How to improve day-to-day functioning of courts towards a more efficient justice?

CEPEJ, Banja Luka, October 23

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What is Rechtwijzer?

• An online dispute resolution platform structuring and facilitating negotiation between divorcing or separating partners.
• Enabling mediation, legal review and adjudication, if needed.
• With support lines (legal information, calculators, practical examples).
• Available to and accessible by all.
• Based on Rechtwijzer 1.0 and the research of University of Twente.
Why Rechtwijzer?

- Stimulating **self-reliance** and enabling people to take control over the negotiation process and make agreements that they understand.
- Offering **transparent and objective** information, one bite at a time, and access to legal service providers, when needed.
- Providing people with the opportunity to work on their plan at their **own pace and time**.
- Enabling **mediators, legal reviewers** and **adjudicators** to do their interventions effectively on the basis of all information they need.
- Making the procedure easier, less adversarial, with simpler rules, using **one format** for all involved.
- A better **connection** between people’s problems and court procedures.
With whom? Partnership

Raad voor Rechtsbijstand  HiIL  MODRIA

Supported by the Dutch Ministry of Security and Justice
Adaptation to new jurisdictions

Britain and Wales

British Columbia, Canada

Released in October 2015

Release in January 2016
Curious?
We vinden het belangrijk dat we ons allebei goed voelen over hoe we het (spaar)geld verdelen. Daarom spreken we af dat...

We het geld als volgt volgt verdelen. De hoofdlijnen voor onze afspraak zien we als volgt:
Ieder houdt de eigen (vul in: wat u hier over wilt afspreken)
We verdelen (vul in: wat u hier over wilt afspreken) zodat ieder de helft daarvan krijgt
(gemaakte afspraak 2)
(vul hier aan).

We gaan dit op de volgende manier toepassen:

Banksaldo's
€ (vul in: bedrag) op bankrekening (vul in: bankrekeningnr.) bij (vul in: naam bank) gaat naar (vul in: naam)
€ (vul in: bedrag) op bankrekening (vul in: bankrekeningnr.) bij (vul in: naam bank) gaat naar (vul in: naam)
€ (vul in: bedrag) op bankrekening (vul in: bankrekeningnr.) bij (vul in: naam bank) gaat naar (vul in: naam)
€ ...

Akkoord  Bemiddeling  Beslissing  Open
Let’s have a look
User needs

Number of unique visitors exploring and gathering information:

8000 *per month*

Gender of visitors:

♀ 65.8 %  &  ♂ 34.2 %

Most active age groups:

25 – 54 year-olds

*Since February 1st 2015, as of October 16th, 2015*
Cases

People using the platform: 641*

Average number of new paid cases started: 35 per month (or 1% of Dutch separations)

Average number of days partners spend on Rechtwijzer to create their Separation Plan: 46 days

* As of October 16th, 2015
Phases

Awaiting partner 22.4%

In Negotiation 37.6 %

In Mediation 1.1 %

In Arbitration 0%

Payment for Review 2%

In Review 7.3 %

Finalised 29.6 %

* As of October 16th, 2015
**Costs**

Fee for use of the platform: € **90** per case

Fee for mediation: € **360** per case

Fee for adjudication: € **240** per case

Fee for review: € **300** per case

Platform users eligible for Legal Aid: **41 %**

Maximum amount: € **990** per case

Minimum amount: € **120** per case

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**User Satisfaction**

*Negotiation scores the highest (7.8 out of 10); Legal Review scores 6.9; and Intake scores 6.7.*
What is next?

- **Debts** (Diagnosis) | Soft launch Dec 2015
- **Landlord & Tenant** | Soft launch March 2016  Partnership with Landlord tribunal
- **Relational Disputes** (“Uit Elkaar”) | Aftercare
www.rechtwijzer.nl/uitelkaar

https://www.youtube.com/user/Rechtwijzer

@rechtwijzer

Group ‘Rechtwijzer’

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Appendix
Map your situation

Step by step Rechtwijzer guides you through the issues associated with separation. What do you feel is important? How can both you and your partner build a new future? You can explore your personal situation without any costs involved.

