

How Online Dispute Resolution Can Increase Access to Justice

ODR platforms help courts relieve some of the strain from COVID. However, even when the pandemic has gotten more controlled and the general public feels safe about venturing out, people may still want the convenience that ODRs bring.

by **Jarrett Gorlin, Judicial Innovations** | March 24, 2021



During these COVID times, technology offerings have allowed us all to accommodate our myriad personal and professional needs, all while limiting potential exposure. In the last year, we have taken advantage of [digital methods](#) to hold meetings, have virtual school, get food delivered, visit the doctor and more.

continued next page

That extends to courts across the country, which are integrating new platforms and applications to ensure they can continue their work. Specifically, many are finding that online dispute resolution tools enable them to offer justice that's more accessible, more affordable and COVID-safer for the poor and disadvantaged.

What is Online Dispute Resolution?

[Online dispute resolution](#) (ODR) is an application that offers an exclusively online space in which parties can connect, discuss, dispute and resolve a legal matter. ODR was initially used in disagreements between buyers and sellers on websites like eBay. Because users could get issues resolved quickly, they were willing to keep making purchases online. ODR was so successful for e-commerce sites that it was used to resolve more than 60 million such disputes annually, which the [Oklahoma Bar Journal](#) notes is more than the entire U.S. civil court system.

ODR is now getting adopted by U.S. courts for a variety of cases, such as traffic offenses. Some options use webcams so people can talk directly with judges, attorneys and others involved. However, platforms that don't dictate a specific time for an in-person appearance allow more flexibility. Newer online dispute resolution options for courts allow people to review their citation, input and upload data, debate details, and reply to other parties at any time of the day or night. That convenience allows courts to easily review statuses and adjudicate cases when it's best for their schedules. It also means that situations like a doctor performing [surgery during a traffic court trial](#) would not be an issue.

How ODR Increases Access to Justice

Because ODR allows defendants to connect with judges, attorneys and court clerks through the system 24/7, it increases access to justice in many ways, including:

Decreases time off work: Our country is dealing with inequality, and the gap is exacerbated when people have to attend an in-person court session. If someone is paid by the hour, they may not be able to justify taking time off of work to go fight a traffic ticket, even if they think the ticket is incorrect. It's too much hassle that results in lost income. At the same time, if they don't think the ticket is correct, they may not pay it at all. That leads to other ramifications. DMV data shows that most [licenses get suspended](#) because people didn't pay tickets or appear in court.

Fits everyone's schedule: Cases often move much faster online than in-person, especially during COVID when many courts have been closed or have reduced capacity. Online dispute resolution alleviates the need to wait for a court date or a docket time. Often, disputes and resolutions can start the same day as the ticket. Additionally, the system can be accessed

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at 10:00 a.m., 10:00 p.m. or whatever time is most convenient—without penalty. That means there is no need to rearrange work, school or childcare to attend court.

Reduces risk of contracting COVID: We know that the poor and disadvantaged are more likely to end up in court, and they also have higher death rates if they contract COVID. But you can't catch COVID if your case is heard online. In a landmark case, a Los Angeles court [is currently being sued](#) by legal services groups for putting defendants at unnecessary risk during “super-spreader” in-person hearings.

Limits possibility of discrimination: In a non-video online session, a defendant's race, color, national origin, religion, physical appearance and sexuality are much less likely to be apparent than at an in-person court session. ODR helps to ensure that people are treated equally, which means it also helps support the [rule of law](#).

Using ODR Platforms

While “access to justice” is a phrase that many have been using for some time, it's crucial to ensure that everyone has a timely, accessible and affordable way to negotiate citations and claims. Online dispute resolution systems meet that need—and there are a variety of ODR providers to choose from.

ODR platforms help courts relieve some of the [strain from COVID](#). However, even when the pandemic has gotten more controlled and the general public feels safe about venturing out, people may still want the convenience that ODRs bring. They cut the time spent on a case from days or weeks to hours or minutes. Courts experience higher productivity, lower risk and a smart way to generate revenue. And, of course, ODR helps ensure everyone has better access to justice.

Jarrett Gorlin is founder and CEO of Judicial Innovations, an Atlanta-based technology company that provides free cloud-based platforms for [online traffic court resolution](#), government payments and probation management. Backed by a team with over 60 years of direct court experience, Judicial Innovations provides government agencies with the tools they need to improve efficiencies – at no cost to them. Learn more at www.judicialinnovations.com.

