers:

Use your understanding of the typical range of needs, wants and expectations of parties in commercial disputes to systematically plan, implement or evaluate your policy agenda and reforms.

THE MARKET

This section describes how the commercial DR market in Los Angeles meets parties' expectations. Practices identified as problematic include those that use discovery to drag out time and expense. In contrast, expert lawyers and/or practitioners who facilitate solutions that account for non-financial interests were identified as leading the field.

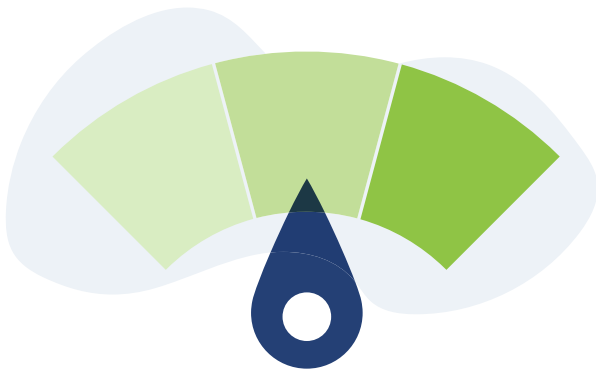


Current practices that fall below party expectations

The biggest issue identified was the expense of DR. In particular, it was suggested that arbitration has become increasingly expensive, and at times more expensive than litigation. The same issue was raised concerning the time required to resolve disputes. Discovery was highlighted as particularly problematic in dragging out time and expense. Arbitration was further singled out as falling below the expectations of parties because of the inability to appeal.

There were a number of substandard practices identified relating to lawyers. Specifically, lawyers who fail to advise parties properly about process options and lawyers who adopt a litigious flavor irrespective of the DR process in use. Further, it was suggested that lawyers using mediation as a form of discovery rather than as a mechanism for resolution, and lawyers focusing more on their own interests rather than those of the client, are practices that fall below parties' expectations. It was stated that poor communication or failure to maintain proper contact tend to be deemed sub-par practices. In relation to providers, it was argued that those who are unprepared, overcommitted, or not neutral were cause for deep dissatisfaction from parties.

Particular mention was made of mediators who fail to provide sufficient direction during the mediation or who are unable to make effective use of joint sessions. Judge mediators were highlighted as failing to meet expectations where they are unable to effectively ‘switch hats’. Finally, irrespective of whether it is a lawyer or provider, failing to conduct a proper case assessment, attempting to coerce parties or otherwise failing to ensure due process are practices that inevitably fall below parties’ expectations for DR in the current landscape.



Current practices that meet party expectations

Within the current landscape, parties expect lawyers and providers to adopt flexible approaches and be willing to think ‘outside the box’. It was not made clear whether these expectations are met or whether these ideas were hypothetical.

Parties’ expectations are met when they work with skilled practitioners who have remained up-to-date with the law and their area of subject expertise. Parties also expect lawyers and providers to be highly prepared and engaged with their dispute, such that they can make an early assessment and assist them in becoming fully informed about the opposing party. Within this context, expectations tend to be met by lawyers and providers who show strong leadership qualities in the way they manage processes and encourage participation and collaboration from and between parties. Parties expect practitioners to be proactive and focused on helping them achieve timely and enforceable resolutions.

In terms of practicalities, parties at this level expect to have some input over the forum for the dispute and the location in which it occurs. Notions such as impartiality, fairness, the opportunity to be heard and confidentiality are all considered par for the course. For example, within arbitration, parties have come to expect structures that mitigate the effect of outlier decisions by adopting the use of three member panels. Finally, practitioners who are both efficient and are good communicators tend to meet the expectations of parties engaging in commercial DR.

Recommendations

General:

Consider the connection between the current market and parties' expectations.

Business:

Use your understanding to identify service providers who are best equipped to meet your expectations.

Lawyers and Providers:

Gain strategic advantage in the marketplace by identifying your preferred client base and tailoring your services to meet and/or shape their expectations.

Influencers:

Ensure the allocation of resources and policy agenda are driven by the market.



