



Designer courts

Dubai Design & Fashion Council (DDFC) today signed a cooperation agreement with DIFC Dispute Resolution Authority (DRA), including DIFC Courts, to pave the way for wider adoption of the English language, international law courts system by Dubai's fast-developing design and fashion sector.

As design entrepreneurs start up and compete across the region and beyond, they are reliant on key partnerships for talent, funding and materials. These need to be protected to enable businesses to trade securely and grow. By opting in to DIFC Courts Small Claims Tribunal (SCT) using a standard contract clause, enterprises will benefit from its proven capacity resolve disputes amicably and fast in English, with 85% of cases settled within four weeks.

Through the award-winning smart SCT, firms with claims can access a virtual courtroom online from anywhere in the world. With the option of serving notice via instant messaging and social media, business owners can now solve legal problems using their smartphones or laptops with minimal interruption even as they travel.

Amna Al Owais, Deputy Chief Executive, Dispute Resolution Authority, said: *“As Dubai is transformed into an international design and fashion hub, new enterprises need protection to innovate and trade securely as well as to safeguard the intellectual property that is their lifeblood. Adopting DIFC Courts as a jurisdiction of choice will give them the ability to draw up English language contracts that can be understood, negotiated and enforced in every corner of the globe.”*

Jazia Al Dhanhani, Chief Executive Officer, Dubai Design & Fashion Council, said: *“Most designers go into business with a dream and a vision. Sadly, some then go on to struggle with disputes that are too difficult or expensive to resolve. Through our cooperation agreement we can give our design community a rapid and cost-effective way of protecting their brands, creations and livelihoods. At Dubai Design & Fashion Council we want to enable them to focus on what they do best – building successful creative businesses.”*

The agreement expands access for DDFC members to the region's first pro bono programme, operated by the DIFC Academy of Law. Eligible businesses and individuals, such as design start-ups on extremely limited funding, will have the opportunity to benefit from free legal advice.

For more information: <https://www.difccourts.ae/2018/03/17/designer-courts/>



Trials go paperless at DIFC Courts in regional first

Dubai International Financial Centre (DIFC) Courts has become the first court in the Middle East to introduce a new secure cloud-based technology to allow court documents to be uploaded from anywhere in the world. The e-bundling service will enable judges, lawyers and courts staff to access case information in various formats, across multiple locations and share with numerous users.

Announced during the same week that Sheikh Hamdan Bin Mohammad Bin Rashid Al Maktoum, Crown Prince of Dubai and Chairman of The Executive Council of Dubai, said that Dubai will become completely paperless by 2021, the DIFC Courts joins the UK Supreme Court as one of only five court systems globally to adopt the electronic bundle (e-bundle) technology.

The e-bundling system is being introduced on 29th March 2018, affording lawyers and law firms a three-month transition period. DIFC Courts will schedule training seminars for the legal community, with full system adoption compulsory for new cases filed after 1st July 2018.

Amna Sultan Al Owais, Chief Executive & Registrar, DIFC Courts, said: “Complex transnational cases are the bread and butter of our court. Embracing technological advances and abandoning outdated processes will now enable court judges and international teams of lawyers to work together on evidence in the cloud whilst the case is still being heard in court in real time. This new innovative e-service will ensure DIFC Courts continues to create legal certainty for businesses in an era of technological disruption, with a faster and more connected way to access case information. The days of teams of lawyers bearing lever arch files will now be consigned to history.”

Developed by CaseLines, a UK-based leader in digital trial solutions, the e-bundle technology serves over 25,000 users globally and saves over 900,000 sheets of paper daily – enough paper to create a stack as high as the Burj Khalifa every ten days. It has a record of approximately 230,000 cases, with almost 63 million pages of evidence and records.

The CaseLines system is a collaborative virtual structure that allows lawyers to build the evidence bundle for a hearing online, either from scratch, or by importing a draft bundle created in an existing Case Management System (CMS). It does not require software to be installed, and has world class security, to FIPS 199, FIPS 200 and ISO27001 standards.

In line with UAE Vision 2021 and the Dubai Smart Government initiative to develop a knowledge-based economy, the DIFC Courts’ adoption of the CaseLines e-bundle solution forms part of ongoing efforts to strengthen the accessibility of case documents. Last year, the Courts developed a mobile-friendly in-house Case Management System (CMS), connecting various departments and functions within the organisation and providing them with easy access to information.



