



Ombuds Online

Designing - be intentional
Online Dispute Resolution - expands reach
Information - use data to improve
Systems - a sustainable process
Effectively - best use of our time



DEsigning
Online
Dispute
Resolution
Information
Systems
Effectively



DEODRISE





Welcome to the new norm!

We are going in the same direction,
let's take direction from each other.

As people around the world are beginning to design their own ODR systems,
we will look at what works and what doesn't work.

Mediate.com's Caseload Manager, CREK, Modria, Legaler, Practice Panther,
MadTRAK, CLEO, and ICANN's dispute resolution system.

Things we tried



Perfection takes time

- Alexa for relationship disputes
- An app for resolving company complaints
- Charging per person
- Too many features (aka too confusing)
- Lengthy intake
- Getting the credit card before ever speaking
- Getting the credit card when everything was over
- Designing one perfect system
- Using only one perfect platform or process
- Telling clients "trust us, we have it all figured out"
- Not allowing clients to interact/feel involved
- Cumbersome sign-on discriminates



03.

ODR DESIGN

Takeaway: clients want transparency and security



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THINGS WE LEARNED

**simple,
safe,
smart**

DEODRISE

Simple

odr

- Clear plan = simple processes

Thomas John Watson Sr. was an American businessman. He served as the chairman and CEO of International Business Machines He oversaw the company's growth into an international force from 1914 to 1956. Known as the world's best salesman, one of the richest, after many wrong turns.

- Plan = help clients fix problems

Easy way to get clients' information, schedule a meeting, meet, and finish up documents and payment.

“

The ability to ask the right question is more than half the battle of finding the answer.



Thomas John Watson, Sr.
more on [Quotes.net](https://www.Quotes.net)



Reporting
Powerful

Forms

Known platform

Meeting

Clean process

Scheduling

1 link

Intake

Few fields

*What I do daily on my phone--
calendar, tasks, calls--
I want to be able to do in a
dispute resolution system.*

Simple Steps



<https://www.icann.org/ombudsman>

<https://icodr.org/standards/>

<https://www.state.gov/privacy-shield-ombudsperson/>

<https://www.caseloadmanager.com/pg58.cfm>

Data Security Standards:

US-immediate deletion off of server, 30 day back-up deletion of PII

Email - separate server, no PII

Intake - separate server, limited questions, into a secure space

Documents - separate server, archived in a password protected space



Reports

Data in is the beginning

How do you protect data out?

- 1) Connect with a reputable, secure data analysis tool (AWS, power bi, tableau)
- 2) Ensure an encrypted handshake
- 3) Does it feel safe?

Is anyone identifiable?

Can you delete data?

Where is the info stored?



Visitor Needs: Transparency
Visitor Wants: Simplicity
Entire Process: Safe

Safety

- A safe place is the foundation of DR





Data Security

1

Input

Intake form, not email, encrypted.
Digital voice-mail.
Only necessary information.
Digest should only send you an alert, not the details.

2

Storage

Where is the data being stored?
Company server?
International data, what laws are applicable?
Time points and encryption of back-ups.
Meeting itself encrypted?

3

Sending

Data for reports--secure handshake? If manually, is download encrypted?
Agreement creation--data transfer is a weak point
Document sending, signing, and payment: reputable platforms

Data Security

GDPR:

General Data Protection Regulation, EU,
--be aware of how PII is handled, where it
is sent, and what companies have access,
inform clients if it is not safe

ePR:

ePrivacy Directive, companies alert clients
if data is exposed

ISO 27001:

Certifies that you are protecting your data,
and will alert clients if breached.

Privacy Shield:

US Dept of Commerce for business data
transfer to EU, 7/20 regs changed, ensure
your office is still compliant. AAA or ICDR
will typically be the arbitrator.

CCPA:

1/1/20: Requires data storage software to
ensure that if they are transferring data to
another company, that company will not
be selling personal data

Software Security

Multi-Factor Authentication:

Receive a text, an email, a call, or a push from an app to verify it's you

Timeout:

Access to the software times out, with an alert, and navigates to a log-in page

Encryption:

Plaintext is coded into cyphertext, which can only be read with a public or private key

Smart Passwords:

Require strong passwords, combo of characters, with an alert to change every 3-6 months

Meeting Security:

Password, waiting room, registration

Password Protect:

