

THE CASE OF

British Columbia Civil Resolution Tribunal

ONE-STOP SHOP DISPUTE RESOLUTION

March 2022

Key facts and figures



Year of establishment

2016



Scope of service

Condominium, small claims, non-profit and motor vehicle personal injury disputes.



Geographical scope

British Columbia, Canada



Legal entity

Administrative tribunal



Regulatory embeddedness

Authorised under the BC Civil Resolution Tribunal Act (part of the government)



Number of affiliated staff members

95



Number of cases resolved

Approximately 5,000 per year



Citizen satisfaction

According to the Participant Satisfaction Survey (2021), 80% felt the CRT's online services weren't difficult to use, 89% agreed the CRT provided information that prepared them for dispute resolution, 84% felt their CRT dispute was handled in a timely manner, 91% felt the CRT treated them fairly throughout the process. For more information, see the section on 'Impact.



Costs of services for citizens

\$125 filing fee, further \$100 fee if adjudication is necessary. Fee waiver for people with a low income.



Average processing time

Median small claims time to resolution is 57 days



Annual Budget

\$15 million CAD

Introduction

The British Columbia Civil Resolution Tribunal (CRT), formed in 2016, is the first online administrative tribunal in Canada and one of the first of its kind in the world. It is part of the formal justice system, and can resolve condominium, small claims, non-profit and vehicle accident disputes. Modelled on some of the private online dispute resolution platforms, for instance those of eBay or PayPal, the vision for the platform evolved to provide multi-channel service, with a focus on access to justice for vulnerable people.

The BC Civil Resolution Tribunal was set up in response to the dissatisfaction that the owners of condominiums in British Columbia expressed with respect to the time, expense, and complexity of resolving their minor disputes at the BC Supreme Court. So the Ministry of Justice in British Columbia developed the idea of the BC Civil Resolution Tribunal as a more accessible way to resolve everyday disputes between citizens.

Process of establishing the platform

The process of developing the one stop shop dispute resolution platform included the Ministry of Justice, technology partner PricewaterhouseCoopers, a business analyst, a user experience expert and initial team that was leading the development of this platform. Together, the team used an agile development process which created room to do extensive user testing between sprints. The prototype was primarily tested with advocates who represent the most marginalised sections of society, including people who don't speak English as a first language, new immigrants to Canada, people with physical or cognitive impairments, people with mental health issues, people with a low income, and others.

After that, the prototype was tested with everyday people and lawyers to ensure that the legal information that this prototype provides to people was correct. Because the

technical aspects of the platform were also being developed at the same time, these two processes of user testing and technical development were able to integrate seamlessly.

The team always explores opportunities to improve services provided by the platform through private software providers. Much of the BC Civil Resolution Tribunal is based on Microsoft 365 and other everyday computer applications. Off the shelf software, including Salesforce has been integrated to run the technical process smoothly.



Civil Resolution Tribunal

HOW TO MAKE A CLAIM WITH THE CRT

In addition to the survey, BC Civil Resolution Tribunal recently created short videos using fictional characters to show the user journey. One video gives information about [‘How to make a claim with BC Civil Resolution Tribunal’](#) and another on [Accident Benefit](#).

Services offered by the platform

The BC Civil Resolution Tribunal offers support to users in all stages of dispute resolution that the users are likely to experience. The first stage in the system is a free expert system called the Solution Explorer, which offers users free legal information and tools to resolve their problems. If the users need additional help, they can file an application for dispute resolution on the platform. As a starting point, the BC Civil Resolution Tribunal serves

one of the parties in the dispute, and at the appropriate time, both parties are invited to negotiate. If the parties can resolve their dispute at the negotiation phase, it is turned into a binding court order.

Many disputing parties need additional help, which is when a mediator steps in and helps them in reaching an agreement. If mediation fails, as a last resort, one of the tribunal members from the BC Civil Resolution Tribunal makes a binding decision based on the evidence and submissions.

While the Solution Explorer and application form are online, the BC Civil Resolution Tribunal also has a human component in much of its services. This includes the intake staff, the mediators who work with the parties to achieve settlement, and the tribunal members who resolve disputes if that is unsuccessful.

Much of the focus of the BC Civil Resolution Tribunal is on providing the users with choices about where, when and how to resolve their disputes. It also emphasises on collaborative dispute resolution.

The decisions and orders of the BC Civil Resolution Tribunal are electronically validated and emailed to the parties, unless they’ve requested a mailed copy. They then need to take the order to a court registry or other government agency in order to enforce it.

Impact of the platform

The BC Civil Resolution Tribunal collects feedback from users via surveys. So far, the feedback on the services provided has been quite positive. According to the Participant Satisfaction Survey (2021),

- 96% users agreed that BC Civil Resolution Tribunal staff were professional in each interaction,

- 80% felt the CRT's online services weren't difficult to use,
- 89% agreed the CRT provided information that prepared them for dispute resolution,
- 84% felt their CRT dispute was handled in a timely manner,
- 82% didn't find the CRT process difficult to understand and
- 91% felt the CRT treated them fairly throughout the process.

One of the users of the platform expressed his satisfaction with the services offered by the platform saying *"BC Civil Resolution Tribunal provided an easy and user friendly process to get the dispute resolved."* Another user remarked that there is no need to involve lawyers and that the services provided are affordable.