Develop a separation plan

Together with your partner you can work on your separation plan at your own pace. A variety of high-quality support and tools provide support. Even when emotions run high. Sometimes, a neutral decision of an independent expert offers a way out.

Join a separation plan

If you received an invitation from your partner, you can first explore Rechtwijzer or directly join your partner and start working on your separation plan. Rechtwijzer helps you to separate in a good and fair manner.
Map out your situation
You will answer questions that help you understand
your situation. Tailored advice helps you to explore
your options (reconciliation, separation).

Start with your separation plan
Questions will help you to define your interests related to
your children, money issues, your housing situation, division
of properties and all other important issues.

Cooperate
Building on your interests and the interests of your partner,
you jointly work on finding agreements for solutions. Recht-
twijzer provides tools that support you with this, like exam-
pies of what usually works for people who separate.

Get help
If you feel you need support, you can get help from a pro-
essional mediator or other expert. Who can neutrally
decide on the basis of your interests, of what works and
what the law says.

Finalise you separation plan
Working with rechtwijzer eventually results in a fair separa-
tion plan that is consistent with the law. A neutral expert
performs a last check of the plan at the end of the process
(a so-called review).

Adjust your separation plan
Rechtwijzer continues to help you after you finalised your
separation plan. Your life continues to develop and change.
Thus chances are high that after a certain time your separa-
tion plan needs some review and adjustment.

Finalise
Explore & diagnose

- **Identify** legal problem
- **Explore** options: reconciliation, therapy, separation, divorce, etc.
- **Assess** conflict behaviour
- **Managing** their expectation
- **Referral** tools, self-help tools
What happens when you are going to separate?
Use your initial questions to walk through (step-by-step) all the topics relating to separation. Explore what you find important and how you and your partner can build a new future. This step does not cost you anything. At the end, you can quit or create an account. You must make an account to get a separation with Rechtwijzer.

Which situation applies to you?
- I worry about my relationship; what can I do?
- I consider ending our relationship. Is separation a good option?
- My partner wants to end our relationship. I don’t know what to do or expect.
- We have decided to separate and want to start making arrangements.

Continue  Back
You worry about your relationship. You can read more here:

- **Signs of Relationship Breakdown**
  Relationships change. But, when do you know a relationship does not work anymore? There may be some signs. For example: you fight more often. You do less things together. You can not put up with as much as you did before. There is very little left to talk about. Or, there is someone else.

- **Relationship test**

- **What goes well and what does not go well?**

- **Communication tips**

- **We do want to go on, but how?**

- **When staying together is not an option**
Start & intake

- Problem solving intake
- In own words, at own pace
- Interests and initial ideas for solutions
- Supported by best practices for solutions
Before you start

Before you start working with Rechtwijzer, make sure you personally, clearly and straightforwardly discussed your decision to separate with your partner. It is also important that you have personally told your partner that you would like to use Rechtwijzer.

With every question, you give your own view. As much as possible, try to use your own words. After that, your partner can share their ideas. When you both shared your views, you work on a solution together.

We advise you to calmly answer the questions. Take time to thoroughly think through the questions and decisions. Some decisions are not easy. Allow your partner time to form his or her opinion.

Yes, I read and understand the terms and conditions of Rechtwijzer and I accept them.

Start Intake
Fill in your details

Surname
Nicholas

Last name
Peterson

Date of birth
01/04/1970

Address

Suffix

Postal code

City

E-mail address

Confirm E-mail address
What do you think your children will need in the coming years to be stable and happy?

To be stable and happy in the coming years I think my children will need...

Oops! Something went wrong, please fill in the input fields

Confirm and continue  Back
You have one child who is younger than 18 years

For your child you are going to make agreements regarding when he/she will stay at which parents place.

What are your initial ideas for this?

At father's place
Children habitually live at their father's place and visit the mother regularly.

At mother's place
Children habitually live at their mother's place and visit the father regularly.

Co-parenting
Children stay at their mother's and father's place equally.

Other
My initial idea is not featured.