Current practices that exceed party expectations

The key factor in meeting parties' expectation appears to be expert lawyers and/or practitioners who facilitate solutions that account for non-financial interests and, where possible, enable relationships to be repaired. These lawyers and providers tend to be effective communicators who are able to bridge wide gaps such that parties grow in their understanding of their opponents' perspectives, and feel empowered and keen to retain control over the decision-making process. It was also suggested processes that are adapted to the needs of the parties and provide the conditions for creative problem-solving have a significant influence on parties' perceptions that lawyers, mediators or arbitrators have gone above and beyond expectations.

The option to participate in approaches that are less adversarial is a practice that often exceeds parties' expectations. While parties typically expect a fair and impartial DR process that enables them to be heard, they are particularly impressed by lawyers and providers who look for ways to facilitate outcomes more quickly and cost-effectively than expected. Parties' expectations are also exceeded when they achieve an enforceable outcome that provides a sense of vindication or closure to the dispute. Finally, the availability of third-party funding is a practice that goes beyond what many parties expect.

OBSTACLES AND CHALLENGES

This section describes the obstacles and challenges present in Los Angeles' current commercial DR environment and the scale of changes required to overcome them. The challenges range from those that may easily be addressed to more complex challenges that could be difficult to ever fully resolve.



Things that do not need to change

The availability of alternative dispute resolution (ADR) is an important feature of the current landscape, as is the flexibility with which practitioners may apply a variety of techniques to respond to the needs of a given situation. Self-determination, the opportunity for parties to feel heard, independent third-party neutrals, confidentiality and efficiency are perceived as the defining features of ADR.

The notion that 'listening is not regulated' highlights the perception that it is in the best interest of ADR to remain unregulated. Further, there are some who opine that there is no need to require practitioners to be accredited. Instead, the strong focus on education and continuous improvement is seen as essential for keeping the profession on the right track.



Obstacles and challenges that can be overcome easily or with minor changes

The first challenge is lack of DR knowledge and skills across the legal profession and the community at large. As a result, parties have little understanding of strategies used to resolve disputes early. Small steps to rectify this would include talking to children from a young age about productive ways to resolve conflict. Awareness campaigns, including advertising for DR services, may be another simple strategy to address this need.

Compounding this is a perceived lack of lawyer knowledge and skills around ADR. Some suggest that one easy way to bring about change may be to start by embedding ADR into the law school curriculum or making it a stronger focus in continuing legal education (CLE). Attention could be paid to the development of interpersonal and collaborative skills, and there may be scope for practitioners to develop specific areas of practice.

On a practical note, some suggest that the standardization of DR clauses may be a way to encourage early use of mediation and would go some way to overcoming issues associated with the use of mediation late in the litigation process. This may also assist with challenges associated with the expense of processes, including the perceived reluctance of plaintiffs to share the cost of mediation.



Obstacles and challenges that are difficult to change or would require major changes

One of the major challenges difficult to overcome is the lack of incentive for lawyers to seek early resolution. It was suggested that this is because lawyers rely on billable hours and, as such, it is not in their financial interest to assist the quick resolution of matters.

To this extent, lawyers are perceived as gatekeepers to mediation. This means mediation typically occurs as part of the litigation/arbitration process rather than as a process in its own right. Within this context, there is a belief that mediation is not taken seriously. Also perceived as a major challenge is the extent to which arbitration has become just as costly and lengthy as litigation.

As a consequence of this 'drift', arbitration has now lost much of its potency as a cost- and time-effective alternative. There is a perception that one of the biggest challenges facing commercial DR is the inability to establish accessible early intervention/resolution mechanisms about which the public are aware and educated.

It was suggested that if such a radical change is to be realized, these mechanisms would ideally be part of an integrated and receptive system where pro bono services would be available and valued. On a different note, it was acknowledged that cultural differences are often difficult to navigate and continue to pose a significant challenge to DR.



Obstacles and challenges that appear impossible to change

Human nature is perceived as a perennial challenge, with fear, greed, 'irrationality', unrealistic expectations and the desire to win seen as major drivers of parties' behavior. This was perceived to be particularly so once there are sunk costs. The desire to avoid the emotions inherent in conflict is seen as equally prevalent.

