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The Dispute Revolution: How AI is Rewriting the Rules of ADR

What every practitioner needs to know
from the **Future Dispute Resolution –
New York Conference**



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Introduction

Artificial intelligence (AI) has moved from the margins of legal practice to the center of professional competence. What once felt speculative is now shaping how cases are filed, analyzed, and resolved – and how fairness itself is defined. The Future Dispute Resolution (FDR) Conference series, convened by the American Arbitration Association® (AAA®) in collaboration with the International Institute for Conflict Prevention and Resolution, brings together the world’s leading minds in law, technology, and ethics to navigate this transformation.

At the 2025 FDR – New York Conference, judges, practitioners, technologists, and academics met to debate, discuss, and examine how AI is redefining dispute resolution. Discussions moved beyond theory to explore tangible questions:

- What does responsible adoption look like?
- How can AI accelerate outcomes without eroding trust?
- And what safeguards ensure that innovation remains grounded in neutrality, transparency, and human judgment?

This report distills the most compelling insights from five sessions that chart the field’s next frontier – from predictive analytics and case management to ethics, governance, and institutional design. Together, they reveal a profession in motion: one that is learning not just how to use AI, but how to shape it in the service of fairness.

Note: Because the conference followed Chatham House Rules to promote open and candid discussion, some sessions are summarized without direct quotes from panelists to respect participants who did not wish to be quoted.



SESSION

01.

Unleashing AI or Restraining It? A Debate and Counterpoint for Practitioners

KEY THEMES AND TAKEAWAYS

1. Human Judgment Must Still Lead — Even as AI Scales Efficiency

AI has proven valuable for generating procedural histories, reviewing evidence, and checking citations, but panelists agreed that legitimacy in arbitration still depends on human judgment. Arbitrators, they stressed, must remain the ones weighing evidence, assessing credibility, and determining fairness — tasks that no algorithm can currently replicate.

“There are a lot of sections of arbitral awards that really lend themselves to the integration of AI.. But at the end of the day, the arbitrator’s essential function really remains the exercise of judgment.”

Sarah Reynolds
Kaplan & Grady

Panelists warned that AI can project confidence even when it’s mistaken, as its self-assured tone can lead users to overestimate the accuracy of its outputs. Panelists underscored the need for healthy skepticism and human review.

Yet as AI tools scale to handle thousands of documents, panelists noted that review must also evolve. Manual rechecking of every detail isn’t

feasible, nor necessary, if systems are designed for layered validation. They described frameworks in which one AI model flags inconsistencies, anomalies, or gaps in another model’s output, effectively “using AI to check AI.” This approach strengthens, rather than replaces, human oversight by focusing expert attention where it adds the most value.

“It’s one thing to check a brief and make sure the citations are accurate. It’s another thing to check 10,000 documents and make sure the extractions are accurate...If you need to check all of those, you’ve lost the whole benefit of the efficiency of the system.”

Allen Waxman
DLA Piper

2. Diligence and Disclosure: The Core of Responsible AI Use

While AI tools can enhance efficiency and accuracy in arbitration, panelists emphasized that their use must remain grounded in established professional duties. Obligations of diligence, competence, candor, and confidentiality remain the guardrails guiding how neutrals and counsel responsibly apply these tools. Arbitrators must independently evaluate AI-assisted content rather than adopting it wholesale, and counsel should never risk confidentiality by uploading

“We can’t just...sign off on an AI-drafted award without...ensuring that we’re not delegating decision-making to the AI tool.”



Sarah Reynolds
Kaplan & Grady

party submissions into open-source tools.

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Sarah Reynolds
Kaplan & Grady

While some parties may accept greater AI use in exchange for faster or less costly outcomes, panelists emphasized that arbitrators must ensure any use of AI is disclosed and based on informed consent.

“Other parties want a really inexpensive and fast result and are willing to assume the risks...What’s important is that the parties choose to assume those risks. You would never want to be in a position as an arbitrator that you assume those risks on behalf of the parties.”

