# 24ᵗʰ Commonwealth Law Conference 2025 Malta

## AI at Work Place
## AI and Mediation and Arbitration

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# AI and Advocates and Mediators

- AI will not replace advocates and mediators who uphold the rule of law and deliver justice.

- AI will replace those who fail to adapt AI as tool to uphold rule of law and justice.

- AI will replace them if they fail to uphold rule of law and deliver justice for all.

# Dispute Adjudication and Legal Revolution

Dispute Adjudication has evolved in tandem with civilization itself:

- **Pre-1215 – Legal Revolution 1.0**: Disputes settled by duels and brute force.
- **1215 (Magna Carta) – Legal Revolution 2.0**: The rise of parliamentary systems – Disputes adjudicated by Parliament
- **1776 (American Independence) – Legal Revolution 3.0**: Birth of the independent judiciary – Disputes adjudicated by judiciary
- **1985 (UNCITRAL Model Law) – Legal Revolution 4.0**: Growth of ADR (Alternative Dispute Resolution).
- **2019 (Post-COVID World) – Legal Revolution 5.0**: Emergence of Peace Mediation and Online Dispute Resolution.

Each shift carried the same twin objectives: **establishing the rule of law** and **delivering justice for all—**principles that remain and will remain **non-negotiable**

# AI and Mediation and Arbitration

- Pre Litigation Mediation – Alternate Conflict Resolution (ACR) – Online Conflict Resolution (OCR)

- Post Litigation Mediation – Alternate Dispute Resolution (ADR) - Online Dispute Resolution (ODR)

- Arbitration – Alternate Dispute Adjudication (ADA) Online Dispute Adjudication (ODA)
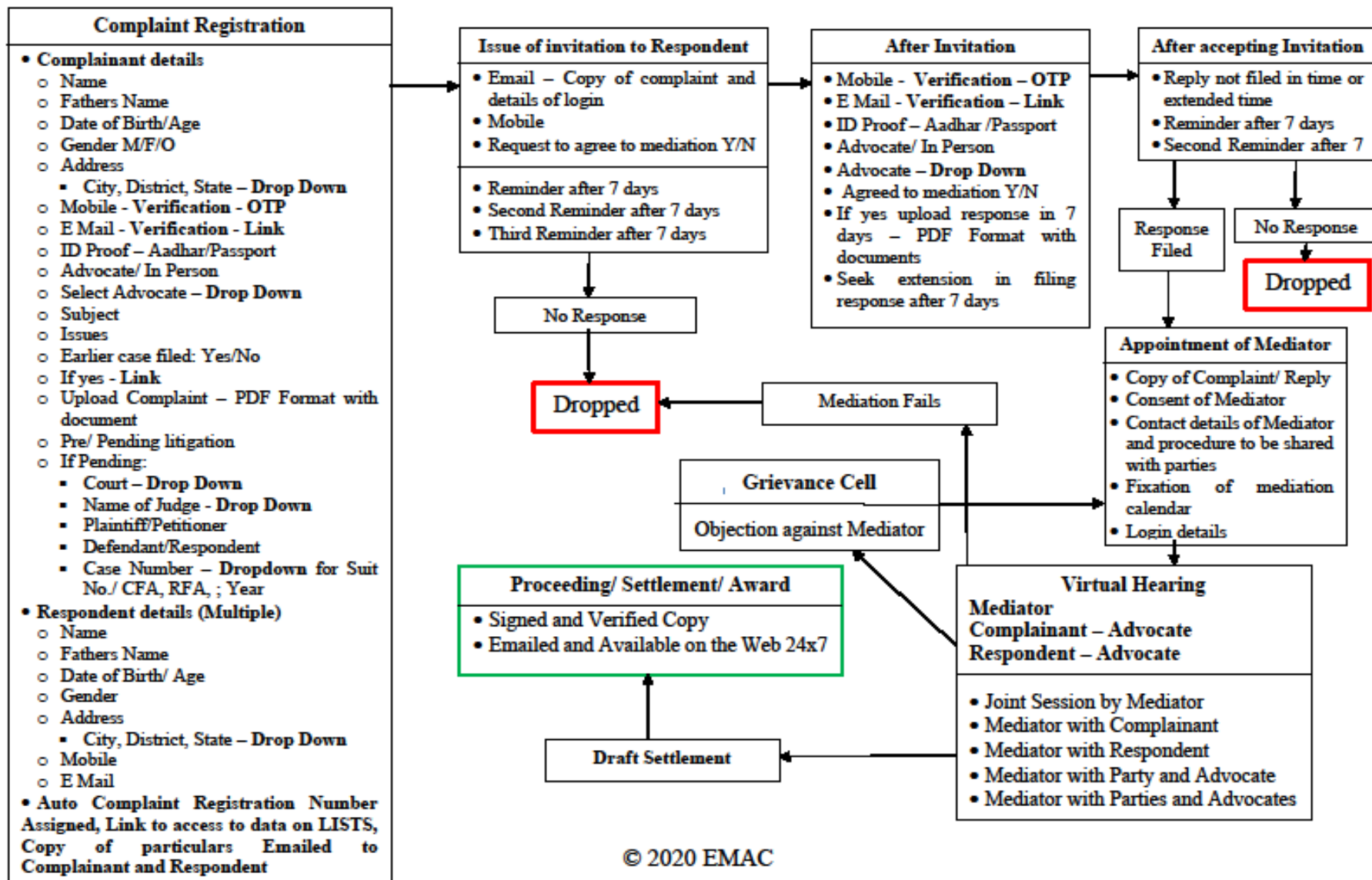
# AI and Mediation and Arbitration