There is an acceptance of the inevitability of power imbalances between parties in dispute, particularly for those who are self-represented. In relation to ADR providers, the entrenchment of adversarial and legalistic attitudes promoted by the 'old boys' network which dominates the profession is seen as impossible to change. In this regard, there is a perception that there are definite barriers to entry into the profession that prejudice against newcomers and preference former members of the judiciary. Finally, the fact that time is limited is something that cannot be overcome.

Recommendations

General:

Draw out and prioritize actions to meet the obstacles and challenges specific to your jurisdiction.

Business:

Use your understanding of the commercial DR landscape to facilitate greater levels of self-determination and make informed DR choices matched to the interests of your business.

Lawyers:

Recognize the central role that lawyers take in dispute resolution and find opportunities to effect changes that mitigate the challenges identified by your peers. (For more information about lawyers as agents of change see the Global Data Trends and Regional Differences report available on the IMI website.)

Providers:

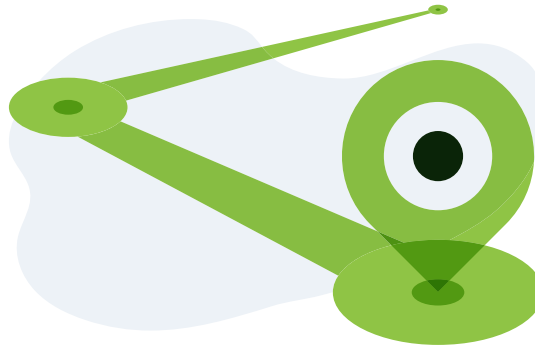
Manage client expectations and assist them in navigating the commercial DR landscape.

Influencers:

Create a realistic policy/reform agenda, identify the appetite for change and potential areas of resistance.

VISION

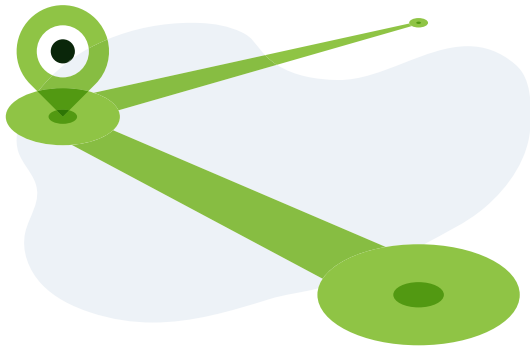
This section provides a roadmap for the future of commercial DR in Los Angeles. It offers a short-, medium- and long-term framework for achieving the vision conceived at the GPC Los Angeles event.



Vision for the future of commercial DR in the short term (1–5 years)

This first phase sees a focus on increasing small claims thresholds and resourcing, including via additional pre-discovery and ADR resources. This may include early access to ADR practitioners. Alternatively, stronger links are made between ADR practitioners and lawyers through connections with State Bar Associations and educational seminars on ADR, so that lawyers are better equipped to advise clients about ADR and any associated resources. In addition, mediator panels might be developed, and the legislature might enshrine mandatory court-ordered mediation. Education in DR has become an important feature of law and business schools.

Another important aspect is the introduction of ADR to the broader community. It was suggested one way to do this is for volunteer mediators to make themselves available at local community venues such as schools and libraries. This sort of community engagement might also encourage the introduction of ADR and skills such as active listening within schools and for the public. Initiatives introduced are cost-effective, transparent and systematic.



Vision for the future of commercial DR in the medium term (6–10 years)

During this next phase there is increased funding for the courts to promote ADR as an alternative to litigation. The use of ADR is likely to be incentivized, with a greater uptake of existing programs such as ‘fast track’ and ‘rocket docket’.

New programs that emphasize the benefits of mediation in expediting cases or reducing court fees have been introduced, as well as ethical requirements for the use of ADR. This has resulted in a shift toward collaboration being viewed as part of good faith obligations. It may be that some ADR practitioners have developed specialized areas of practice and/or may be certified in these areas. Alternatively, ADR may be a mandatory part of CLE. Business and law schools now include ADR in their curricula.

Recommendations

General:

Draw out the specific actions needed to realize the outlined vision for the future in your jurisdiction.

When doing this, you may want to consider the role of research and development, monitoring and evaluation, sub committees and think tanks, leadership and mentoring, training and education, change management, strategic planning, fundraising, partnerships and community engagement, lobbying and advocacy, development of standards and benchmarks, and dissemination of information.