Sarah Reynolds
Kaplan & Grady

Still, panelists cautioned that party autonomy cannot replace institutional safeguards or professional standards. Even with informed consent, arbitrators and institutions must provide ethical and technical protections to preserve fairness and trust. Although

bright-line rules – clear standards that leave little room for interpretation – are still evolving, institutions are filling the gap with practical guidance. The AAA-ICDR® **“Guidance on Arbitrators’ Use of AI Tools”** advises arbitrators to disclose, at the outset of proceedings, any intended use of generative AI that could materially affect the arbitration process or the reasoning underlying their decisions, to obtain party consent, and to ensure that AI supports rather than replaces human judgment. Similarly, the **Chartered Institute of Arbitrators’ guidelines** encourage tribunals to disclose any planned use of AI early in the process and withdraw such tools if a party objects. These measures reinforce enduring alternate dispute resolution (ADR) values – transparency, fairness, and consent – while recognizing that disclosure expectations may differ for neutrals and advocates.

Panelists drew a clear line between tribunals and advocates on disclosure, and between productivity tools and decision-making uses. Tribunals should disclose intended AI use at the outset (and step back if parties object), while counsel disclosures remain context dependent. Routine productivity uses need not trigger the same obligations as tools that shape legal reasoning or draft award text.

3. Fit-for-Purpose: Where AI Belongs (and Where It Doesn't)

Panelists mapped realistic use cases and limits. AI arbitrator models, such as the AAA's, may be appropriate for documents-only, lower-value disputes where parties opt in for speed and cost. But they are unlikely to displace human tribunals in complex, high-stakes matters, where live hearings, deliberation, and the ability to “read the room” remain central to due process and party satisfaction.

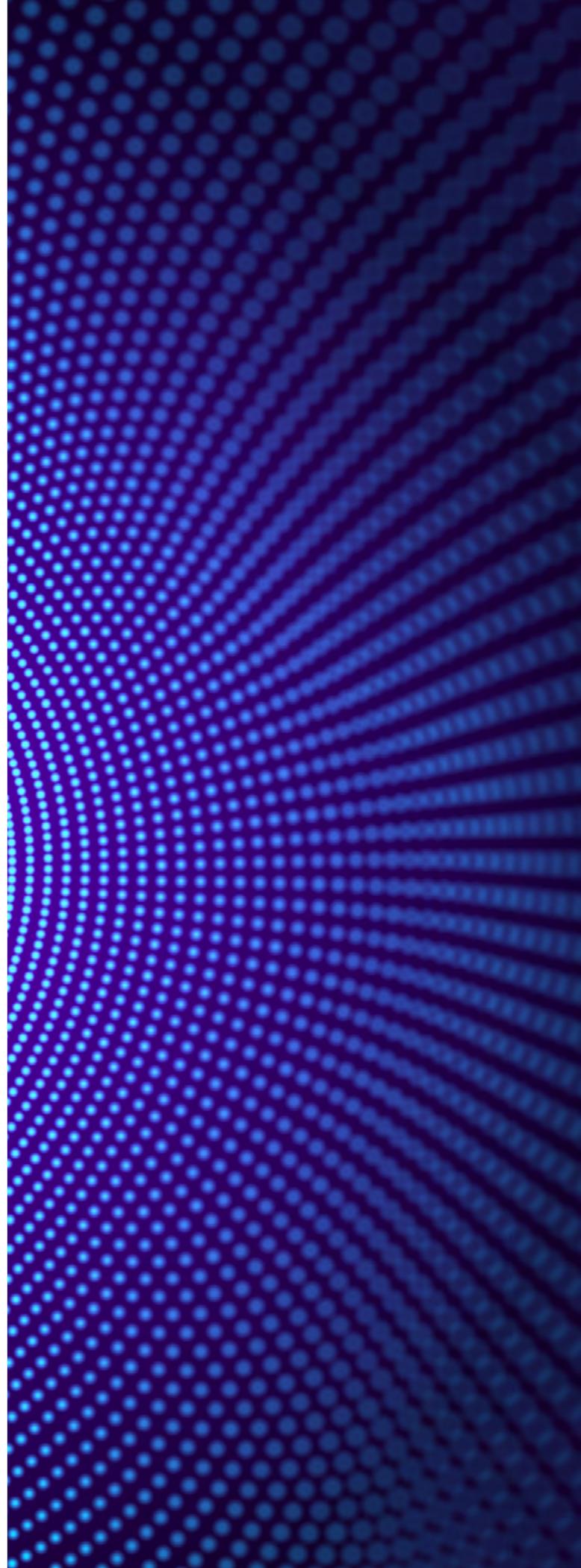
“Do you want a machine making that decision, or is there something about the human experience?”

