# Legal Aid Board

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

CEPEJ, Banja Luka, October 23

Peter van den Biggelaar Executive Director Dutch Legal Aid Board Tsvetelina Mihaylova



# Rechtwijzer uit elkaar bèta

### 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.

# Rechtwijzer uit elkaar beta

### 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





Supported by the Dutch Ministry of Security and Justice



### Rechtwijzer uit elkaar beta

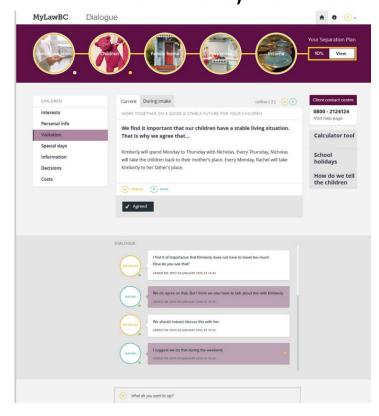
### Adaptation to new jurisdictions

#### Britain and Wales



Released in October 2015

### British Columbia, Canada



Release in January 2016

# Rechtwijzer uit elkaar bèta

### **Curious?**















0% voortgang

Uw scheidingsplan

Bekijken

Contactcentrum

**4** 088 - 787 1080 rechtwijzer@rvr.org

Openingstijden

Communiceren

Kinderen

Wonen

Bezittingen

deelnemers

Bezittingen

> Gegevens

> Geld

> Schulden

> Bijzondere spullen

> Spullen

Afspraak Tijdens de intake

Werk aan een eerlijke verdeling van uw bezittingen

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)

€ ...



OPEN

Akkoord

Bemiddeling

Beslissing

Open

Hulpmiddelen

Schulden

Waarde bepalen

Pensioen

Huwelijkse/partner schapsvoorwaarde

n

Financiën verdelen

Hypotheek informatie

Hoe maakt u een goede verdeling?

### Let's have a look





### **User needs**

Number of unique visitors exploring and gathering information:

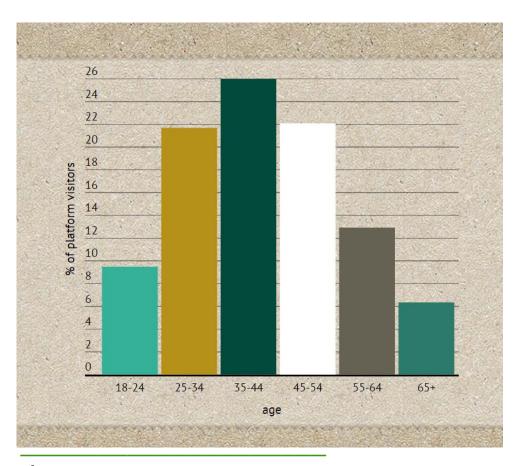
**8000** *per month*\*

Gender of visitors:

**4** 65.8 % **8 34.2** %

Most active age groups:

**25** – **54** *year-olds* 



\*Since February 1st 2015, as of October 16<sup>th</sup>, 2015

### Cases

People using the platform:

641\*

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Average number of new paid cases started:

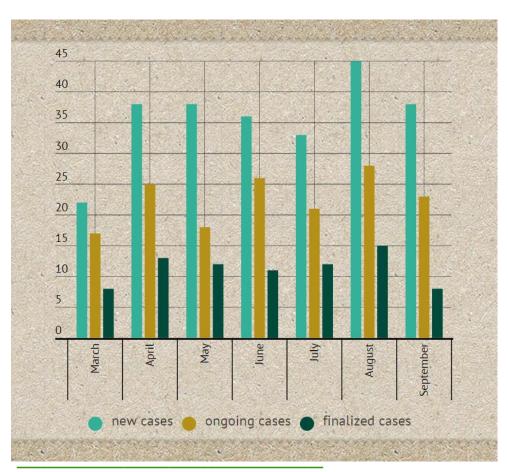
35 per month

(or 1% of Dutch separations)

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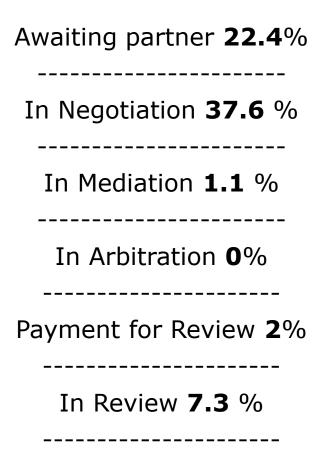
Average number of days partners spend on Rechtwijzer to create their Separation Plan:

