

# Reflecting on ODR: The Israeli Example

Orna RABINOVICH-EINY<sup>1</sup>  
*University of Haifa Faculty of Law*

**Abstract.** The state of ODR in Israel provides an instructive illustration of the developments and achievements in the field as well as the significant challenges that it still faces. The general picture is one in which there are very few ODR projects on the ground, hardly no theoretical study of these systems and little, if any, general public awareness of the phenomenon. This picture is not very different from the state of ODR globally. With the exception of a handful of extremely successful ODR systems, after over a decade of existence, this avenue for dispute resolution and conflict transformation has yet to be fully discovered. The article explores these themes through the description of those ODR projects that have developed in Israel – *The New Generation Court System* (NGCS), *Benoam* online arbitration system, *Emun Hatzibur* ODR scheme for the resolution of consumer complaints, and several others. This handful of case studies suffice to challenge some of our limiting conceptions about ODR – its scope, definition and impact – and to defy our expectations. At the same time, the Israeli experience also provides a good demonstration of the strong barriers – financial, cultural, institutional and professional – that still stand in the way of expansion of the field.

**Keywords.** Alternative Dispute Resolution, Technology, Online Dispute Resolution, ODR, ADR, Virtual Courts, Israel, Conflict Resolution

## Introduction

The state of ODR in Israel provides an instructive illustration of the developments and achievements in the field as well as the significant challenges that it still faces. In the last decade, an ambitious court digitization project was developed and just recently launched, a successful online arbitration scheme was introduced in the insurance industry and incipient ODR initiatives are emerging in the consumer protection arena as well as some other more general schemes for the spread of ODR tools. Most of these efforts have developed without grounding in the ODR field. In fact, in some cases, the developers of ODR systems were unaware of the existence of such a field and drew their inspiration from the literature and experiences of the area of alternative dispute resolution (ADR) or the domain of law and technology. While these two distinct fields – ADR on the one hand and law and technology on the other – have received widespread acknowledgement in Israeli practice and in the academe, ODR has received only limited attention. This is quite surprising, considering the fact that both the need for ODR and the know-how for its development exist in the country.

With an overburdened and expensive legal system that is struggling to deal with new types of conflicts that arise in the internet society, the prospect of accessible tailored processes for addressing disputes would seem particularly appealing.

---

<sup>1</sup> Assistant Professor of Law, University of Haifa Faculty of Law; Fellow, Haifa Center of Law & Technology; Fellow, National Center for Technology and Dispute Resolution, UMass, Amherst.

Nevertheless, the general picture is one in which there are very few ODR projects on the ground, hardly no theoretical study of these systems and little, if any, general public awareness of the phenomenon. This picture is not very different from the state of ODR globally. With the exception of a handful of extremely successful ODR systems, after over a decade of existence, this avenue for dispute resolution and conflict transformation has yet to be fully discovered.

In the following sections, this article will briefly describe those ODR projects that have developed in Israel – *The New Generation Court System* (NGCS), *Benoam* online arbitration system, *Emun Hatzibur* ODR scheme for the resolution of consumer complaints, and several others - highlighting both their achievements and limitations, with a view to drawing some more general conclusions on the current state of ODR and the potential for the expansion of the field in the future.

## 1. The New Generation Court System<sup>2</sup>

The NGCS, represents an ambitious, and in many respects unprecedented, effort to design a court system suitable for the internet age. The NGCS is an advanced system for online document filing and case management, which is being introduced into Israeli civil courts. Former Judge and architect of the project, Boaz Okon, described the NGCS as including the following five basic features: electronic file, work space, calendar, e-filing and task assignment. As evidenced from the description below, it is the combination of these characteristics that make this system so impressive, in particular the task assignment feature, made possible by the BPM engine.

