

OXFORD

MEDIATION

PRINCIPLES AND REGULATION
IN COMPARATIVE PERSPECTIVE

EDITED BY

KLAUS J. HOPT

FELIX STEFFEK

Mediation

Principles and Regulation in Comparative Perspective

Edited by
KLAUS J. HOPT
and
FELIX STEFFEK



OXFORD
UNIVERSITY PRESS

OXFORD

UNIVERSITY PRESS

Great Clarendon Street, Oxford OX2 6DP
United Kingdom

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide. Oxford is a registered trade mark of
Oxford University Press in the UK and in certain other countries

© The several contributors, 2013

The moral rights of the authors have been asserted

First Edition published in 2013

Impression: 1

All rights reserved. No part of this publication may be reproduced, stored in
a retrieval system, or transmitted, in any form or by any means, without the
prior permission in writing of Oxford University Press, or as expressly permitted
by law, by licence or under terms agreed with the appropriate reprographics
rights organization. Enquiries concerning reproduction outside the scope of the
above should be sent to the Rights Department, Oxford University Press, at the
address above

You must not circulate this work in any other form
and you must impose this same condition on any acquirer

Crown copyright material is reproduced under Class Licence
Number C01P0000148 with the permission of OPSI
and the Queen's Printer for Scotland

British Library Cataloguing in Publication Data
Data available

ISBN 978-0-19-965348-5

Printed in Great Britain by
CPI Group (UK) Ltd, Croydon, CR0 4YY

Links to third party websites are provided by Oxford in good faith and
for information only. Oxford disclaims any responsibility for the materials
contained in any third party website referenced in this work.

The Contributors

Nadja Alexander

Nadja Alexander is Professor and Director of the International Institute of Conflict Engagement and Resolution at Hong Kong Shue Yan University. She holds honorary professional appointments at Bond and Murdoch Universities in Australia and is an Honorary Research Fellow at the University of the Witwatersrand in South Africa. A practising mediator, scholar and speaker, she is engaged in a variety of dispute resolution projects in Australia, the Asia-Pacific region and Europe. Policy appointments include the Hong Kong Mediation Taskforce, the Australian National Alternative Dispute Resolution Advisory Council (NADRAC), the Standards Commission of the International Mediation Institute and, previously, the German Advisory Council on Mediation. She is also engaged as an FFDR Advisor for the World Bank Group. Nadja Alexander is an award-winning writer and educator and has been named as one of Australia's top five law academics. Her published work on negotiation and mediation appears internationally and in several languages.

Cathrin Bauer-Bulst

Cathrin Bauer-Bulst is an official of the European Commission, Directorate-General Home Affairs, in Brussels. She previously worked as a Consultant in New York City, a Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg and as an attorney in Brussels (member of the bars of Cologne and Brussels). She holds bachelor degrees in history and literature (Harvard, 2000) and law (Bucerius Law School, Hamburg, 2005) and completed the German State Examinations in Law at the Hamburg Higher Regional Court in 2007 and 2009.

Harald Baum

Professor Dr. Harald Baum is a Senior Research Fellow and Head of the Japan Unit at the Max Planck Institute for Comparative and International Private Law in Hamburg, Germany. He is also Professor at the University of Hamburg and a Research Associate at the European Corporate Governance Institute in Brussels. He graduated from Freiburg University and received his doctoral (Dr. iur.) and post-doctoral degrees (*Habilitation*) from the University of Hamburg. He has authored and edited numerous comparative and interdisciplinary publications on business law, corporate governance, takeovers, and capital markets regulation in Germany, the EU, Japan, and the US and is the founding editor of the *Journal of Japanese Law*.

Heyo Berg

Heyo Berg was a Senior Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg from 1984 to 2009. His main areas of research are Common Law countries (Commonwealth and former British Empire) and other English-speaking countries in Africa, South America and the Pacific. He studied law at the Universities of Bonn and Berlin (1963–1967) and physics at the Universities of Bonn and Hamburg. After the Second State Examination in Law, he became a Research Associate at the University of Bonn before moving to the Max Planck Institute for Comparative and International Private Law in Hamburg.

Calliope G. Chronopoulou

Born in Athens, Calliope Chronopoulou earned a law degree from the Faculty of Law at the National and Kapodistria University of Athens (1999–2003) and an LL.M. in Civil Procedural Law from the same institution (2003–2005). From 2004 to present she has been a Research Associate at the Institute of Procedural Studies in Athens. Since 2006, she has been completing her doctoral studies in Civil Procedural Law at the National and Kapodistria University of Athens. She has also been practising as an Attorney at Law (Appeal Court) since 2006, specialising in Civil, Commercial, Sports Law and ADR. From 2008–2009 she worked as a Special Advisor to the Legal Advisor of the Prime Minister of Greece, and since 2010 she has been an Associate Attorney in the litigation department of EFG Eurobank Ergasias SA. She has been a Research Associate at the Institute for International and Hellenic Sports Law since 2011.