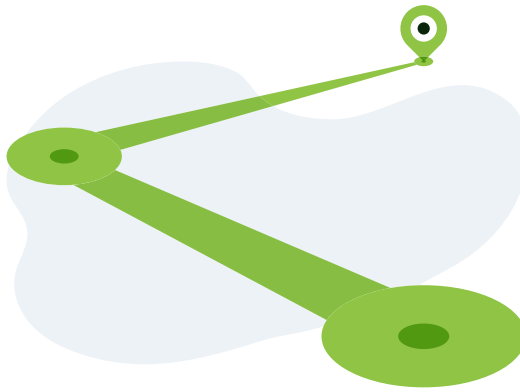
Become informed about the direction in which commercial DR is heading and consider what impact the decisions you make today will have on your long-term goals and your capacity to meet the demands of the future.

Consider the role you want to play or the contribution you want to make to the future of commercial DR.

Harness the skills and efforts of the local DR community to achieve this vision.

Identify and prioritize resources required to achieve the vision in the short, medium and long term.

Build in accountability to ensure that your vision for the future is achieved.



Vision for the future of commercial dispute resolution in the long term (>10 years)

In this final stage, conflict resolution skills are taught in elementary schools and supported by funding from local government. Mediation is integrated into a range of fields as a consequence of market adaptations and the shifting mindset toward ADR.

Statutory changes have resulted in a 'user pays' or 'loser pays' system, reducing the incidence of frivolous claims, and online dispute resolution (ODR) is used for specific disputes and/or as a means of reducing costs.

METHODOLOGY

A standardized set of 20 multiple choice questions (MCQ) and 13 open text questions (OTQ) was posed to focus groups at each GPC event. Typically, these questions were asked across four sessions corresponding to the four GPC Series themes previously described in the 'How to read this report' section. Delegates voted individually on the 20 MCQs and answered the 13 OTQs in focus groups. The analysis within the suite of North American GPC reports relates only to the OTQs.

The responses from each session were analyzed to form hypothetical constructs specific to each GPC event. These constructs draw directly from the words and phrases contained in the focus group responses and as such provide a local profile for each of the four GPC themes. These constructs/profiles constitute the local findings within each report. To assist local communities, each profile is accompanied by a set of recommendations. A local 'snapshot', in the form of an Executive Summary, was then generated as a way of drawing out the strengths, limitations and priorities for each jurisdiction. These summaries, along with the narratives and recommendations are provided in each local GPC Report.

The 26 profiles derived from the seven local events were used to conduct a comparative analysis across jurisdictions. This enabled the identification of similarities and differences across North America. A series of priority actions were generated in response to recurrent themes arising out of this comparison. The similarities and differences, priority actions and snapshots from each local event are contained within the GPC North America Report.

For a detailed description of the methodology, including academic references, please refer to the 'Methodology' section in the GPC North America Report.

ABOUT THE AUTHORS



RESOLUTION RESOURCES

advisors | practitioners | educators

Resolution Resources became involved with the GPC Series 2016–17 in 2015, when they were invited to join the GPC Executive and Academic Committees.

Drawing on their experience in psychometrics, evidence-based design, the development of professional standards in Australia and their experience as DR practitioners, their main role was to provide support and guidance on the content and structure of the 20 MCQs and 13 OTQs asked at each GPC event. Directors Danielle Hutchinson and Emma-May Litchfield subsequently facilitated the data collection sessions at the inaugural GPC Singapore Event and were commissioned by IMI to author the first GPC report, the Singapore Report.

To date they have been the only people in the world to analyze the data generated from the open-ended focus group questions. Their previous analyses of the GPC Singapore focus group data has contributed to a number of ground-breaking initiatives in Australia including: MyDRHub, a virtual dispute resolution triage hub; the development of quality assurance frameworks for Victorian Government mediators; and innovative training and education techniques for new and existing lawyers and mediators. For more information about Resolution Resources and the services they provide, see <http://www.resolutionresources.com.au/>.

For further information on how this report was developed or how to draw out specific actions based on the recommendations, contact <https://www.imimmediation.org/contact>.

NOTES

For further information about the GPC, its supporters and reports, see <https://www.imimediation.org/gpc>.