The electronic file feature refers to the idea that aside from trial hearings, the entire trial process is managed digitally. This means that the court case is reduced to a link on the computer screen and all of its components can be searched and viewed online. Once the system is in place in all courthouses in Israel, the electronic court case will be fully accessible to the presiding judge, the secretariat, certain court administrators and the attorneys on the case by use of a smart card and password. For all involved, access to an electronic, rather than a paper court case obviously presents a significantly more efficient way of performing their work with remote access and more sophisticated informational search tools.

In term of the judge's workspace, the new system enhances efficiency by concentrating all of a judge's outstanding assignments, allowing access to the electronic court case and a variety of legal databases, and creating a work scheme according to which a judge's assignments are to be organized (for example, the system can be instructed to schedule all administrative appeals on Monday mornings, between specific hours) thereby enabling automatic case allocation.

The calendar feature refers to system wide automatic case scheduling based on predetermined criteria. Such scheduling is efficient on two levels. First, the assignment can be performed by the system without the need for human intervention. Second, the work allocation scheme maximizes efficiency because the work is assigned according to areas of expertise (and the judges themselves schedule the work in a way that allows them to work more effectively).

---

<sup>2</sup> For a full description and analysis of the NGCS, see Orna Rabinovich-Einy, *Beyond Efficiency: The Transformation of Courts through Technology*, 12 UCLA J. of L. & Tech. 1, 16-32 (2008). [9]

A major improvement in terms of efficiency is realized through the NGCS' e-filing feature. The system allows for remote filing and online service of process of all court documents, twenty-four hours and seven days a week, through the internet. Since access to the system is, as a rule, restricted to those with a smart card, communication is secure.

Finally, one of the most remarkable features of the NGCS is the task assignment element. In the design of the system, an arduous process of mapping the various types of proceedings involved was performed in order to identify, step-by-step, the different stages that each of these processes is comprised of. For example, civil proceedings were divided into sub-categories such as standard civil proceedings, fast track, small claims, etc. The same was done for all other types of court cases—criminal, administrative and employment-related actions. Next, each particular type of proceeding was further analyzed, resulting in a detailed scheme of the steps associated with such procedure. Each step was named a “task” and each task was associated with a person or entity in charge of performing such assignment (plaintiff, defendant, judge, a particular person within the secretariat). The mapping of procedures was necessary to allow the BPM engine to substitute for the manual administration of a court case. Instead of having the parties or court employees initiate action, the system designates task performers for each ensuing action and is either capable of performing a necessary function automatically or prompts the task performer for action. The system periodically examines whether a task was performed and, if not, there are pre-programmed consequences that escalate over time.

The task assignment feature is significant in several respects. An obvious advantage is the added efficiency afforded through increased automation. The system can easily substitute manual assignment of court cases to particular judges or the manual scheduling of hearings post-assignment to judges, with automated processes. Similarly, the onus for filing such motions as a motion to strike out a claim for inaction will no longer be on the defendant; the system will be able to automatically detect and handle such matters.

A more subtle, but no less important, benefit has to do with the fact that this impressive project of mapping the various court proceedings, serves to enhance accountability in the system. By linking the tasks with a person in charge for their execution, the system clarifies what the duties and areas of responsibility of the various actors in the system are. Therefore, presumably, there should be no tasks that fall between the cracks, assignments should be handled more quickly and proceedings in general more efficiently. Most importantly, in those cases in which tasks are not executed at all or carried out poorly, responsibility can be assigned.

Finally, the fine-grained mapping of procedures allows for improvement and learning on a system-wide level. Reports per-case type can be produced, allowing in depth analysis of, and comparison among: different types of proceedings; the manner in which they are handled; the allocation of judicial time to their resolution; and the need for further development and refinement of the system. For example, a study of how judges perform specific functions (conduct pre-trials, conduct hearings, write decisions) could underscore areas in which further training is needed (running a courtroom, ascertaining under what circumstances and in what ways to encourage settlement, developing writing skills, etc.). The architects and implementers of the system, despite realizing its learning potential have had a limited view of learning, one that is focused on efficiency. Therefore, they have tended to view the mapping of procedures as a tool for detecting pockets of inefficiencies in the system (such as

scheduling of cases) but have overlooked the potential for broader learning advancing values other than efficiency.