46 days

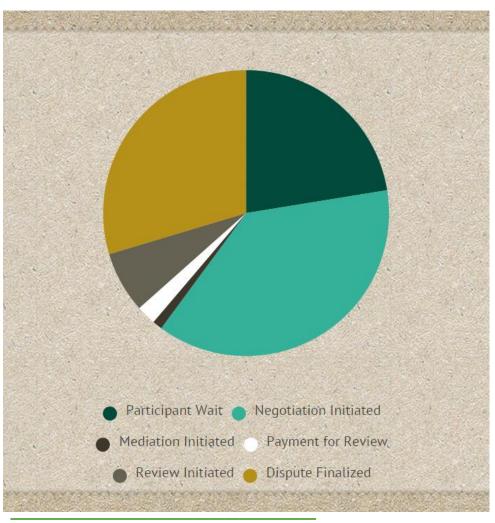


\* *As of October 16<sup>th</sup>, 2015* 

### **Phases**







\* *As of October 16<sup>th</sup>, 2015* 

### **Costs**

Fee for use of the platform:

**€ 90** per case

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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 %

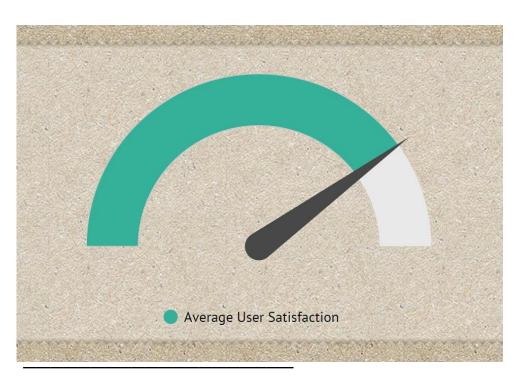
Maximum amount:

**€ 990** per case

Minimum amount:

€ **120** per case

### **User Satisfaction**



\*Negotiation scores the highest (7.8 out of 10); Legal Review scores 6.9; and Intake scores 6.7.

# Rechtwijzer uit elkaar bèta

### What is next?

Rechtwijzer schulden

- ✓ Debts (Diagnosis) | Soft launch Dec 2015
- ✓ Landlord & Tenant | Soft launch March 2016 Partnership with Landlord tribunal



✓ **Relational Disputes** ("Uit Elkaar") |

Aftercare

\*\*Rechtwijzer uit elkaar\*

# Rechtwijzer uit elkaar beta

### www.rechtwijzer.nl/uitelkaar



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



@rechtwijzer



Group 'Rechtwijzer'

Maurits Barendrecht

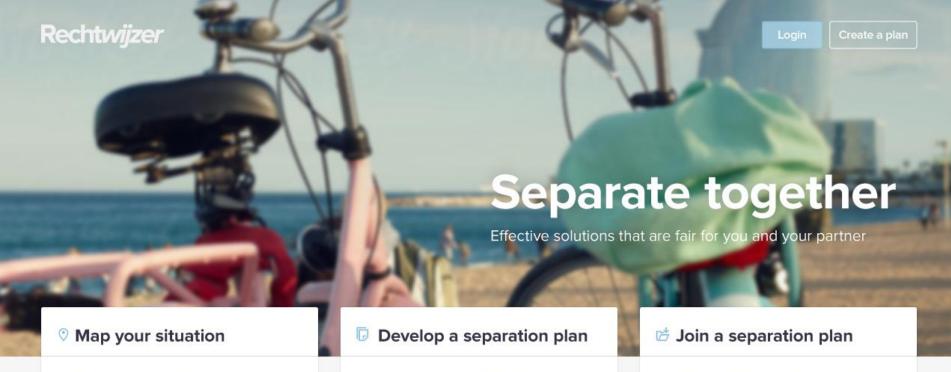
maurits.barendrecht@hiil.org +31 70 7620700 | +31 6 42921812

Peter van den Biggelaar

p.vdbiggelaar@rvr.org +31 88 7871010 | + 31 6 51591595

# Rechtwijzer uit elkaar bèta

# **Appendix**

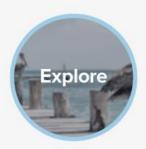


Step by step Rechtwijzer guides you through the issues associated with separation. What do you feel is important? How can both you and your partner build a new future? You can explore your personal situation without any costs involved. Together with your partner you can work on your separation plan at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

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.