Protect documents with a password

SaaS

Collects HR and non-HR data, PII, Calendar Info

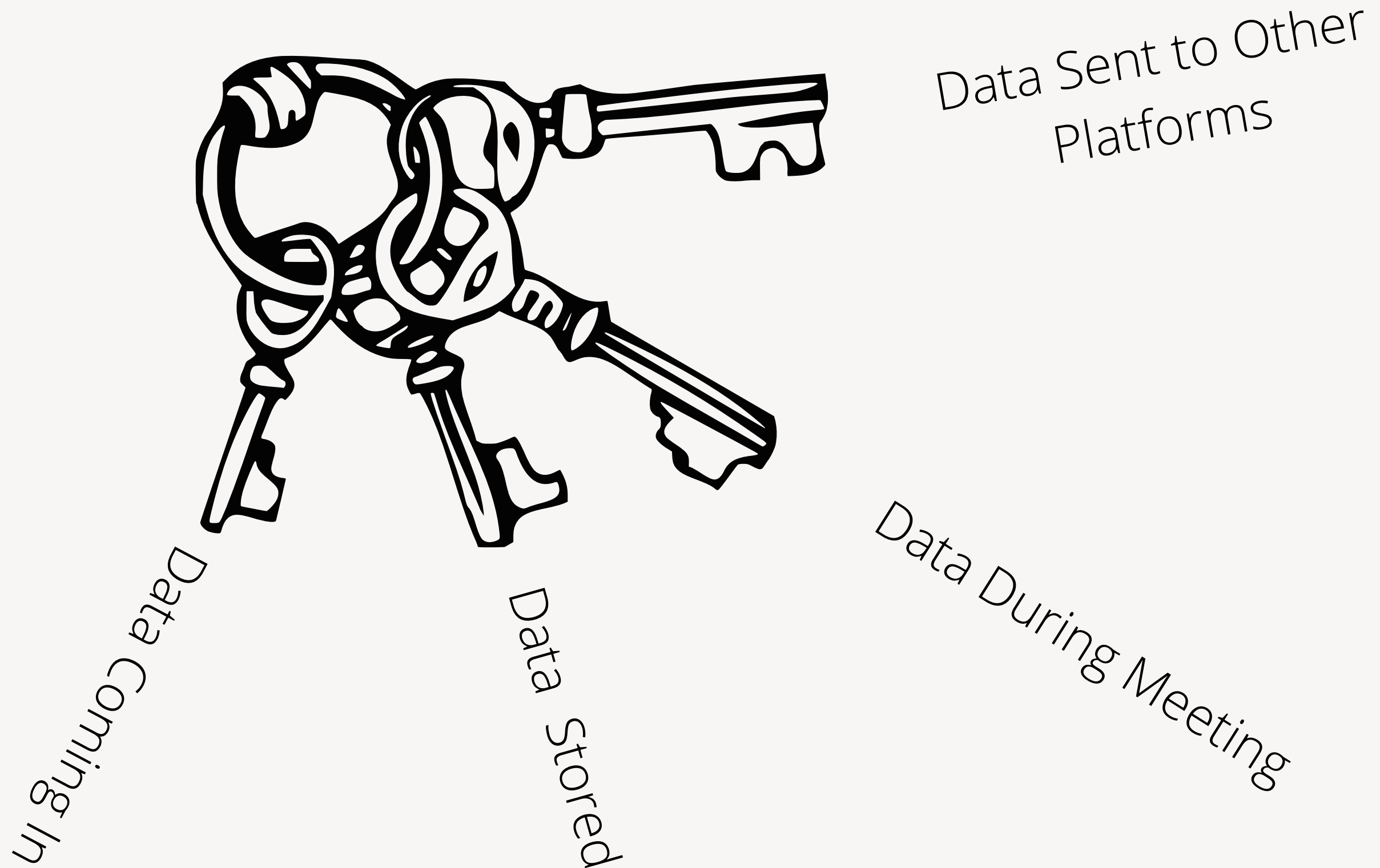
- > Intake Data
- > Acknowledge Use of Cookies
- > Audit or Change Log files created by the server
- > Geo-location information (GPS), language or time info
- > Back-ups--disclose storage length and location(s)

Personal information under the CCPA includes

direct identifiers (such as real name, alias, postal address, social security numbers), unique identifiers (such as cookies, IP addresses and account names), biometric data (such as face and voice recordings), geolocation data (such as location history), internet activity (such as browsing history, search history, data on interaction with a webpage or app), **sensitive information** (such as health data, personal characteristics, behavior, religious or political convictions, sexual preferences, employment and education data, financial and medical information).

1. State how you are protecting data and 2. Ask how connected platforms are using the data.

Keys to a Safe Process





Smart Software



“ Software should support you. Not be a time-suck. There is a reason we call it a platform not a canyon.