As can be seen from the above description, the NGCS is an important component in the development of ODR, but also presents some of the limitations of current understandings of the scope of ODR. Initially, ODR was understood as the delivery of the familiar ADR processes – negotiation, mediation, arbitration – through the internet. Under this narrow understanding, the NGCS is obviously not an ODR scheme. However, the understanding of ODR has expanded significantly over the last decade and is now understood to include a broad range of uses of technology in the dispute resolution or conflict transformation domain.<sup>3</sup> This definition now includes the incorporation of technology in the courtroom and the related impact on legal actors, institutions and procedures.<sup>4</sup>

Despite its many achievements evident from the above description, a close scrutiny of the NGCS from an ODR perspective reveals some limits and drawbacks. For one, the most striking lacuna is the lack of ODR processes in the traditional sense. One would expect an advanced system for online filing and case administration to allow for online referral of parties to both off- and online alternatives. Nevertheless, the system designers neglected to do so.

Moreover, the design choices made reveal a limited understanding of the area of dispute system design ([9] Rabinovich-Einy, 2008). The design process seemed to be top down with little room for user input leading to a product that places an emphasis on efficiency while neglecting other important procedural values, such as fairness, which could also be promoted through the design and application of the technology and are essential for generating trust in the system. This is perhaps not surprising in light of the fact that procedure has often been understood as a means for promoting efficiency and dispute resolution processes with both ADR systems and courts measured according to case closure statistics. Therefore, the introduction of technology to procedural systems has been reduced to a means of further enhancing efficiency, overlooking its broader potential contribution. Similarly, ODR systems typically focus on efficiency and access as their major selling point neglecting other unique features, such as maximizing pareto optimal resolutions or the access to a wider pool of third parties.

The NGCS also provides a good demonstration of some of the other, perhaps more mundane, barriers that ODR systems face. One such difficulty is the issue of cost and the question of payment for dispute resolution services. The development of the NGCS came at exorbitant costs of the NGCS (in the hundreds of millions of shekels) that are not to be funded through court fees. This obviously presents a significant burden for an already under-budgeted, under-staffed court system. At the same time, this seems like a natural choice for a public system that chose to introduce technology as a means of enhancing access. This choice was further strengthened through the decision to allow access to the system to clinics and to permit general access for certain types of cases in which pro se litigants typically participate.

---

<sup>3</sup> This can be seen in the range of topics that were discussed in the last few ODR forums. *See* <http://odr.info/>. [13]

<sup>4</sup> In fact, these developments were foreseen by Ethan Katsh in two of his earlier books. *See* ETHAN KATSH, *THE ELECTRONIC MEDIA AND THE TRANSFORMATION OF LAW* (OXFORD UNIVERSITY PRESS, 1991) [2]; ETHAN KATSH, *LAW IN A DIGITAL WORLD* (OXFORD UNIVERSITY PRESS, 1995) [3].

In other ODR systems as well, the issue of costs and access fees is central. We see that the ability to develop accessible, well-designed systems is tied to the availability of funds on the one hand and the responsiveness to the needs of users of the system on the other. eBay's ODR schemes are a good demonstration of well designed systems that are sponsored by the company and offered at no or low cost to members ([10] Rabinovich-Einy, 2006). This is a choice that a successful company like eBay was wise enough to make and could afford to, but the question remains to what extent non-profit organizations and other, perhaps less successful businesses, can follow suit.