Login

Create a plan



#### Map out your situation

You will answer questions that help you understand your situation. Tailored advice helps you to explore your options (reconciliation, separation).



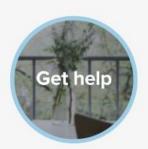
#### Start with your separation plan

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.



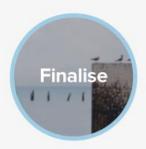
#### Map out your situation

Building on your interests and the interests of your partner, you jointly work on finding agreements for solutions. Rechtwijzer provides tools that support you with this, like examples of what usually works for people who separate.



#### Get help

If you feel you need support, you can get help from a professional 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 separation 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 separation plan needs some review and adjustment.

RECHTWIJZER IS BROUGHT TO YOU BY

RECHTWIJZER IS DEVELOPED BY

RECHTWIJZER IS SUPPORTED BY

Raad voor Rechtsbijstand

Organisation in charge of the quality and funding of legal aid for people with lower incomes.



Research and advisory institute that works for courts and other justice organisations.





Businesses and government agencies rely on Modria Resolution Center to turn their disputes into fast and fair resolutions.

### **Explore & diagnose**

- Identify legal problem
- **Explore** options: reconciliation, therapy, separation, divorce, etc.
- Assess conflict behaviour
- Managing their expectation
- Referral tools, self-help tools









#### Diagnosis

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 important and how you and your partner can build a new future. This step does not cost you anything. At the 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	







#### Diagnosis

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
Continue

### Start & intake

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









**Properties** 

Income

#### 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.

Read more

Start intake

**☆** • ?







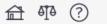


Properties

Income

DETAILS
My details
Details partner
Marital status

Surname	Last name
Nicholas	Peterson
Date of birth	
01/04/1970	
Address	Suffix
Postal code City	
E-mail address	Confirm E-mailaddress

















#### CHILDREN Visitation 0/4 Belongings 0/5 Information 0/3 Decisions 0/3 Costs 0/2 Details 0/4

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









our details



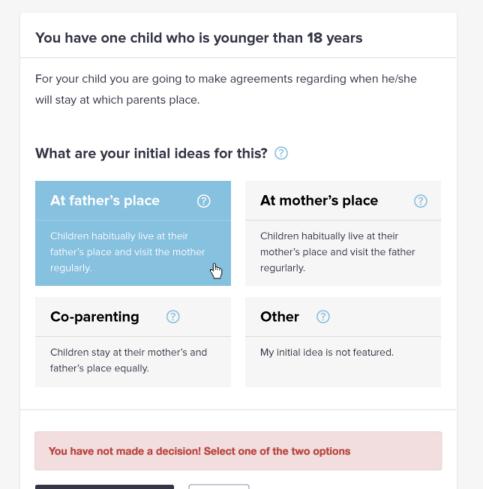








CHILDREN	
Visitation	0/4
Belongings	0/5
Information	0/3
Decisions	0/3
Costs	0/2
Details	0/4



### Dialogue & cooperate

- Work on solutions
- Interest-based, problem-solving
- Supported by models, tools and best practices
- Own words, own pace, own home

#### Rechtwijzer Dialogue















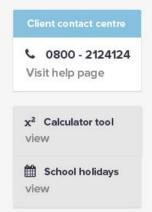






CHILDREN
Interests
Details
Visitation
Belongings
Information
Decisions
Costs

Current	During intake	online (1) (N)
		en your partner has completed the intake

















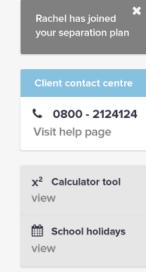






CHILDREN
Interests
Details
Visitation
Visitation
Belongings
<ul> <li>Information</li> </ul>
Decisions
Costs