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- Arbitration – Alternate Dispute Adjudication (ADA) Online Dispute Adjudication (ODA)

# Nivaaran Online Conflict Resolution Flow Chart

## Complaint Registration

- **Complainant details**
  - Name
  - Fathers Name
  - Date of Birth/Age
  - Gender M/F/O
  - Address
    - City, District, State – **Drop Down**
  - Mobile - **Verification - OTP**
  - E Mail - **Verification - Link**
  - ID Proof – Aadhar/Passport
  - Advocate/ In Person
  - Select Advocate – **Drop Down**
  - Subject
  - Issues
  - Earlier case filed: Yes/No
  - If yes - **Link**
  - Upload Complaint – PDF Format with document
  - Pre/ Pending litigation
  - If Pending:
    - Court – **Drop Down**
    - Name of Judge - **Drop Down**
    - Plaintiff/Petitioner
    - Defendant/Respondent
    - Case Number – **Dropdown** for Suit No./ CFA, RFA, ; Year
- **Respondent details (Multiple)**
  - Name
  - Fathers Name
  - Date of Birth/ Age
  - Gender
  - Address
    - City, District, State – **Drop Down**
  - Mobile
  - E Mail
- **Auto Complaint Registration Number Assigned, Link to access to data on LISTS, Copy of particulars Emailed to Complainant and Respondent**

## Issue of invitation to Respondent

- Email – Copy of complaint and details of login
- Mobile
- Request to agree to mediation Y/N

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- Reminder after 7 days
- Second Reminder after 7 days
- Third Reminder after 7 days

## After Invitation

- Mobile - Verification – OTP
- E Mail - Verification – Link
- ID Proof – Aadhar /Passport
- Advocate/ In Person
- Advocate – Drop Down
- Agreed to mediation Y/N
- If yes upload response in 7 days – PDF Format with documents
- Seek extension in filing response after 7 days

## After accepting Invitation

- Reply not filed in time or extended time
- Reminder after 7 days
- Second Reminder after 7

**Response Filed**

**No Response**

**Dropped**

**No Response**

**Dropped**

**Mediation Fails**

## Appointment of Mediator

- Copy of Complaint/ Reply
- Consent of Mediator
- Contact details of Mediator and procedure to be shared with parties
- Fixation of mediation calendar
- Login details

