

Formalisation And Flexibilisation In Dispute Resolution

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In Formalisation and Flexibilisation in Dispute Resolution scholars from four continents examine both historical and recent developments that cast doubt on the validity of these widespread assumptions. They not only explore trends towards an increased formalisation of ADR procedures but also address the tendencies of state civil justice systems to adopt flexible and informal tools for the resolution of disputes in the courts.

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They question the validity of widespread assumptions that alternative dispute resolution is more flexible and creative than court-based resolution. As well as exploring trends towards an increased formalization of alternative procedures, they also address the tendencies of state civil justice systems to adopt flexible and informal tools for resolving disputes in the courts.

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In book: Formalisation and Flexibilisation in Dispute Resolution, pp.17-44. Cite this publication. Michael Palmer. Do you want to read the rest of this chapter? Request full-text. Advertisement.

1 Formalisation of Alternative Dispute Resolution ...

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Consumer out-of-court redress in the European Union is experiencing a significant transformation; indeed the current changes are the most important that have occurred in the history of the EU. This is due to the recent implementation of the Alternative Dispute Resolution (ADR) Directive 2013/11/EU and the Online Dispute Resolution (ODR)

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ADR Programme" in Zekoll et al, ed s, Formalisation and Flexibilisation in Dispute Resolution (Leiden: Brill Nijhoff, 2014) 250 [Brazil, "Info rmalism"]. 15.

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19 Justice Croft likewise invokes the 'goal of efficient, effective and appropriate dispute resolution'. See Justice C. Croft, 'Arbitration Law Reform and the Arbitration List of the Supreme Court of Victoria', ... (eds.), Formalisation and Flexibilisation in Dispute Resolution (2014), 211 at 214. 36 Ibid.

The 'Judicialization' of International Commercial ...

Today, Alternative Dispute Resolution (ADR) has gained international recognition and is widely used to complement the conventional methods of resolving disputes through courts of law. ADR simply entails all modes of dispute settlement/resolution other than the traditional approaches of dispute settlement through courts of law.

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