Allen Waxman
DLA Piper

Defining where AI belongs also means defining how it's used. Panelists cautioned that access gains must not come at the expense of fairness. Institutions, they said, have a duty to monitor for “equality of arms” — ensuring that one party's technological advantage does not create procedural imbalance — and to continue refining model orders and disclosure practices that keep the process transparent and level.

“A point that I want to bring to attention is that of equality of arms. What happens in a dispute when one party has access to all the technology and one doesn't?”

Sarah Chojecki
ArbTech, New York



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ArbTech, New York



SESSION

02.

Leading AI Transformation in Legal Practice

KEY THEMES AND TAKEAWAYS

1. Culture Comes Before Technology

True AI transformation starts with culture, not code. Panelists agreed that organizations succeed when they first build readiness – through governance, experimentation, and cross-functional collaboration – rather than chasing the latest tools. Moderator Linda Beyea of the AAA noted that the organization’s years of foundational innovation work “really prepared [it] for this GenAI moment,” emphasizing that readiness is built over time through sustained investment and not achieved overnight.

“You don’t want to engage what is a rapidly evolving, and very powerful technology, without the benefit of some type of expert guidance.”

Hugh Carlson
Three Crowns

That culture of openness, not just policy, is what makes innovation stick. Panelists acknowledged that risk aversion – especially among lawyers – remains a practical barrier to change. They emphasized that creating psychologically safe environments where professionals can discuss risks, share lessons, and adapt collectively is key to sustained innovation. When organizations

normalize learning from early missteps, they build the confidence needed to integrate AI responsibly.

“You have to balance risk with the need to share across the firm what they’re learning...and embrace Amy Edmondson’s research on psychological safety.”

Jennifer Leonard
Creative Lawyers

2. Hands-On Learning Builds Trust

Training must focus on doing, not telling. The AAA’s national rollout of Clearbrief, an AI-assisted legal writing and evidence-verification platform that integrates directly into Microsoft Word, demonstrated how experiential learning accelerates adoption. Through Clearbrief Academy, a three-part training series, AAA panelists and staff participated in interactive sessions – many one-on-one – where they worked directly with their own case documents to verify sources, check citations, and generate AI-supported summaries in context.

“You don’t want to engage what is a rapidly evolving, and very powerful technology, without the benefit of some type of expert guidance.”



Hugh Carlson
Three Crowns

“The feedback that we’ve gotten has been so positive about the trainings, about the experience, about how it’s transforming the work that the arbitrators are actually doing.”

Jacqueline Schafer
Clearbrief

Within weeks of launch, more than 400 active users logged thousands of document interactions. The initiative showed that hands-on, context-based learning builds trust faster than passive instruction – helping professionals use AI to enhance, not replace, their reasoning.

3. Innovate Boldly. Plan for the Breakdowns.

Building responsible AI systems in the legal field requires structure, foresight, and humility. Panelists warned that innovation without guardrails can erode trust just as quickly as it builds efficiency. They described sustainable innovation as a process of “understanding the Failscape” – mapping out where and how systems might fail before scaling them. By anticipating breakdowns early, organizations can build the safeguards, accountability structures, and response plans needed to innovate responsibly.

“Understanding the Failscape is job one.”