You have not made a decision! Select one of the two options.
Dialogue & cooperate

- Work on solutions
- Interest-based, problem-solving
- Supported by models, tools and best practices
- Own words, own pace, own home
We find it is important that our children have a stable living situation. That is why we agree that our children...

Will live at... She will visit... once every 14 days. This takes place in...

You can start editing this when your partner has completed the intake.
We find it is important that our children have a stable living situation. That is why we agree that our children...

Will live at RACHEL. She will visit [ ] once every 14 days. This takes place in the [ ] weeks. The weekend starts on Friday afternoon at [ ] and ends on Sunday afternoon at [ ].

I find it of importance that Kimberly does not have to travel too much. How do you see that?
**WORK TOGETHER ON A GOOD & STABLE FUTURE FOR YOU CHILDREN**

**What do you hope for the future of your children?**

**NICHOLAS**  
I hope they have a stable home with lots of love and grow into sophisticated adults.

**RACHEL**  
I hope they will become happy and think of me and their father as good parents, despite our separation.

**How can you help your children to grow towards this future?**

**NICHOLAS**  
I can help by offering a stable home. And stay very respectful about their mother so they never get the feeling they have to choose between their parents.

**RACHEL**  
I can bring them up with love and give them the opportunities to develop into

**AGREED**

**NATION**

**Client contact centre**

- **Help page**: 0800 - 2124124

**Calculator tool**

- **School holidays**

**School holidays**
Trialogue & get help

• Top legal professionals offer assistance
• Few clicks away
• Focused interventions
WORK TOGETHER ON A GOOD & STABLE FUTURE FOR YOU CHILDREN

We find it is important that our children have a stable living situation. That is why we agree that our children...

Will live at [RACHEL]. She will visit [NAME] once every 14 days. This takes place in the [NAME] weeks. The weekend starts on Friday afternoon at [NAME] and ends on Sunday afternoon at [NAME].

[Agreed] [Mediation] [Decision]
Select the mediators you prefer

Here, you find three mediators. We request you to make two preferences. You may read what the remaining process will look like.

Machteld Pel
Mediator since 2001
12 years of experience
mediator.com
Rating: ***

Henri Niezink
Mediator since 2001
12 years of experience
mediator.com
Rating: ***

Tako Johannesma
Mediator since 2001
12 years of experience
mediator.com
Rating: ***

Continue
These are the cases you have joined. Here you can see in which file the latest changes have been made. It also allows you to see the involved mediators, adjudicators and reviewers. Click in the line to view the separation plan.

<table>
<thead>
<tr>
<th>#</th>
<th>PARTICIPANTS</th>
<th>PHASE</th>
<th>LATEST EDIT</th>
<th>MEDIATOR</th>
<th>ADJUDICATOR</th>
<th>REVIEWER</th>
<th>STATUS</th>
<th>CHANGES</th>
</tr>
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<tr>
<td>211</td>
<td>Nicholas / Rachel</td>
<td>Mediation</td>
<td>24.05.14</td>
<td>Machtel Pdl</td>
<td>CJ Menon</td>
<td></td>
<td>63%</td>
<td></td>
</tr>
<tr>
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<td>Jay / Michelle</td>
<td>Decision</td>
<td>26.06.14</td>
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<td>CJ Menon</td>
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<td>34%</td>
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<tr>
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<td>Review</td>
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<td>71%</td>
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</tr>
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<td>Mediation</td>
<td>15.05.14</td>
<td>Machtel Pdl</td>
<td>x</td>
<td></td>
<td>63%</td>
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<td>338</td>
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<tr>
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<td>Marcus / Sarah</td>
<td>Review</td>
<td>09.06.14</td>
<td>Machtel Pdl</td>
<td>x</td>
<td>Henri Niezink</td>
<td>71%</td>
<td></td>
</tr>
</tbody>
</table>
Visiting arrangements and living situation for our children
Kimberly will go to Nicholas during the weekend once every fourteen days, in the even weeks. The weekend starts on Friday afternoon at 16:00 and ends on Sunday evening at 19:00. The parent who the children stayed with last, takes the children to the other parent when a switch has to be made.

Housing registration
Kimberly will be registered at her mothers address.