Current	During intake	online (2) (N) (R)
WORK TO	DGETHER ON A GOOD & STABLE FUTURE FOR YOU CH	ILDREN
	d it is important that our children have a stat on. That is why we agree that our children	ble living
Will live a	t . She will visit once every 14 da	ys. This takes place in
the	weeks. The weekend starts on Friday afternoon a	at and ends
on Sunda	y afternoon at	
N AGRE	ED R MEDIATION	
<b>✓</b> Agr	reed	



DIALOGUE



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











Your Separation Plan

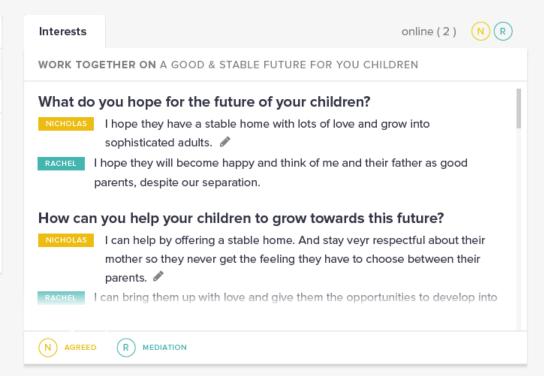
65%

View

Interests
Details

Visitation
Belongings

Information
Decisions
Costs



Client contact centre

**\** 0800 - 2124124 Visit help page

x<sup>2</sup> Calculator tool view

School holidays

DIALOGUE



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

# Rechtwijzer uit elkaar beta

### Trialogue & get help

- Top legal professionals offer assistance
- Few clicks away
- Focused interventions





















View	
------	--

CHILDREN
Interests
Details
Visitation
Belongings
<ul> <li>Information</li> </ul>
Decisions
Costs

Current	During intake	online ( 2 )				
WORK TO	DGETHER ON A GOOD & STABLE FUTURE FOR YOU CHI	LDREN				
We find it is important that our children have a stable living situation. That is why we agree that our children						
Will live a	. She will visit once every 14 day	s. This takes <sub>l</sub>	place in			
the	weeks. The weekend starts on Friday afternoon at	t	and ends			
on Sunda	y afternoon at .					
N AGRE	R MEDIATION					
✓ Agr	reed					
•						



DIALOGUE



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





#### CHILDREN

Interests

Details

Visitation

Belongings

Information

Decisions

Costs

#### 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

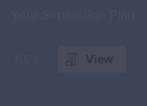
12 years of experience mediator.com

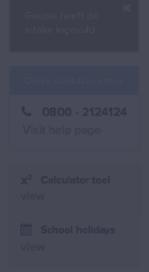
Rating: \*\*\*



#### Tako Johannesma

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





Continue







DIALOGUE



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

#### Overview

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.

#	PARTICIPANTS	PHASE	LATEST EDIT	MEDIATOR	ADJUDICATOR	REVIEWER	STATUS	CHANGES
211	Nicholas / Rachel	Mediation	24.05.14	Machteld Pel	CJ Menon	х	63%	х
209	Jay / Michelle	Decision	26.06.14 •	Machteld Pel	CJ Menon	х	34%	х
313	Darren / Ashley	Review	01.06.14	Machteld Pel	CJ Menon	Henri Niezink	71%	х
201	Jonathan / Judy	Mediation	15.05.14	Machteld Pel	х	х	63%	х
338	lan / Amanda	Decision	12.06.14	Machteld Pel	CJ Menon	х	34%	х
255	Marcus / Sarah	Review	09.06.14	Machteld Pel	x	Henri Niezink	71%	х











Communication

Children

Family home

**Properties** 

Income

### Separation plan of Nicholas and Rachel

× close agreement

Legal version

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.

View





#### Housing registration

Kimberly will be registered at her mothers address.

Mediate



N MEDIATION



MEDIATION

#### 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.

View



















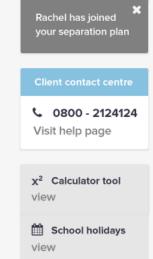






CHILDREN	
Interests	
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Visitation	
Belongings	
<ul> <li>Information</li> </ul>	
Decisions	
Costs	

Current During Intake	online (2) NR				
WORK TOGETHER ON A GOOD & STABLE FUTURE FOR YOU CH	IILDREN				
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					
N AGREED R MEDIATION					
✓ Agreed	)				