Joshua Walker
System.Legal

Panelist Jennifer Leonard described how her team now “tiers” risk by identifying green light cases – low-risk opportunities for experimentation – and yellow light cases – moderate-risk projects that require added oversight or pilot testing before wider use. This deliberate approach allows organizations to learn safely, refine their processes, and build institutional confidence over time.

“We have to be tiering our risk assessment...and we need to be finding yellow light and green light cases where we can be experimenting safely.”

Jennifer Leonard
Creative Lawyers

Sustainable innovation, panelists agreed, depends on continuous learning and iteration, not one-time deployments. Institutions that treat innovation as an ongoing discipline – testing, refining, and retraining over time – are better positioned to adapt ethically as technology evolves.



SESSION

03.

Reimagining Dispute Resolution Through the Client Lens: Strategy, Technology, and Outcomes

KEY THEMES AND TAKEAWAYS

AI Adoption Is Now a Measure of Credibility

AI has become a reputational marker in the legal industry. Corporate clients, boards, and even the C-suite are pushing legal teams to show responsible, effective use of AI – not as a novelty, but as proof of competence and competitiveness. Firms lagging on technology now appear risk-averse rather than prudent, while some in-house teams are already managing smaller matters internally using AI-enabled workflows to cut time and cost.

Trust Is the Real Test of AI in Legal Work

Panelists agreed that building trust is the central challenge for AI in law and dispute resolution. Across corporate and ADR perspectives, they emphasized that transparency, safety, and human oversight are what make technology credible in high-stakes legal work.

One panelist added that trust ultimately flows from competence. When practitioners understand how to use AI – and where its limits are – they reinforce confidence in the process and the outcome.

Panelists also emphasized that even accurate systems can erode confidence if users don't understand how they work or how decisions

are reviewed. They stressed the importance of transparency – being able to explain when and how AI is used – and of maintaining human oversight and traceability throughout the process. These safeguards, they said, are essential to keeping AI accountable and trustworthy in legal decision-making.

New Metrics Are Redefining Success in the AI Era

AI is changing how the legal field defines value. Traditional metrics, like hours billed or cases closed, will soon give way to data-driven measures such as time-to-resolution, cost-per-matter, and settlement rate. Firms and ADR providers that can quantify and share these outcomes with clients are setting a new benchmark for credibility and trust.

As these performance expectations evolve, institutions like the AAA are well-positioned to shape how success is measured in the age of AI. With access to vast case data and a mandate for fairness, they can help establish shared benchmarks that capture not just speed and cost efficiency, but also quality, transparency, and trust in outcomes. By redefining what effective performance looks like, organizations like the AAA can align AI-driven progress with the core values of justice and due process that underpin dispute resolution.

“Understanding the
Failscape is job one.”



Joshua Walker
System.Legal

“I do not think there should be an option to object outright to the use of AI in your proceeding. It would be like going back to 1983 and objecting to the use of personal computers.”

Sam Prevatt
Freshfields





SESSION

04.

Engineering Ethical AI: Applying and Evolving Ethical Canons in ADR

KEY THEMES AND TAKEAWAYS

1. Ethics = Competence (and Candor)

Panelists emphasized that ethics and technical competence are now inseparable. Practitioners and neutrals share an affirmative duty to understand how generative AI operates – including its strengths, limitations, and potential for hallucinations (when a system produces credible-sounding but false information) – and to verify all sources before anything reaches a tribunal.

“There’s not a clean separation between ethical discussions...and discussions of competency...It is now an ethical obligation of everyone in the profession to become competent in the use of GenAI.”

Sam Prevatt
Freshfields

For neutrals, ethical candor includes communicating how AI tools are used when relevant to their role or reasoning – ideally, early, such as at the initial case management conference. Panelist Daniel Gonzalez urged arbitrators to go beyond minimal references to “transparency” and be explicit about what will be used, for what purpose, and how confidentiality will be protected.

By grounding disclosure in competence and honesty, panelists underscored that trust in AI-assisted processes begins with trust in the professionals who apply these tools responsibly.