What makes tech smart?



Design your own fields

Connect with others

Remove features and fields

Design your own reports

Analyze trends

Suggest text, outcomes,
or processes

Simple, Safe, Smart

● DEODRISE

3 reminders for designing a process for taking stinky situations and making them lovely.





Internet Corporation for Assigned Names and Numbers (ICANN)

- Operational Stability of the Domain Name System DNS
- Internet Policy and Protocol
- Bottom-Up Global Community Driven Multistakeholder Model
- Non-Profit Based in California with Regional Offices Worldwide
- Ombuds – Actions/Inactions by Board, Organization, or between community me



<https://www.icann.org/ombudsman>

Key elements:

Complaint form – Case Management System

Ombudsman Framework

Logic Model

News – Speeches

Self help FAQs

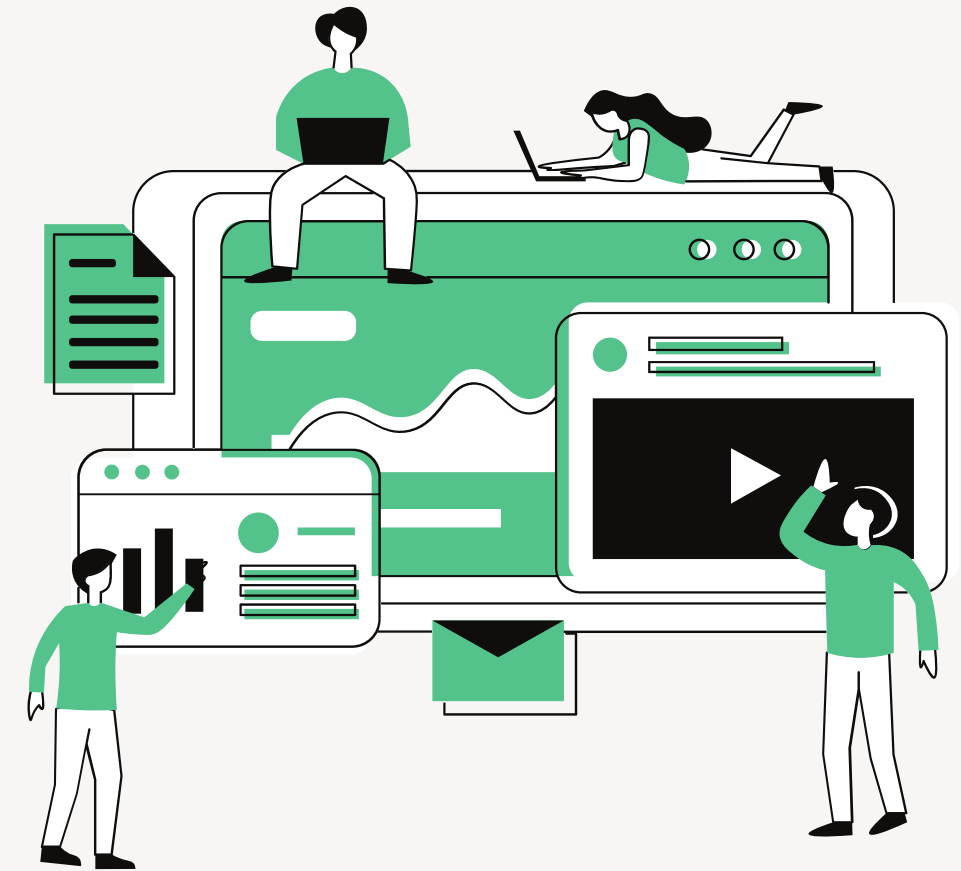
Blog, Twitter, and Facebook Page

<https://www.icann.org/ombudsman>

<https://www.icann.org/en/system/files/files/annual-report-2019-30jun19-en.pdf>

Complaint Intake (2018/2019) – 164 logged complaints

- 35 Jurisdictional
- Email – 109
- Online Complaint Form – 37
- Office Visit (3 Regional Meetings) – 10
- Social Media – 5 (Referred to email or complaint form)
- Phone – 1
- Ombuds observed incident – 2
- Complaints from 30 countries





<https://www.icann.org/ombudsman>

Online Dispute Resolution:

Online Culture

Email – acceptable risk

Confidentiality – trust but no guarantee

Expect everything in an email will be published

Reading “Tone” in an email

Eternal record of everything

GDPR (Privacy) Compliant

Data retention policy

Herb Waye

Ombuds

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