Dmitry Davydenko

Dmitry Davydenko holds a PhD in Law and is the Director of the Institute of Private International and Comparative Law in Moscow and a Senior Associate at the law firm of Muranov, Chernyakov & Partners. He is an Associate Professor at the Higher School of Economics, and a Reporter of the International Commercial Arbitration Court and the Maritime Arbitration Commission. He is also an Editor of the *CIS Arbitration Forum*, focusing on dispute resolution involving the former countries of the Soviet Union. He is an author of numerous academic publications on ADR and related matters. Dmitry Davydenko speaks English, French, Italian, Russian and Belarusian.

Giuseppe De Palo

Professor Giuseppe De Palo is President of ADR Center, Italy's first and largest private provider of mediation services, and a Director of London-based JAMS International. A full-time mediator since 1998, he has contributed to the resolution of over 400 complex commercial disputes. An International Professor of

Alternative Dispute Resolution Law & Practice at Hamline University School of Law in St. Paul (USA), he is the editor, author and co-author of several books and articles in the field of ADR, some of which have been translated into Chinese, Arabic and Turkish. Professor De Palo has spoken about mediation numerous times before the Italian and European Parliaments, and has been the team leader of projects—funded by the World Bank, the European Commission, the Inter-American Development Bank—to promote ADR on four continents.

Katrin Deckert

Dr. Katrin Deckert is a Senior Lecturer (*Maitre de conférences*) at the University of Paris-Ouest Nanterre La Défense and Deputy Secretary-General of the International Academy of Comparative Law in Paris. She studied German, French and European Law at the University of Dresden, the University of Paris 10—Nanterre, the University of Paris 1 Panthéon-Sorbonne and Humboldt University of Berlin. She was Research Fellow at the University of Paris 1 Panthéon-Sorbonne (2001–2004), a Research and Teaching Assistant at the University of Paris 2 Panthéon-Assas (2004–2006), both a Research Assistant and a Senior Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg (2007–2011), and a Lecturer in German Law at the University of Paris-Est Créteil Val de Marne (2008–2010). She lectures and researches in German, French and European Civil, Corporate and Capital Markets Law and in the area of Comparative Law.

Reinhard Ellger

Professor Dr. Reinhard Ellger, LL.M. (University of Pennsylvania) is a Senior Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg and a Professor at the Faculty of Law at the University of Hamburg. His main areas of research are Telecommunications and Media Law, Competition Law, Private Law and European Union Law. He teaches German and European Competition Law and Media Law. His responsibilities at the Institute encompass, *inter alia*, researching the legal systems of the United Kingdom, Ireland, Canada and Australia.

Evgeni Georgiev

Evgeni Georgiev is a Judge at the Regional Court of Sofia. He holds a Master in Law degree from Sofia University School of Law, an LL.M. from Tulane University Law School, New Orleans and a Diploma in Civil Procedure from Georgetown Law Center in Washington, D.C. He is one of the 11 judges of the Regional Court of Sofia who originally started the Settlement Program at the Court, which later led to the establishment of the Settlement and Mediation Centre. He is a Member of the Board of Directors of the National Association of Mediators, a Member of the European Judicial Association for Mediation

(GEMME) and founder of the Bulgarian section. He is also a Weinstein International Fellow of JAMS Foundation.

David Gherdane

David Gherdane is a Law Clerk with the Hanseatic Higher Regional Court in Hamburg and is currently a legal trainee with Freshfields Bruckhaus Deringer LLP in Hamburg. In 2007, he was a Research Assistant at the Max Planck Institute for Comparative and International Private Law in Hamburg, where he conducted further research in the field of mediation law. He studied law at Bucerius Law School in Hamburg (LLB 2004) and passed his First State Exam in Law in Hamburg (2006). He also studied law at the London School of Economics and Christ Church College in Oxford (M.Jur. (Oxon.) 2008).