2. Protect Fairness Without Blocking Innovation

Panelists examined the ethical and procedural challenges AI introduces into arbitration and mediation, from confidentiality risks to potential power imbalances when one side uses AI and the other does not. Mediators described real-world scenarios involving self-represented parties relying on AI tools during caucus, prompting questions about disclosure, consent, and neutrality.

Counsel shared emerging courtroom realities, including briefs containing hallucinated citations, and recommended addressing such issues transparently but without confrontation.

“In evaluating when to confront the use of AI, you’re not going to ever want to jeopardize the situation for your own client, and you also want to fairly consider the nature of the use of AI by your opponent before going in guns blazing to report the issue to a court or arbitrator.”

Daniel Gonzalez
Hogan Lovells

The panel considered whether parties should have the ability to object to AI use in a proceeding. Speakers generally agreed that outright prohibitions would hinder progress, emphasizing that the focus should be on transparency, fairness, and appropriate disclosure rather than bans.

“I do not think there should be an option to object outright to the use of AI in your proceeding. It would be like going back to 1983 and objecting to the use of personal computers.”

Sam Prevatt
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Speakers pointed to institutional guidance as critical to navigating these tensions. The AAA-ICDR’s [“Guidance on Arbitrators’ Use of AI Tools”](#) and the Chartered Institute of Arbitrators’ model orders were highlighted as practical frameworks for balancing transparency with efficiency.

3. Beware Bias: AI Can Influence Human Judgment

The panel also explored how AI can subtly shape human decision-making. Panelist Robyn Weinstein noted that neutrals and advocates alike are prone to cognitive biases when working with AI tools. She cautioned that even experienced professionals may over-trust algorithmic recommendations, mistaking speed or precision for accuracy.

“There’s the cognitive biases that happen...when we see output from these systems, we are more likely to

be anchored by them, more likely to believe them. As mediators, if we are using the tools to assess damages or assess the cases, we might be anchored ourselves in the recommendations we’re making.”

Robyn Weinstein
Benjamin N. Cardozo School of Law

She referenced recent research showing that AI interaction can reduce brain activity in areas associated with analytical reasoning – a reminder that efficiency gains can erode critical thinking if users rely too heavily on automated feedback.

“I think we have to be concerned about eroding our critical thinking...Not taking shortcuts...actually being proactive in how we’re assessing it, and not just focusing on the efficiency piece.”

Robyn Weinstein
Benjamin N. Cardozo School of Law

The discussion underscored that ethical AI use in ADR is as much about how professionals think as what tools they use. Building awareness of bias and maintaining reflective judgment were described as essential safeguards for ensuring AI enhances, rather than diminishes, human discernment.



SESSION

05.

Quantifying AI's Impact: Real-World Applications in Prevention, Process, and Outcomes

KEY THEMES AND TAKEAWAYS

1. Prevention Is the New Resolution: Predictive AI Drives Earlier Intervention

Panelists examined how AI-driven predictive tools – systems that analyze historical data to forecast potential disputes, costs, timelines, and outcomes – are shifting dispute resolution from reactive problem-solving to proactive prevention.

“The users of our predictive algorithm are able to generate accurate, explainable predictions on how the process is expected to evolve...And by gaining this piece of information, they’re able to cut to the chase and reach resolution way faster, with significantly lower costs, and with less pains associated with the litigation or the dispute resolution process itself.”

Yariv Lissauer
Canotera

Already in use across industries like insurance and construction, these tools enable counsel and case managers to assess claims more efficiently, estimate risk exposure, and simulate conflict scenarios before they escalate.

“Most dispute resolvers are like the ambulance at the bottom of the cliff. But it’s a lot better to build a railing at the top of the cliff.”

Colin Rule
ODR.com

Panelist Gretta Walters of Chaffetz Lindsey added that companies are now embedding predictive features into contract-management systems to flag inconsistencies and identify high-risk clauses during drafting, signaling a future where dispute resolution and dispute avoidance increasingly converge.

“I think we’ll see more and more use of AI tools — and we’re already seeing that — where clients and companies are using them to resolve issues before they even arise.”

