

# Smartsettle ODR Initiatives in and from British Columbia

Mike Chalmers, June 19, 2008

## Smartsettle

ODR Initiatives In and From British Columbia

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Special thanks to Michael Skinner and Susanna Jani for helping to organize this session and inviting me to attend.

This morning we are speaking about BC initiatives and it is exciting to see the work that Su is doing to help prepare the way for ODR practitioners and technologists in our province.

## Overview

- Vision for BC
- Applications of Smartsettle
- R & D
- From the Simple to the Complex
- More than Firefighting

I would like to have your attention for a few more minutes as we look at initiatives Smartsettle is undertaking in and from BC.

## Vision for BC

- As an ODR company in BC we hope to contribute to the province's future as a global centre for e-negotiation and dispute resolution.

With initiatives such as those we have been learning about from the Mediator Roster Society, it is clear that only time now stands between our industry and further trials and pilot projects, and more proof for the uninitiated that ODR, even in its simplest forms can and is already improving results in many places around the world.

## Applications of Smartsettle

- Resource Planning & Development
- Contract Negotiations
- Family Disputes
- Labour Management
- Supply Agreements
- Mergers & Acquisitions
- Community / Workplace Issues
- E-Commerce
- Real Estate
- Insurance

Smartsettle has developed a product suite well suited to pilot testing, tracking and optimizing for a multitude of potential market applications...

## Contract Negotiations

- A personal note

Smartsettle is used regularly to negotiate and optimize contracts for our new employees. In my case, though I had heard of similar experiences from others I was surprised when Smartsettle came up with a suggestion that was more than 10% better than our initial tentative agreement. Dr. Thiessen confirmed that the company would benefit by a similar amount.

## ODR & Family

- ODR & Family Disputes
- Separation Agreements

The Smartsettle process has helped dozens of families:

- Reach agreement faster,
- Think logically about their futures,
- Resolve long standing impasses (languishing up to 7 years in the courts), and
- Produce (for some) a resolution that reunited them (how often does that happen in court?), and
- At much less cost than litigation.

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Smartsettle is applicable to virtually any negotiation between two or more decision makers. The potential applications are endless.

Research and development began in 1993 when the company was incorporated.

The eNegotiation Tournament started in the Fall of 2003 and was supported in part by a grant from the Canadian Government:

- About 60 Universities in 30 countries have participated.
- It is a continuing education venue for professionals.
- It provides an important research platform for Smartsettle and the entire ODR community as we test, track and publish progress.
- It is one of the most valuable tools we utilize to determine satisfaction with the process, beta testing and work toward application maturity.

## R & D

- eNegotiation research program
- Working with students and professionals
- Many countries and Universities

## From the Simple to the Complex

- Smartsettle One
- Smartsettle Infinity

Here is a quick recap of what you have been learning about Smartsettle at the forum.

## Smartsettle One

- Single issue between 2 parties
- Soon to be single-issue, multi-party
- Upgrade path to Smartsettle Infinity
- Trial continues here at the 2008 Forum
- Log-in at our booth or from your laptop

If you have yet to try Smartsettle One (or any live ODR technology) I encourage you to take a few minutes to join in the competition we have running here and participate in some realistic simulations. You will discover first-hand how simple single-issue negotiations can be. You can participate at workstations at our booth, or log in from your own laptop.

A well-defined problem is  
already half solved.

~ Earl Nightingale

I am sure that everyone here is acutely aware that one of the challenges of ODR, especially when it involves complex negotiations, is in defining and describing party positions and preferences. This brings us to Smartsettle's flagship product, Infinity.

Many of you are familiar with systems being developed to acquire information from parties but what happens next with that information is very important to the process.

## Smartsettle Infinity

- Infinite number of issues
- Infinite number of parties
- Learns how each party becomes satisfied
- Provides critical information to parties about their own values
- Improves upon what is possible without the Smartsettle engine

Smartsettle elicits party preferences and other information to accurately model the case and learn how each party becomes satisfied on each of the issues. This enables the system to generate optimal suggestions to be considered by the party. Parties can think clearly about their goals and make adjustments along the way as more information becomes available.

## More than Firefighting

- Collaboration and promotion of civility
- Building bridges between parties (not always about disputes or “firefighting”)
- Encouraging parties to come to resolution

I would like to make some points about dispute resolution from the perspective of conflict prevention. We have learned here about various initiatives to provide early intervention of disputes and how important that is. Perhaps a key piece of this puzzle is not simply in detecting inevitable disputes and then acting, but rather, even before a dispute occurs, making a way for parties to collaborate and even build relationships using ODR technologies. This technology and others that we are all learning more about this week, all have the potential to do so much more than firefighting alone.

## Review

- Vision for BC
- Applications of Smartsettle
- R & D
- From the Simple to the Complex
- More than Firefighting

We aim to be a world leader for ODR, with applications for Smartsettle One to Infinity spanning virtually every industry and sector. From the simplest single-issue cases to the most complex multi-party, multi-issue cases; and perhaps most importantly, more than crisis intervention, but crisis prevention, bridge building and more peaceful collaboration between parties.

## Smartsettle One Prizes

- Carissa Boynton will announce prizes at 3 pm coffee break

Please visit our booth if you would like to learn more and thank you all for your time and attention. Make sure you are present just before the closing ceremonies today when we will announce the Smartsettle One Competition results.