

## **An Olive Branch & Smartsettle One+ Roleplay Post Analysis**

USAID New Justice Program in Kyiv, Ukraine

ODR and the Courts: Improving Access to Justice in Ukraine

September 19 & 20, 2017

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### **Session 5: ODR Systems Roleplay**

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**Abstract:** During this session, Graham orchestrated a live demonstration of a collaborative dispute resolution using An Olive Branch Consulting (AOB), and Smartsettle One+ (Ss1+). The room was divided in half so that participants on each side could focus on a separate screen showing the negotiation from the perspective of one of the parties. After Graham explained the case data entry process each side of the audience was invited to play one of the parties. Participants were able to engage in the negotiation process and witness how AOB can encourage a collaborative process, and how Smartsettle's proprietary Visual Blind Bidding can help parties quickly reach a solution without going through the tedious negotiation dance that characterizes ordinary negotiations. It was particularly interesting to see how one of the parties was rewarded by SS1+ for moving sooner than the other party, to a fair position.

Available separately is the conference schedule and a description of the case used for this simulation. Following is a replay of the moves made by each party.

### **An Olive Branch Consulting Process**

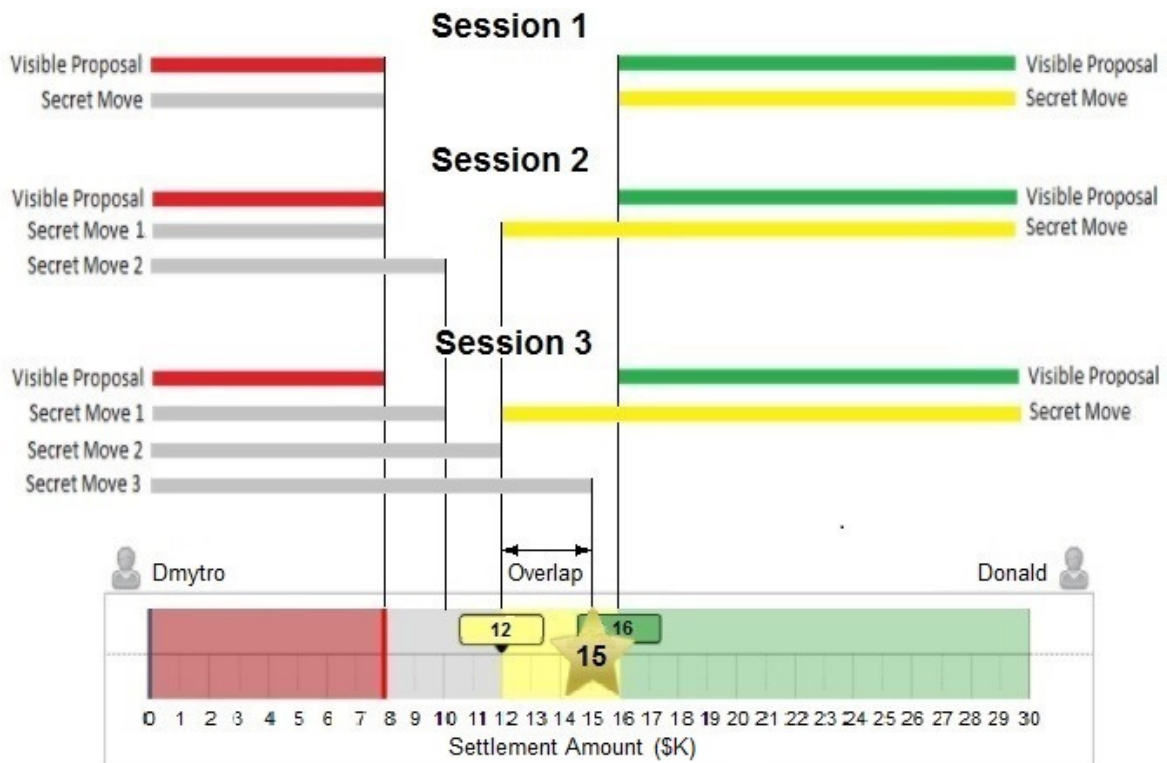
- Donald submits a letter for Dmytro to AOB
- An AOB mentor reframes the letter with and gives it back to Donald
- Donald sends the more positive letter to Dymtro
- Dmytro responds to the letter through AOB
- A second AOB mentor reframes Dmytro's letter gives it back to Dmytro for passing on to Donald
- Donald and Dymtro agree to engage a third AOB neutral who creates a Framework for Agreement that describes precisely what is to be negotiated, complete with a negotiating range
- Parties agree to use the Ss1+ process to complete the negotiation

### **Smartsettle One+ Player Process**

- The negotiating range set by the AOB Neutral was \$0 - \$30K.

- Initial proposals were \$8K and \$16K.
- Neither party moved their secret acceptance in Session 1.
- Dmytro ended Session 2 at \$8K and then made a secret move to \$10K (still in Session 2).
- Donald made a secret move from \$16K to \$12K in Session 2.
- Dmytro ended Session 3 at \$10K, extended to \$12K and extended again to \$15K.
- Donald ended Session 3 without moving (secret acceptance stayed at \$12K).
- The settlement as determined by the algorithm implemented in Smartsettle One+, Reward for Fair Generosity (RFG) was \$15K.

These moves are summarized graphically in the following illustration.



### Negotiation Panel from Donald's Point of View

This is what the negotiation panel looks like from Donald's point of view after the parties come to agreement at the end of Session 3. Donald prefers values on the right-hand side. His final secret acceptance is \$12K. On the left side above are recorded Dmytro's moves. Donald can see Dmytro's visible proposal but not his secret moves.

## Analysis of Smartsettle One+ Solution

Dmytro held back with relatively small moves until Session 3, in which he moved from \$10K to \$15K. Donald moved early to \$12K (by Session 2). This was a position that he thought was fair and he stayed there (making no move in Session 3).

Smartsettle rewards fair generosity by distributing the overlap in proportion to the size of the smallest last moves, using an algorithm called Reward for Fair Generosity. Donald's last move was zero, as he had already moved to 'fair' in Session 2, while Dmytro made a large move(s) to 'fair' in session 3. Donald is rewarded for making the smallest last move, in this case, receiving all of the overlap, (having moved early to fair and staying there).