Gretta Walters
Chaffetz Lindsey

2. Transparency, Trust, and the “AIs for Us, By Us” Principle

Panelists agreed that the next frontier in ADR innovation isn’t adopting AI – it’s designing it responsibly. Panelist Colin Rule traced lessons from the early days of online settlement tools like Click and Settle, which unintentionally “put a thumb on the

“They’re able to cut to the chase and reach resolution way faster, with significantly lower costs, with much less pains associated with the litigation or the dispute resolution process itself.”



Yariv Lissauer
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“I think we have to be concerned about eroding our critical thinking...Not taking shortcuts...actually being proactive in how we’re assessing it, and not just focusing on the efficiency piece.”



Robyn Weinstein
Benjamin N. Cardozo School of Law

scale,” showing how even small design choices can tilt outcomes and erode neutrality.

“We need to build AIs for us, by us, where we know that that data is clean, and we’ve tested it, and nobody’s put their thumb on the scale.”

Colin Rule
ODR.com

The takeaway, Rule argued, is that dispute resolution professionals must shape the tools they use, not rely on opaque systems built for consumer markets. He called for platforms developed within the ADR community – grounded in fairness, explainability, and ethical coding standards – and proposed creating an independent “strike team” under organizations such as the International Council for Online Dispute Resolution to audit and de-bias emerging systems. Such safeguards, he said, can ensure that AI continues to reflect ADR’s core values of neutrality, transparency, and due process.

3. AI Supercharges Mediation — Not Decision-Making

Panelists highlighted mediation as the area most naturally suited to AI integration. Rule explained that mediation’s collaborative and creative nature aligns with AI’s strengths in summarization, reframing, and generating new ideas, making it a practical testing ground for responsible experimentation. Rather than using AI to reach decisions, he said, mediators can leverage it to explore options and expand the range of possible solutions.

“Don’t say to ChatGPT, ‘What is the resolution to this dispute?’ Say, ‘What are 20 ideas for resolving a barking dog dispute?’”

Colin Rule
ODR.com

AI, panelists noted, can help mediators generate fresh perspectives, identify points of agreement, and organize complex information more efficiently, freeing professionals to focus on empathy, communication, and problem-solving.

Panelist Richard Silberberg pointed to another promising application: mediator training. AI can create realistic, feedback-driven simulations that help practitioners refine listening, negotiation, and reframing skills in ways traditional role-plays cannot match.

“I think a great use of AI in the mediation space, which I don’t see talked about very much, is for training mediators.”

Richard H. Silberberg
Silberberg Dispute Resolution LLC

Panelists suggested that mediation offers a model for balanced human-AI collaboration – one that enhances creativity and preparation while keeping human connection at the heart of resolution.

Conclusion

The Future Dispute Resolution – New York Conference underscored a turning point for the legal field: AI is no longer an abstract possibility, but an active force reshaping how disputes are prevented, managed, and resolved. Across every discussion, experts emphasized that technology's success in ADR will hinge not on capability, but on credibility – how transparently, ethically, and accountably it is applied.

Speakers called for adaptable governance, continual human oversight, and collaboration between technologists and dispute resolution professionals to ensure that innovation reinforces, rather than replaces, human judgment. The future of ADR, they agreed, must remain explainable, equitable, and human-centered even as it becomes increasingly data-driven.

As the discipline evolves, the AAA continues to lead this transformation, advancing responsible standards for AI and reaffirming that progress in ADR begins and endures with fairness, integrity, and trust.



About the AAA

The AAA is a not-for-profit leader in alternative dispute resolution (ADR), with nearly a century of innovation dedicated to helping parties resolve complex conflicts efficiently and fairly. Since its founding in 1926, the AAA has pioneered many of the standards and systems that define modern ADR — from establishing the first industry-specific arbitration panels and procedural rules to advancing digital case management and AI-assisted tools that uphold due process and transparency.

The AAA continues to evolve alongside the needs of businesses, institutions, and individuals worldwide. Rooted in fairness and powered by innovation, the AAA is advancing the next generation of dispute resolution — one that is faster, smarter, and more accessible for all.

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