

1. Record Nr.	UNINA9910810638503321
Titolo	The role of consumer ADR in the administration of justice : new trends in access to justice under EU directive 2013/11 // edited by Michael Stürner, Fernando Gascon, Inchausti Remo Caponi
Pubbl/distr/stampa	Munich, [Germany] : , : sellier european law publishers, , 2015 ©2015
ISBN	3-86653-609-7
Descrizione fisica	1 online resource (184 p.)
Classificazione	PS 3840
Disciplina	343.4071
Soggetti	Consumer protection - Law and legislation - European Union countries Administrative law - European Union countries Dispute resolution (Law) - Europe Consumer satisfaction - Europe European Union countries Law and legislation Congresses
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di contenuto	Frontmatter -- Preface -- Table of Contents -- List of Authors -- I. Setting the Scene -- Alternative Dispute Resolution for Consumers / Creutzfeldt, Naomi -- ADR and Adjudication by State Courts: Competitors or Complements? / Stürner, Michael -- Specific Problems of Cross-Border Consumer ADR: What Solutions? / Inchausti, Fernando Gascón -- A Conflict-of-Laws Approach for Cross-Border ADR? / Kotzur, Jonas -- Consumer ADR - Academia and the Field / Berlin, Christof -- II. Institutional Aspects of Consumer ADR -- Impartiality and Independence of the Persons Entrusted with Consumer ADR / Vallines García, Enrique -- The Role of ADR Institutions: Mere Secretariat or Supervisory Body - Lessons Learned from Institutional Arbitration / Hofmann, Nathalie -- Linking ADR Discourses - Nine Lessons learned from Mediation Development for the Implementation of the EU Directive on Consumer ADR / Gläßer, Ulla -- III. Consumer ADR Proceedings and Result -- On Minimum Standards in Consumer ADR / Villamarín López, María Luisa -- Agreements Resulting from Mediation: Judicial Review, Avoidance, and Enforcement / Caponi, Remo

-- IV. The Wider Picture -- Long Term Commercial Contracts and the Need for Relational Intelligence / Lucarelli, Paola

Sommario/riassunto

Consumer ADR in the Landscape of Adjudication The landscape of alternative dispute resolution in consumer cases (CADR) is about to change profoundly. With the advent of Directive 2013/11/EU on alternative dispute resolution (ADR) and Regulation (EU) No 524/2013 on online dispute resolution (ODR) a new way to settle disputes is advocated as a tool to enhance the internal market. The ADR system implemented by these instruments is designed to provide for speedy and low-cost out-of-court dispute settlement procedures between consumers and traders arising from the sales of goods and services. However, many questions remain open, namely the impact of the CADR system on the adjudication by state courts. The role CADR can play in the administration of justice is yet to be defined. In the present volume renowned experts of civil procedure and ADR shed light on a newly emerging branch of law.