For more information: <https://www.difccourts.ae/2018/02/07/trials-go-paperless-at-difc-courts-in-regional-first/>

Dubai Healthcare City Authority backs opt in to DIFC jurisdiction

Signed at the Arab Health Exhibition and Congress, the agreement between the Dispute Resolution Authority (DRA) – including DIFC Courts – and Dubai Healthcare City Authority (DHCA), fosters closer ties between the two entities, specifically through utilising the extensive expertise of the DRA in mediation.

This MoU will pave the way to establish a framework for DHCA to benefit from the specialised expertise derived from the successful Small Claims Tribunal (SCT) model, particularly in the area of labour disputes. In 2017 the SCT handled over 300 cases, with a settlement rate of 88% in an average of four weeks. SCT enables smart, quick and amicable settlement of claims up to half a million dirhams, either virtually from a laptop or smartphone via smart SCT, or directly in a courtroom.

Currently Dubai Healthcare City free zone has more than 160 clinical partners including hospitals, outpatient medical centres and diagnostic laboratories, with licensed professionals from almost 90 countries. In addition, there are more than 260 retail and non-clinical facilities and close to 10,000 individuals employed across the freezone.

The collaboration agreement, signed by Mark Beer, OBE, Chief Executive, DRA, and Dr. Ramadan Alblooshi, CEO, Dubai Healthcare City Authority – Regulatory, will also extend to developing legal education and training initiatives for the DHCC through the DIFC Academy of Law.

Mark Beer, OBE, Chief Executive, DRA, said: *“Businesses in the region – and the people that work in them – want to feel secure, and certain in the knowledge that they are protected. They want to have, on their doorstep, access to the world’s leading healthcare professionals, and the equivalent Courts to keep them safe. Through this collaboration with DHCA, we combine the best in healthcare and in justice, two fundamentals in any society, providing certainty, safety and security for all those living and working in Dubai.”*

Dr. Ramadan Alblooshi, CEO, Dubai Healthcare City Authority – Regulatory, said: *“Strengthening Dubai Healthcare City Authority’s framework of governance and regulation, we see great value in the collaboration with DIFC Courts and Dispute Resolution Authority. This agreement will benefit members of our community to efficiently resolve matters relating to medical and labour complaints, as well as other civil and commercial disputes. In safeguarding the rights of the DHCC community, DIFC Courts, as part of the judiciary system in Dubai, will provide invaluable support.”*

For more information: <https://www.difccourts.ae/2018/01/30/dubai-healthcare-city-authority-backs-opt-in-to-difc-jurisdiction-2/>

Global and local challenges in commercial dispute resolution

In a world that is more globalised and connected than ever, one element still dictates the success of commerce – trust... and the ability to trade securely with business certainty. We are seeing the transnational movement of goods and services across the world through hundreds and thousands of different companies. Inevitably this sustained flow of commerce will attract disputes.

If we cast our gaze across the various global legal infrastructures, it becomes apparent that the challenges for commercial dispute resolution run much deeper than superficial procedural obstacles.

Perceptions need to change from the **Courts** as a concrete building to a trust-worthy service provider. Dispute resolution needs to be more about providing a service – helping people resolve problems they can't work out themselves. Adopting user-friendly procedures, reinforcing the overall courts experience is crucial as a stepping stone to building trust. Effective and less-expensive access to dispute resolution procedures and regulatory systems need to work in tandem with governments that ensure the rule of law is being honoured.

There is discussion in recent times of artificial intelligence and how it can revolutionise the legal sector. At a very practical level, some dispute resolution centres are failing to even introduce intelligent automation. It has caused many courts around the world to lag behind in solving disputes, including arbitration, mediation, or private sector resolutions.

So, how do we make sure that the global supply chain is secure and ensure trust in the network? We start by ensuring that our courts and regulatory systems are smart, hyper-connected and nimble enough to keep pace with global commerce.

Here in Dubai, we at the DIFC Courts have recognised the inherent need for our dispute resolution services to meet the demands that are challenging traditional disciplinary and geographical boundaries. While every country in the world has some kind of system for resolving commercial disputes, those ranked highest by the World Bank, as well as an increasing number of emerging economies, have recognised that investing in efficient, well-respected business



courts. This is not a nice-to-have, but rather a need-to-have if they want to compete globally for investment.

Businesses in Dubai are free to choose between litigation and arbitration; common versus civil law; or English versus Arabic language – whichever system best suits their specific needs. The driving force has not been competition between courts for cases, but rather competition between countries for investment.

When it comes to resolving disputes, businesses like choice and they need certainty. Dubai and DIFC is a place where a contract will be honoured, a dispute settled, and a loan repaid, essential ingredients for creating a pro-business environment.

For more information: <https://www.difccourts.ae/2018/01/25/global-and-local-challenges-in-commercial-dispute-resolution-2/>