MEASURING THE SOCIETAL EFFECTS OF ONLINE DISPUTE RESOLUTION IN STATE AND MUNICIPAL COURTS

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SPECIAL THANK YOU TO:

And the many courts that allowed me to use their data.
## BARRIERS TO ACCESS

### Economic Challenges
- Lost wages
- Absence(s) from employment
- Cost of child care
- Transportation costs
- Cost of legal representation

### Geographic Barriers
- Distance from courts
- Lack of public transportation
- Disability and physical limitations
- Scarcity of legal aid and lawyers

### Psychological Difficulties
- Confusion about the law and the process
- Apprehension of facing the court
- Anxiety or even fear about the legal outcome
EFFECTS OF OUTSTANDING WARRANTS

The threat of arrest and the confusion about how to resolve the situation leads people with outstanding warrants to avoid police, courtrooms, and other government officials.

People with warrants are less likely to:
• report crimes
• serve as jurors or witnesses in legal proceedings

And more likely to:
• withdraw from public life
• refrain from voting or engaging in civic activities
• Leave the scene of a motor vehicle accident
WHO USES ODR?

More female than male.

Directly correlated with age

- 18-25 (41.6%)
- 26-40 (21.8%)
- 41-55 (20.3%)
- older than 56 (16.3%)

While many individuals from all socio-economic statuses use ODR, use appears to be skewed towards mid-high income and more educated than the general population.

Great for efficiency – some concerns about equity.
The prevalence of smartphones is helping further bridge the digital divide.

The FCC’s annual Broadband Deployment Report says the country’s digital divide has “narrowed substantially,” with the number of Americans without broadband dropping more than 18%, to 21.3 million people, between 2016 and 2017. The majority of the gains were for people living in rural parts of the country, according to the report.

![Deployment (Millions) of Fixed Terrestrial 25 Mbps/3 Mbps Services]

Source: FCC
INTERNET ACCESS IN THE NORTHEAST U.S.
• ODR cases close much faster

• Most gains from ODR realized by 29 days
Non-ODR cases in ODR courts still close faster
ADDED EFFICIENCY IN COURTS GIVES INCREASED ABILITY TO TRIAGE CASES

• Time spent on case vs. time case is open.

• Deliberation about which cases need the most attention

• Allow judges to devote brainpower to the most interesting/difficult cases
• Courts see more fines paid overall, particularly within 30 days.

• Introduction of ODR into a court seems to have effect on court cases that do not use ODR.

• Cases using ODR default at approximately 1/10 the rate of cases historically.
QUESTIONS/COMMENTS/RESEARCH COLLABORATION?

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