**Grievance Cell**

Objection against Mediator

## Proceeding/ Settlement/ Award

- Signed and Verified Copy
- Emailed and Available on the Web 24x7

## Virtual Hearing

**Mediator**
**Complainant – Advocate**
**Respondent – Advocate**

- Joint Session by Mediator
- Mediator with Complainant
- Mediator with Respondent
- Mediator with Party and Advocate
- Mediator with Parties and Advocates

**Draft Settlement**

# AI and Pre-Litigation Mediation - OCR

- **Initiating Party (Initiator/ Complainant)**
  - Inputs information in writing or voice chat and supporting documents, screenshots, emails etc.
  - AI helps in converting input into a clean, structured complaint – with dates with facts in chronology – timeline or list of dates and events, emotional tone, issues

- **Responding Party (Opponent/ Defendant)**
  - Inputs information - written or voice chat and supporting documents, screenshots, emails
  - AI converts input into a clean, structured reply - amended dates with facts, amends issues, provides analysis on emotional tone
  - Exchanges information and settles the facts, issues and summary

# AI and Post – Litigation Mediation - ODR

- Facts received from court – complaint, suit, petition, applications, reply, counter, rejoinder and documents supporting them

- AI Identifies subject and issues

- AI converts input into a clean, structured brief – amended common dates with facts, amends issues, provides analysis on emotional tone

- Exchanges information and settles the facts, issues and summary

# AI in Mediation Process

- **Mediator Advocates**
  - Helps mediation advocates to understand the facts and issues clearly and explain to their party the benefits of mediation
  - Helps mediation advocates to advise probable solutions to parties, what best will be in their interest as they continue to look forward
  - Helps mediation advocates to draft proposals based on dialogues between the parties and mediator

- **Human Mediator**
  - Helps mediator understand facts, issues, summary, emotional tones
  - Helps mediator analysis all data and information
  - Helps mediator to enter into generative dialogue with parties
  - Helps mediator with talking points to enable parties to go deeper into understanding the conflicts and come out with solutions
  - Helps mediator to draft the final settlement from the proposals

# AI as Mediation Advocate and Mediator

- **AI as Mediation Advocates**
  - AI as mediation advocates talks to the parties meaningfully to help them understands and appreciate the root cause of conflict and dispute
  - AI as mediation advocates advises probable solutions to parties, what best will be in their interest to resolve the existing conflict and dispute and continue to maintain relationship
  - AI as mediation advocates drafts proposals and submits to the AI mediator

- **AI as Mediator**
  - Analysis all data and information including emotional tones, enters into generative dialogue with parties and also AI Mediation Advocate
  - Continues to talk with parties to go deeper into understanding the conflicts and come out with solutions
  - Drafts a settlement from the draft proposals and get the same duly executed

# Reports Generated using AI for Mediators, Mediation Advocates and Mediation Platforms

- Cases undertaken during period
- Cases disposed during a period
- Average time taken in disposal of cases
- Successful Mediations during a period
- Failure Reports during a period
- Percentage of Success
- Percentage of Failure
- Subjects and Issues considered during a period
- Success and Failure with respect to particular subject and issue

- Dealing with parties
- Dealing with mediation advocates
- Procedures followed
- Ingenuity shown in cases
- Preparation before starting the session
- Total time taken in session
- Average time taken in sessions
- Dealing with technical issues
- Analysis of reviews received

# AI and Arbitration

- **Advocates**
  - Helps advocates to understand the facts and issues clearly from the documents
  - Helps Advocates in drafting pleadings
  - Helps Advocates in drafting a common lists of dates and events
  - Helps Advocates in legal research
  - Helps Advocates in drafting written submissions

- **Arbitrator**
  - Helps Arbitrator understand facts, issues, summary
  - Helps Arbitrator to draft an award on the basis of pleadings, written submissions, statutes and precedents

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## AI and Mediation and Arbitration

# Thank You

Feel Free to Ask –We are open to discussion

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