Another significant barrier is a cultural one ([9] Rabinovich-Einy, 2008). On the most immediate level, a significant number of Israeli judges, certainly in the District and Supreme Court, are uncomfortable with computers and resent the planned changes. A less conspicuous challenge, which may prove more significant, has to do with the threat to the privacy and autonomy of judges presented by the NGCS. The NGCS limits judges' control over scheduling, and makes their calendars visible to court administrators and, to a certain extent, attorneys. Again, these difficulties are not unique to the court setting or even the legal arena. The technical know how presents a barrier to many mediators and arbitrators as well and the prospect of broad documentation of the actions of third parties, can be daunting, despite its potential for enhancing accountability.

## **2. Benoam**

Benoam is an online arbitration system developed specifically for the insurance industry. The system is designed to address subrogation claims between and among insurance companies for property damages arising from car accidents. In practice, all of the insurance companies in the Israeli market but one have signed on to the system and are committed to referring all such claims exclusively to it ([12] Tzur, 2007).

Benoam grew out of the need to find an effective substitute for the court option. The prospect of conducting expensive litigation before an overloaded court system over disputes of low financial value provided a real incentive for the insurance companies to agree on an alternative system ([12] Tzur, 2007). The dispute resolution mechanism was designed by a local law firm headed by Adv. Yehuda Tunik, after realizing that this area was in desperate need of an ADR-based solution. The thought was to conduct the entire process online – initiation of claims, submission of documents, testimony, and the delivery of the award, while allowing for supplementary in-person sessions on rare occasions ([12] Tzur, 2007). Since efficiency and trust were of utmost importance, the online feature was a good fit ([12] Tzur, 2007). Aside from low costs, convenience and swift communication, the documentation that comes with online interaction not only enhances access to information and efficient handling of claims, but also heightens transparency on two realms: between Benoam and its users, and internally - inside each of the insurance agencies ([12] Tzur, 2007).

Unaware of the existence of an ODR field, Tunik's team developed Benoam based on observations and extensive conversations held with industry representatives ([12] Tzur, 2007). The online arbitration process they created is conducted through an accessible and secure online platform. The choice of arbitration seemed natural to them in light of the need for an efficient process that would enhance predictability and consistency. This process seemed particularly fitting for the resolution of small scale financial disputes arising among a sophisticated group of repeat players that possess

similar bargaining power ([12] Tzur, 2007). Detailed rules of procedures were developed and agreed to by the participants. Alongside these rules, the system maintained pockets of flexibility which allow it to function and develop in a manner that is simultaneously efficient and fair, predictable and just ([12] Tzur, 2007). The arbitrators used by the system are all experienced professionals, whose awards must be reasoned and are subject to an appeal before an extended panel – all means for ensuring trust in the system and enhancing its legitimacy ([12] Tzur, 2007). In addition, the effectiveness of the system was ensured by making Benoam a clearing office able to automatically enforce its arbitral awards ([12] Tzur, 2007).

The Benoam example is instructive in several respects. First and foremost – it is a success story. For several years now, the insurance companies have repeatedly signed on to Benoam's services and report a high level of satisfaction with the system. The key to Benoam's success lies in the ability of its founders to identify a need for a tailor-made dispute resolution system for this environment ([12] Tzur, 2007). This is perhaps counter-intuitive. Typically, we think of ODR systems as fitting for the global arena, when parties are distant and face to face encounters present a major barrier ([4] Katsh & Rifkin, 2001; [11] Rule, 2002). However, as the Benoam system clearly illustrates, the potential for the development of ODR extends beyond the international realm and there are plenty of opportunities for devising local ODR schemes that improve the accessibility to dispute resolution services as well as the quality of such services ([4] Katsh & Rifkin, 2001).

Furthermore, Benoam's choice of a design process that involved the stakeholders both in the initial design stages and later on seems key to Benoam's appeal ([5] Lipsky et al., 2003). In a way, this is similar to the eBay approach, which has continuously remained connected to the needs of its users, from the early SquareTrade days through the more recent PayPal dispute resolution systems ([10] Rabinovich-Einy, 2006).

