



modria[™]
a total tyler solution

Client Case Study

Clark County, Nevada Family Mediation Center

What is Modria?

Modria is the world's leading online dispute resolution (ODR) system that offers a scalable solution designed to save its users both time and money. Designed in 2011 by the team that pioneered online dispute resolution for use at eBay and PayPal, this ODR system helped with the resolution of more than 400 million cases. Ninety percent of those were resolved through automation with no human interaction needed.

The founders of Modria realized that it wasn't just the online retail marketplace that could benefit from ODR. It could also provide solutions in the public sector. For the courts, an ODR system would:

- Reduce time to resolution by 50% or more;
- Reduce case backlog and improve operational efficiency for courts; and
- Increase public satisfaction and engagement by providing people with increased access to justice.

Modria is designed to handle all types of cases, from those dealing with simple debt to cases involving complex child custody issues. It is also the only ODR provider anywhere with proven success operating at the vast scale of the internet.

Tyler Technologies understood the enormous, game-changing impact such a system would make for their Courts & Justice clients, prompting Tyler to purchase Modria in 2017.

Clark County is the southernmost and largest county in the state of Nevada and the 14th-largest county in the United States. Its population of 2.25 million residents makes up more than two-thirds of the state's total population. Clark County also responds to the needs of roughly a million people living in unincorporated areas, providing them with urban services including fire protection, roads and other public works as well as planning and development, and parks and recreation. Its county seat and largest city, Las Vegas, attracts more than 46 million visitors a year.

Not only are more than 100,000 marriages performed in Las Vegas each year, the State of Nevada also has a divorce rate in the double digits.

The Challenge

In Clark County, the mandate requiring mediation of all contested child custody cases falls on the Family Mediation Center (FMC). In 2017, the equivalent of 11 full-time mediators on staff at the FMC handled 3,900 mediated cases. Cases are not, of course, evenly spread throughout the year, but this averages out to roughly 354 cases per year (or almost 30 per month) for each staff mediator.

For each case of contested divorce with children, the typical court date takes place in about eight weeks. With the first in-person appointment with a mediator generally taking three to four weeks to secure, there is not much time left to work with the mediator to develop a parenting plan. This is especially true if there are many issues and disagreements through which to work when considering the following:

- Legal Custody
- Physical Custody
- Vacation Time
- Holiday/Special Times
- Exchanges



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ODR SURVEY BY THE NUMBERS

2/3 Surveyed

completed the process
in less than 2 hours



**Almost
1/2 saved**

money and time
away from work
and family



**1/4 felt ODR
simplified**

the legal system



The Test

The Clark County FMC implemented a pilot run of Tyler Technologies' online dispute resolution (ODR) system, Modria, in three of their 20 family courts. Piloting Modria in a few courts first, the FMC was able to demonstrate a marked impact in both time and cost for the parents. Roll-out to the other 17 courts is expected to take place into 2019 when all courts will be presented with the ODR option as a first step in mediation.

An ODR system enables the divorcing couple to work through their issues online for less out-of-pocket cost (depending on the court fee structure) and less time spent with mediators and the court. The beauty of using an ODR system - specifically Modria - when dealing with divorce cases including child custody issues, is the ability to help parents avoid potentially volatile situations that might arise when a divorcing couple meet face-to-face at the mediation table. With Modria, all communications between the couple are handled and tracked electronically within the system.

Ideally, a couple can achieve 100 percent settlement resolution through Modria without ever needing face-to-face mediation. For parents who do ultimately need the case escalated to a mediator, their cases are usually considerably closer to resolution than if they had not used ODR because most couples are able to agree on some of the topics through the online tool.



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The Results

The results from Clark County's three-court pilot run with Modria included:

- Of the 57 cases referred to mediation, 19 of those cases had both the plaintiff and defendant participate in the online process. This is a 33 percent adoption rate of the system, exceeding participation in a permissive online system.
- Successful party-to-party negotiation was completed in these cases in an average of about six days.
- The fastest agreement was reached online in four days.
- Of the cases in which both parties chose to participate, more than 50 percent came to a resolution online, eight percent used a mediator, and 46 percent were strictly party-to-party negotiations online.
- In the remaining 46 percent, the parties agreed on 47 percent of the topics for which they were negotiating. While these cases did involve an in-person mediation after the ODR process, the cases were already almost half resolved, requiring considerably less time face-to-face.
- 100 percent of the cases that used party-to-party negotiation reached a resolution outside of court hours.

The Benefits

The FMCs will benefit from this access to justice technology provided by Modria through increased efficiency and timeliness as parties can do much or all of the negotiation themselves without a mediator's involvement.

Parents benefit in several ways when opting to use Modria ODR:

- ODR is currently free to the divorcing couple unless the parties request a moderator.
- Communication and negotiation are both simplified for divorcing parents:
 - » All online communications can be handled asynchronously. Each party can move through the issues on their own, putting their parenting plan up for approval. This time-delayed communication gives parties time to more thoughtfully consider their responses and avoid overly emotional comments.
 - » The parents can accept or reject settlement offers online and all their communication is digitally tracked.
 - » Relevant documents are easily uploaded.
 - » The stress of face-to-face interaction is greatly reduced when all drafting and accepting of agreement terms can take place online.
 - » Modria is accessible to parents on their own schedules, allowing for all or part of the mediation process to take place outside of court hours, when it is convenient for them.
 - » Online dispute resolution (ODR) expands the public's access to justice, helping people achieve positive outcomes on their own with little or no assistance from the courts.



"It is a great offering and effort put forth by Clark County. It is an economical tool for people who are willing to negotiate and compromise"

— Pamela J.,
Clark County FMC Client



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EXPANDING ACCESS TO JUSTICE

“The most exciting thing to me is that 100 percent of the cases that had the party-to-party negotiation actually reached a resolution outside of court hours,” said Jamie Gillespie, general manager for Tyler’s Modria solution. “To me, that is the definition of expanding access to justice. We are offering people something that the courts around the world cannot do.”



Summary

Early indications in Clark County suggest that Modria will benefit the community and its court by saving time and increasing efficiency through its ability to assist staff mediators. Continued expansion of the use of ODR by the remaining departments will provide Clark County's District Court the opportunity to evaluate systematic improvements and services to its Family Court.

About Tyler Technologies, Inc.

Tyler Technologies (NYSE: TYL) is a leading provider of end-to-end information management solutions and services for local governments. Tyler partners with clients to empower the public sector - cities, counties, schools and other government entities - to become more efficient, more accessible and more responsive to the needs of their constituents. Tyler's client base includes more than 15,000 local government offices in all 50 states, Canada, the Caribbean, Australia, and other international locations. In 2017, Forbes ranked Tyler on its “Most Innovative Growth Companies” list, and Fortune included Tyler on its “100 Fastest-Growing Companies” list. More information about Tyler Technologies, headquartered in Plano, Texas, can be found at www.tylertech.com.



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