

MODULE DESCRIPTOR

Module Title

Online Dispute Resolution

| | | | |
|-----------|---------------|-------------|---------|
| Reference | LLM045 | Version | 3 |
| Created | February 2023 | SCQF Level | SCQF 11 |
| Approved | May 2019 | SCQF Points | 15 |
| Amended | July 2023 | ECTS Points | 7.5 |

Aims of Module

To provide students with an in-depth understanding of the environment and practice developments relevant to the use of online technologies in dispute resolution.

Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Demonstrate a critical understanding of policies and practical applications of technology in civil justice and ADR.
- 2 Organise, select and apply the processes and procedures of various forms of Online Dispute Resolution.
- 3 Demonstrate familiarity with the critical issues surrounding Online Dispute Resolution in institutional and professional context.

Indicative Module Content

The relationship between ADR and ODR. The variety of online ADR methods: e-mediation, online arbitration, ombudsmen, negotiation, etc. The functioning of existing ODR platforms. Consumer ADR in the European Union. Legal practice and technology: audiovisual coverage, e-discovery, filing systems, video conferencing, access to justice. Web-based delivery of legal services and the changing nature of legal work and the legal profession. ODR and intercultural issues. Evolution of online technologies: the growth of the Internet and social media. Innovation and ethics.

Module Delivery

This is a group seminar based module which also encourages argument discussion and participation both in person and via Moodle. There will be directed reading, research and practical exercises.

Module Ref:

LLM045 v3

Indicative Student Workload

| | Full Time | Part Time |
|--|-----------|-----------|
| Contact Hours | 36 | 36 |
| Non-Contact Hours | 114 | 114 |
| Placement/Work-Based Learning Experience [Notional] Hours | N/A | N/A |
| TOTAL | 150 | 150 |
| <i>Actual Placement hours for professional, statutory or regulatory body</i> | | |

ASSESSMENT PLAN

If a major/minor model is used and box is ticked, % weightings below are indicative only.

Component 1

| | | | | | |
|--------------|---|------------|------|--------------------|---------|
| Type: | Practical Exam | Weighting: | 100% | Outcomes Assessed: | 1, 2, 3 |
| Description: | Practical exercise in the form of a live debate, presentation or another suitable practical activity. | | | | |

MODULE PERFORMANCE DESCRIPTOR**Explanatory Text**

Component 1 comprises 100% of the module grade. To pass the module, a D grade is required.

| Module Grade | Minimum Requirements to achieve Module Grade: |
|--------------|--|
| A | A |
| B | B |
| C | C |
| D | D |
| E | E |
| F | F |
| NS | Non-submission of work by published deadline or non-attendance for examination |

Module Requirements

| | |
|--------------------------|-------|
| Prerequisites for Module | None. |
| Corequisites for module | None. |
| Precluded Modules | None. |

INDICATIVE BIBLIOGRAPHY

- 1 MOHAMED S. ABDEL WAHAB, ETHAN KATSH, DANIEL RAINEY (eds.). *Online dispute resolution: theory and practice: a treatise on technology and dispute resolution*. (2nd ed., 2021).
- 2 HODGES, CHRISTOPHER J.S. *Delivering dispute resolution: a holistic review of models in England and Wales*. Oxford, 2019.
- 3 TANG, ZHENG SOPHIA. *Electronic consumer contracts in the conflict of laws*. London, 2015.
- 4 SUSSKIND, RICHARD E. *Online courts and the future of justice*. Oxford, 2019.
- 5 BETTINGER, TORSTEN and WADDELL, ALLEGRA. *Domain Name Law and Practice: An International Handbook* (2nd ed., OUP, 2015).
- 6 SCHERER, MAXI. 'Remote Hearings in International Arbitration: an Analytical Framework' 37(4) *Journal of International Arbitration* (2020) 407.
- 7 ORTOLANI, PIETRO, 'Self-Enforcing Online Dispute Resolution: Lessons from Bitcoin', 36 (3) *Oxford Journal of Legal Studies*, (2016) 595.