In addition to its effectiveness in addressing subrogation claims, the system proved valuable in other important respects. Because of the centralized, accessible and effective channel it provided for addressing the claims, the insurance companies were able to improve their effectiveness more generally in terms of preserving and accessing data, handling complaints internally instead of relying on external legal services and restructuring complaint handling within the agencies from a geographically based arrangement to a centralized one ([12] Tzur, 2007). In addition, the intensive, online communication among the agencies through the system actually produced more informal dialogue that has benefitted the agencies and improved work relations among them ([12] Tzur, 2007).

The Benoam system also provides a good demonstration of the complex relations that exist between formal dispute resolution mechanisms and their alternatives. If we used to think of ADR processes as operating "in the shadow of the law" ([7] Mnookin & Kornhauser, 1979), more and more, it seems that these bodies are actually producing and enforcing their own set of norms ([6] Milman-Sivan & Rabinovich-Einy, 2008). In the case of Benoam, the vast majority of subrogation claims over property disputes never reach the courts and the system is becoming the authority charged with addressing lacunae through the generation of new norms, which, as mentioned above, it also effectively enforces ([12] Tzur, 2007). However, as Benoam became a formal lawmaker, informal negotiations (even mediations run by the Benoam team) have surfaced in its shadow ([12] Tzur, 2007). The question of norm generation and enforcement by alternatives is of course not unique to the ODR arena, but may become

even more acute in the global setting where ODR processes' contribution is exceptional ([8] Rabinovich-Einy, 2004).

Finally, the story of Benoam also tells the tale of the fall of old intermediaries and the rise of new ones in the internet age ([2] Katsh, 1991; [8] Rabinovich-Einy, 2004). While the proliferation of ODR processes has contributed to the threat on the legal profession's monopoly over legal services, it has also served to facilitate lawyers' professional work through remote access to digital records and databases. While lawyers have lost some of their strength, new players such as ODR providers have gained an important role through their control over the design of the dispute resolution process and their control over the information exchanged in such processes. The digital format in which such information is stored and preserved, makes the position of ODR providers substantially different than that of traditional ADR providers ([10] Rabinovich-Einy, 2006).

### **3. Emun Hatzibur**

The leading Israeli consumer organization, Emun Hatzibur is in the process of developing an online arbitration tool for addressing consumer complaints, currently handled through traditional arbitration ([1] Bracha, 2008). The offline arbitration process addresses both consumer complaints and the removal of Emun Hatzibur trustmarks from businesses that were found to repeatedly breach the required standards. The arbitration is offered at a nominal cost of 250 NIS to the consumer and 350 NIS to the business (and in the case of a justified complaint the arbitrator may award costs to the consumer) ([1] Bracha, 2008). The proceedings are subject to the rules of procedure posted on the website and are conducted by attorneys who are specialists in consumer law. Despite its accessibility, only a handful of complaints reached the traditional arbitration system and Emun Hatzibur is now looking into developing a complementary online arbitration tool as part of an attempt to revamp the system ([1] Bracha, 2008).

Interestingly, Emun Hatzibur's online complaint management system,<sup>5</sup> perceived by the organization merely as a tool used to track complaints for the purpose of aggregating information on businesses, has actually proved to be a sophisticated ODR system. Any consumer can file a complaint online against any business (not restricted to those who have Emun Hatzibur trustmarks, but the latter are required to meet Emun Hatzibur's standards in replying to such complaints). The system tracks complaints and documents their treatment by the business and Emun Hatzibur's involvement has proven central in inducing the businesses to cooperate by both addressing the individual complaint and remedying the systemic problem. Emun Hatzibur uses the system to compile detailed reports on complaint patterns to businesses that received its trustmark. It seems only natural to incorporate the online arbitration feature into the complaint filing system.