DIALOGUE



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



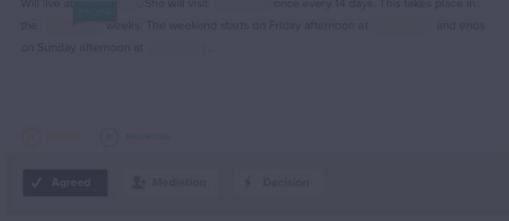


































Your separation plan

Send Message

0800 - 2124124

Visit help page

x2 Calculator tool

School holidays

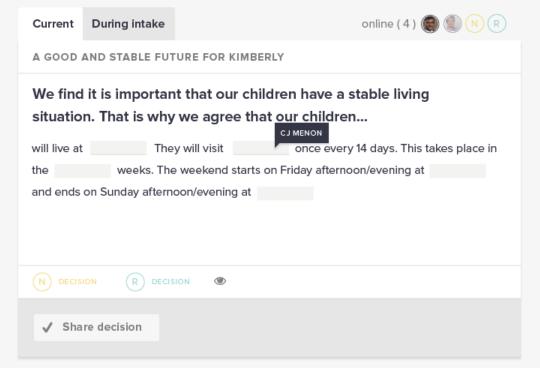
view

view

64%

View

CHILDREN
Interests
Details
Visitation
Belongings
<ul> <li>Information</li> </ul>
Decisions
Costs





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

# Rechtwijzer uit elkaar beta

### **Review & finalise**

- Neutral review of agreement:
  - Sustainable, balanced, legally valid
- Formalisation of agreement











#### Continue to review

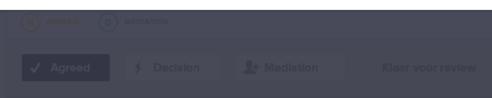
Your separation plan is almost finished. The last step is to have an independent reviewer check whether your plan is realistic, correct and complete. The reviewer will focus on a number of issues, such as:

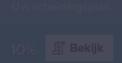
- Children: is the division of caretaking tasks properly planned and realistic?
- Owned home: is the home divided in a legally correct manner?
- · Debt: has this been properly arranged with your creditors?
- · Division of the costs of children: are they divided in a legally correct manner?
- Financial 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?

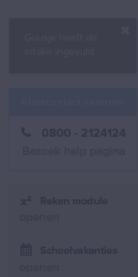
The reviewer will contact you within two working days. You will learn whether your separation plan can be finalised, or some changes or provide additional documents are needed. Any decision made by the neutral expert will remain outside of this assessment: the decision-maker has already looked at the (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.

Pay with iDEAL















×

Hans Kwaderdam





COMMUNICATION

Interests

Details

Visitation

Belonging:

Information

Decisions

Costs

#### Your reviewer

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

Uw scheidingsplar

)% F Bek

Guusje heeft de intake ingevuld

Klantcontact centrum

0800 - 2124124

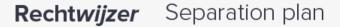
Bezoek help pagina

x<sup>2</sup> Reken module

Schoolvakanties



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Henri Niezink



Communication

Children

Family home

**Properties** 

Income

### Separation plan of Nicholas and Rachel

close agreement

Legal version

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

AGREED

MEDIATION

#### Housing registration

Kimberly will be registered at her mothers address.

✓ Approved Not approved

View

AGREED

MEDIATION

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.



















64%

View

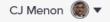
CHILDREN
Interests
Details
• Visitation
Belongings
<ul> <li>Information</li> </ul>
Decisions
Costs

Current	During intake			online (5)	N R	
WORK TOGETHER ON A GOOD & STABLE FUTURE FOR YOUR 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	t . She	will visit	once ever	y 14 days. This take	es place in	
the	weeks. The	weekend start	s on Friday afte	rnoon at	and ends	
on Sunda	y afternoon at					
N OPEN R OPEN						
<b>√</b> Agr	eed 2+ M	ediation	∮ Decision			

✓ Send Message **\** 0800 - 2124124 Visit help page x2 Calculator tool view School holidays view

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 ...





Communication

Children

Family home

**Properties** 

Income

### Separation plan of Nicholas and Rachel

× close agreement

Legal version

A GOOD FUTURE FOR KIMBERLY



#### Visiting arrangements and living situation for our children

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#### Housing registration

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Decision



R DECISION

#### Division of belongings

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AGREED

### Aftercare & adjust

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