Division of belongings
The belongings of Kimberly will go to her room at Rachel’s place. For Kimberly’s room at Nicholas’ place, both her parents will buy new belongings, including at least a bed, toys and some basic sets of clothing.
Work together on a good & stable future for your children.

We find it important that our children have a stable living situation. That is why we agree that our children...

Will live at _______. She will visit _______ once every 14 days. This takes place in the _______ weeks. The weekend starts on Friday afternoon at _______ and ends on Sunday afternoon at _______.
Your payment was successfully made. Your adjudicator will contact you within 8 business hours.

CJ Menon
Adjudicator since 2008
Ratings: ****
A GOOD AND STABLE FUTURE FOR KIMBERLY

We find it is important that our children have a stable living situation. That is why we agree that our children...

will live at __________ They will visit __________ once every 14 days. This takes place in the __________ weeks. The weekend starts on Friday afternoon/evening at __________ and ends on Sunday afternoon/evening at __________

I find it of importance that Kimberly does not have to travel too much. How do you see that?
Review & finalise

- Neutral review of agreement:
  - Sustainable, balanced, legally valid
- Formalisation of agreement
Your separation plan is almost finished. The last step is to have an independent reviewer check whether your plan is realistic, correct and complete. The reviewer will focus on a number of issues, such as:

- Children: is the division of caretaking tasks properly planned and realistic?
- Owned home: is the home divided in a legally correct manner?
- Debt: has this been properly arranged with your creditors?
- Division of the costs of children: are they divided in a legally correct manner?
- Financial assistance for your partner: has this been divided in a legally correct manner?
- Tax implications: are these properly addressed?
- Marriage and partnership agreements: have these been dealt with in a legally correct manner?

The reviewer will contact you within two working days. You will learn whether your separation plan can be finalised, or some changes or provide additional documents are needed. Any decision made by the neutral expert will remain outside of this assessment; the decision-maker has already looked at the (legal) correctness and completion of your agreements. The reviewer only checks if this decision complies with the agreements you have made. It is possible that decision was made some time ago and the decision no longer fits agreements you may have made afterwards.
Here you will read that payment has been completed and who you reviewer is and that this person will contact your within a workday.

**Henri Niezink**
Expert since 1998
Ratings: ****

Close
Separation plan of Nicholas and Rachel

A GOOD FUTURE FOR KIMBERLY

Visiting arrangements and living situation for our children
Kimberly will go to Nicholas during the weekend once every fourteen days, in the even weeks. The weekend starts on Friday afternoon at 16:00 and ends on Sunday evening at 19:00. The parent who the children stayed with last, takes the children to the other parent when a switch has to be made.

☐ Approved  ☐ Not approved  View

Housing registration
Kimberly will be registered at her mother's address.

☑ Approved  ☐ Not approved  View

Enter your suggestions and feedback for the parties...

Division of belongings
The belongings of Kimberly will go to her room at Rachel's place. For Kimberly's room at Nicholas' place, both her parents will buy new belongings, including at least a bed, toys and some basic sets of clothing.
We find it important that our children have a stable living situation. That is why we agree that our children...

will live at __________. She will visit __________ once every 14 days. This takes place in the __________ weeks. The weekend starts on Friday afternoon at __________ and ends on Sunday afternoon at __________.

Dear Nicholas and Rachel, you have done a good job. I think it is a good idea if you consider ... a little more. This could be done in the following way ...
Separation plan of Nicholas and Rachel

A GOOD FUTURE FOR KIMBERLY

Visiting arrangements and living situation for our children
Kimberly will go to Nicholas during the weekend once every fourteen days, in the even weeks. The weekend starts on Friday afternoon at 16:00 and ends on Sunday evening at 19:00. The parent who the children stayed with last, takes the children to the other parent whom it has to be made.

Housing registration
Kimberly will be registered at her mothers address.

Division of belongings
The belongings of Kimberly will go to her room at Rachel's place. For Kimberly's room at Nicholas' place, both her parents will buy new belongings, including at least a bed, toys and some basic sets of clothing.
Aftercare & adjust

- Coping with changes
- Compliance and enforcement
- Recalibrate during periodical check ups