It is obviously too early to judge whether the Emun Hatzibur online arbitration initiative will prosper, but there is reason to believe that it will. For one, ODR seems like an excellent choice for addressing consumer disputes even where distances are not great and the disputes arise locally. Consumer complaints are typically over low sums and therefore suing, or, in some cases, even devoting one or two face-to-face

---

<sup>5</sup> [www.emun.org/ptrust/html/web/eich\\_poel.htm](http://www.emun.org/ptrust/html/web/eich_poel.htm) (last visited on September 24, 2008). [14]

encounters do not pass a cost-benefit analysis ([4] Katsh & Rifkin, 2001; [8] Rabinovich-Einy, 2004).

The businesses, on their end, have an obvious incentive to satisfy their clients, in particular when these are savvy, online consumers. For one, companies have learned over the last decade or so that dissatisfied consumers can cause substantial harm to a company's reputation in the internet age. Where in the not so distant past, consumers were helpless against wrongdoing by corporations; consumers are now empowered by the ability to spread word of mouth on the internet instantaneously, at little or no cost, to vast audiences across the globe. Likewise, consumer organizations have gained power through their ability to use information on the performance of organizations to encourage fair practices through the introduction of trustmarks on the one hand, and the publication of problematic corporate conduct on the other ([8] Rabinovich-Einy, 2004).

Therefore, it is not surprising that the proliferation of e-commerce was one of the leading forces that drove the evolution of ODR systems, with companies like SquareTrade and eBay investing substantial funds and efforts in the development and refinement of a wide array of processes delivered online based, to a large extent, on user feedback and input ([10] Rabinovich-Einy, 2006; [11] Rule, 2002).

#### 4. Other ODR Initiatives

Other ODR mechanisms are also evident in the Israeli setting, but are still in their early stages. Two leading online negotiation tools – Smartsettle and Cybersettle – have entered into agreements with Israeli affiliates. In addition, the Israeli Institute of Commercial Arbitration together with Dr. Yuval Karniel and Adv. Naomi Asia are in the process of developing an online arbitration tool for the resolution of disputes that arose in the course of online activity. The idea is to offer these services to websites whose terms of use will include an online arbitration clause through the Institute. At this point in time, however, the scheme is still in its early development stages. While the local e-commerce arena has yet to develop ODR tools, at the other end of the ODR spectrum – certain ODR tools are already in use in peace and conflict transformation efforts.<sup>6</sup> Israeli and Palestinian politicians and activists have made use of the internet in the last few years to advance general communication,<sup>7</sup> peace education,<sup>8</sup> and specific peace initiatives.<sup>9</sup> The war in Lebanon two years ago provided a mirror image of the challenges for conducting a centralized war in the internet age while maintaining confidentiality of sensitive information and winning on the global PR front. At the same time, even in those difficult times, some promise for reconciliation was gained

---

<sup>6</sup> Sanjana Hattotuwa, *Daring To Dream: CSCW for Peacebuilding*. Available at: [sanjanah.googlepages.com/DaringtoDream-CSCWandPeacebuilding.doc](http://sanjanah.googlepages.com/DaringtoDream-CSCWandPeacebuilding.doc). [15]

<sup>7</sup> For Example: [www.mepeace.org](http://www.mepeace.org) [16], [www.mideastweb.org/index.html](http://www.mideastweb.org/index.html). [17]

<sup>8</sup> Yablon & Katz, *Internet-Based Group Relations: A High School Peace Education Project in Israel*, 38 *Education Media International* 175-182 (2001).

Available at:

<http://www.ingentaconnect.com/content/routledg/remi/2001/00000038/F0020002/art00015> [18]

<sup>9</sup> <http://www.geneva-accord.org/HomePage.aspx?FolderID=11&lang=en>. [19]



through such means as reading the "enemy's" blogs or communicating with one another on social networks.<sup>10</sup>

## 5. Achievements, Barriers and Future Challenges

The state of ODR in Israel depicts a complex picture that is both promising and disappointing and, in this respect, is indeed representative of the state of ODR worldwide. The existence of several ODR ventures that show promise underscores the potential of ODR in the digital age. This handful of case studies suffice to challenge some of our limiting conceptions about ODR – its scope, definition and impact – and to defy our expectations. At the same time, the Israeli experience also provides a good demonstration of the strong barriers – financial, cultural, institutional and professional – that still stand in the way of expansion of the field. Indeed, the future growth of the field seems to be the main challenge that lies ahead. One principal challenge is to transform the field from a niche area to one that is relevant to two other, emerging domains which have over the years remained close, but separate from ODR – the traditional alternative dispute resolution field and the cyberlaw area.