Role of enabling environment in the growth of the platform

The BC Civil Resolution Tribunal Act was created by the British Columbia Ministry of Justice, in response to a strong need in the condominium community for an accessible resolution method for everyday neighbour disputes. Because the platform was set up by the government itself, it did not encounter any regulatory barriers. It has exclusive jurisdiction over condominium, small claims and motor vehicle disputes and the discretion to determine the method of hearing, among other procedural issues.

The platform coordinates with the courts to make sure they are aware of the format of the orders and understand how to make sure they are authentic. If users want to go directly to court without going through BC Civil Resolution Tribunal, there is a process in the legislation by which a person can apply to the court for an exemption, but this is almost never used.

Marketing strategy of the platform

The team at the BC Civil Resolution Tribunal initially used Google Ads to direct people with particular dispute types to the platform's website, but that now happens organically as search engine rankings are optimised. Apart from Google Ads, the team also did a lot of outreach with community organisations, paid media, and community advocates.

Scaling strategy of the platform

The BC Civil Resolution Tribunal has scaled considerably over the last five years, gaining a new area of jurisdiction almost every year. Using the same general process and software, the platform has seamlessly scaled up by adding staff in proportion to new dispute volumes. The government's decision to expand the BC Civil Resolution Tribunal's jurisdiction to include new dispute areas was directly related to the tribunal's success (reported monthly in participant satisfaction surveys) in providing accessible, understandable, timely, affordable, and fair access to justice.

Financial strategy of the platform

As a public sector body, the BC Civil Resolution Tribunal has faced challenges in receiving public funds that can be challenging in the current fiscal environment. Having said that, factors that help the platform in attracting funds are participant satisfaction, detailed data on case volumes and cost per case, as well as being able to demonstrate responsible use of taxpayer funds by operating a paperless, small footprint, remote operation.

Apart from receiving funds from the government, the BC Civil Resolution Tribunal also charges an application fee to users. Because the platform's aim is to keep its services affordable, the fee exemptions have been decided upon after conducting consultations with community legal advocates.

Lessons learnt

Lessons that can be taken from the experience of setting up BC Civil Resolution Tribunal are:

- One of the other key lessons that can be drawn from the experience of setting up the BC Civil Resolution Tribunal is that identifying a dispute area where the inconvenience for the public is very high, but the stakes are fairly low is a helpful starting point. This particular dispute area would have the opportunity to demonstrate success while also experimenting with a new dispute resolution method without resulting in significant consequences to the parties. In British Columbia, starting with condominium disputes and then small claims disputes demonstrates this approach. This also makes the project more manageable, because the product

design can focus around one common, high-volume dispute type.

- Initially, because the majority of the legal professionals in British Columbia were not familiar with a one stop shop dispute resolution, they were opposed to it. Much of that opposition has dissipated as the BC Civil Resolution Tribunal has become well-established and well regarded by the public. This indicates that good outcomes delivered by a new dispute resolution method can help in rallying the support of legal professionals.
- When the BC Civil Resolution Tribunal gained jurisdiction over motor vehicle accidents, cases from the courts were redirected into the BC Civil Resolution Tribunal, which adversely affected the practice of personal injury lawyers so they resisted this change. While this did not prevent the BC Civil Resolution Tribunal from including motor vehicle accidents in its jurisdiction, it is important to note that when setting up a new dispute resolution system, legal professionals are likely to resist it if it affects their livelihood.
- Initially, the team of the BC Civil Resolution Tribunal spent a lot of time speculating about user preferences in a group of lawyers and technology professionals. To improve upon this step, the team began user testing with the most vulnerable users.

Critical Success Factors

The factors that have helped the BC Civil Resolution in scaling and improving its service delivery model are:

- Having exclusive jurisdiction over small claims, condominiums and vehicle accidents helped the BC Civil Resolution Tribunal in attracting users. Although a few private options exist, the costs associated with using services offered by private mediators or arbitrators ensure that the majority of the claims are channelled towards the BC Civil Resolution Tribunal.
- User satisfaction surveys with disputing parties post resolution of the dispute demonstrated that the services offered by the BC Civil Resolution Tribunal are accessible, efficient and affordable. This evidence of being able to provide good outcomes to users helped the platform in consistently receiving funds from the government.
- The high level of satisfaction expressed by users with the services provided by BC Civil Resolution Tribunal can be attributed to its user-centred design. The following points describe the several features of BC Civil Resolution Tribunal that make it user-friendly:
 - While developing the procedures and software that will be used by the BC Civil Resolution, the team undertook user-testing with a focus on those who are most vulnerable and marginalised in the Canadian society such as new immigrants, those who don't speak English as a first language, new immigrants to Canada, people with physical or cognitive impairments and others.
 - The procedures that the BC Civil Resolution Tribunal takes the users through at every stage also address the users' needs holistically. It starts with

providing the users information that indicates the various pathways that the user can take to resolve the problem. Then it offers the users the chance to negotiate with the disputing party on their own, mediation and lastly, if nothing works, then adjudication.

- For those who are not comfortable using web-based platforms, the BC Civil Resolution Tribunal offers paper-based or telephone based services.
- To keep the services accessible and affordable, the team consulted community legal advocates and thereafter granted fee exemptions to those facing financial hardships.

Sources

Salter, S. (2017). Online Dispute Resolution and justice system integration: British Columbia's BC Civil Resolution Tribunal. Windsor Yearbook of Access to Justice / Recueil annuel de Windsor d'accès à la justice, 34(1), 112-129.

BC Civil Resolution Tribunal (2021). Participant Satisfaction Survey, (blog).

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To learn more, read the [policy brief on One-stop Shop Dispute Resolution](#) or visit www.hiil.org and dashboard.hiil.org.