## References

- [1] Bracha, Einat, Adv., Interview, September 23, 2008 (notes on file with author).
- [2] ETHAN KATSH, *THE ELECTRONIC MEDIA AND THE TRANSFORMATION OF LAW* (OXFORD UNIVERSITY PRESS, 1991).
- [3] ETHAN KATSH, *LAW IN A DIGITAL WORLD* (OXFORD UNIVERSITY PRESS, 1995).
- [4] ETHAN KATSH & JANET RIFKIN, *ONLINE DISPUTE RESOLUTION* (JOSSEY BASS, 2001).
- [5] DAVID LIPSKY, RONALD SEEBER & RICHARD FINCHER, *EMERGING SYSTEMS FOR MANAGING WORKPLACE CONFLICT: LESSONS FROM AMERICAN CORPORATIONS FOR MANAGERS AND DISPUTE RESOLUTION PROFESSIONALS*, (JOSSEY BASS, 2003).
- [6] Faina Milman-sivan & Orna Rabinovich-Einy, *Mediating Procedure and Substance: On the Privatization of the Justice System and Workplace Equity*, 11(2), U. Haifa J. L. & Gov. (2008). (in Hebrew)
- [7] Robert Mnookin & Lewis Kornhauser, *Bargaining in the Shadow of the Law: The Case of Divorce*, 88 Yale L. J. 950 (1979).
- [8] Orna Rabinovich-Einy, *Balancing the scales: The Ford-Firestone Case, the Internet, and the Future Dispute Resolution Landscape*, Yale J. L. & Tech. (2004).
- [9] Orna Rabinovich-Einy, *Beyond Efficiency: The Transformation of Courts through Technology*, 12 UCLA J. of L. & Tech.1, 16-32 (2008).
- [10] Orna Rabinovich-Einy, *Technology's Impact: The Quest for a New Paradigm for Accountability in Mediation*, 11 HARVARD NEG. L. REV. 253-293(2006).
- [11] COLIN RULE, *ONLINE DISPUTE RESOLUTION FOR BUSINESS* (JOSSEY BASS, 2002).
- [12] Tzur, Roe Adv., Presentation, May 25, 2007, (notes on file with author).
- [13] <http://odr.info/>
- [14] [www.emun.org/ptrust/html/web/eich\\_poel.htm](http://www.emun.org/ptrust/html/web/eich_poel.htm)
- [15] [sanjanah.googlepages.com/DaringtoDream-CSCWandPeacebuilding.doc](http://sanjanah.googlepages.com/DaringtoDream-CSCWandPeacebuilding.doc)
- [16] [www.mepeace.org](http://www.mepeace.org)
- [17] [www.mideastweb.org/index.html](http://www.mideastweb.org/index.html)Kj

---

<sup>10</sup> One example is the "Lebanese Bloggers Forum", which became an arena in which Israelis and Lebanese could discuss the Second Lebanon War in real time and in an unmediated manner. Available at:

<http://lebanesebloggers.blogspot.com/2006/07/day-6-more-attacks.html> [20]

- [18] <http://www.ingentaconnect.com/content/routledg/remi/2001/0000038/F0020002/art00015>
- [19] <http://www.geneva-accord.org/HomePage.aspx?FolderID=11&lang=en>
- [20] <http://lebanesebloggers.blogspot.com/2006/07/day-6-more-attacks.html>