Klaus J. Hopt

Klaus J. Hopt is Director (emeritus) at the Max Planck Institute for Comparative and International Private Law, Hamburg. He was Professor of Law in Tübingen, Florence, Berne and Munich (1974–1995) and acted as Visiting Professor at several European, American and Japanese universities, including Harvard, NYU, Columbia and the University of Chicago. He sat as Judge for the Court of Appeals, Stuttgart (1981–1985) and served as Vice President of the German Research Foundation (2002–2008). He was a Member of the European Commission's High Level Group of Company Law Experts (2001–2002), the German Stock Exchange Experts Commission at the German Ministry of Finance (2002–2011), and is a member of the International Advisory Board of the Alexander von Humboldt-Foundation (2011–present). He is also a Member of the German National Academy of Sciences Leopoldina (Halle). He has received honorary doctorates from the Universities of Brussels, Louvain, Paris, Athens and Tiflis.

Christa Jessel-Holst

Christa Jessel-Holst was a Senior Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg (Head of the Unit on South East European Law) until 2010. She completed her First and Second State Examinations in Law in Hamburg; she earned her doctorate (Dr. iur.) in Hamburg and was awarded an honorary doctorate (Dr. h.c.) by the St. Kliment Ohridski University of Sofia (Bulgaria) in 2011. She has been a Member of the Civil Law Forum for South East Europe since 2009 and has participated in many legal reform projects in the region, including in Bulgaria. She has numerous publications and has lectured in Germany and other countries. She is an Editorial Advisor for *Anali Pravnog Fakulteta u Beogradu*; *Annals of the Faculty of Law in Belgrade*; *Pravo i Privreda* (Belgrade). In 2010 Christa Jessel-Holst was presented with a *Liber Amicorum* for 'Private Law Reform in South East Europe' in Belgrade.

Lauren R. Keller

Lauren R. Keller is an Attorney and Visiting Fellow at the ADR Center in Milan. She specialises in International and Comparative Law, and is a contributor to various publications relating to Alternative Dispute Resolution in the USA and Italy.

Nikolaos K. Klamaris

Professor Nikolaos K. Klamaris was born in Athens in 1944. He studied law at the Law Faculty of the National and Kapodistria University of Athens from 1961–1966; he completed his PhD in Civil Procedure at the Law Faculty of Eberhard Karls University in Tübingen (1969–1974). He has worked as a lawyer since 1968, from 1980 in the High Court. From 1975–1980 he was an Assistant in the Law Faculty of the National and Kapodistria University of Athens. From 1980–1982 he was a Lecturer in the Law Faculty of the National and Kapodistria University of Athens and from 1982–1986 also Assistant Professor at that institution. In 1985 he became Deputy Director of the Research Institute of Procedural Studies. From 1986–1991 he was an Associate Professor at the Law Faculty of the National and Kapodistria University of Athens, becoming a full Professor at that institution in 1991. From 2004–2009 he worked as a Legal Advisor to the Prime Minister of Greece. From 2006–2010 he was a member of the legal board of the Bank of Greece. He is Vice President of the Association of Greek Proceduralists.

Rainer Kulms

Rainer Kulms is a Senior Research Fellow and Head of the Unit on US Law at the Max Planck Institute for Comparative and International Private Law in Hamburg, a Lecturer in Law at the University of Hamburg, Germany, and Editor-in-Chief of the *European Business Organization Law Review*. He received his doctoral (Dr. iur.) and post-doctoral (*Habilitation*) degrees from the University of Hamburg University, obtained an LLM from the University of Michigan, Ann Arbor, and was Visiting Fellow at the University of Cambridge (Wolfson College). He has taught at the Universities of Hamburg, Belgrade, Calcutta, Cluj, Paris XI, Taipei and Xi'an, at the China University of Political Science and Law, Beijing, and at the China-EU School of Law.

Christoph Kumpan

Christoph Kumpan is a Senior Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg, Germany. He completed his State Examinations in Law in Heidelberg (2002) and Hamburg (2004). He received an LLM from the University of Chicago (2002) in connection with a scholarship from the Bucerius Foundation and the Studienstiftung des Deutschen

Volkes. He earned his doctorate in 2005 and was awarded both the Otto Hahn Medal of the Max Planck Society and the Academic Award (1st rank) of the Deutsches Aktieninstitut. He has served as Advisory Counsel to the German Federal Ministry of Finance (2005) and the Turkish Capital Markets Board (2006–2007). He was a Visiting Fellow at the University of Cambridge (2006, 2008) and since 2009 has held a scholarship from the Deutsche Forschungsgemeinschaft (German Research Foundation).

Ulrich Magnus

Professor Dr. Ulrich Magnus is a Professor (emeritus) at the University of Hamburg, where he held the Chair for Civil Law, Private International Law and Comparative Law; he has also authored many books and articles in these fields. He was a part-time Judge at the Oberlandesgericht (Higher Regional Court) in Hamburg (ret. 2009). He is the Executive Vice Director of the European Centre for Tort and Insurance Law in Vienna, Germany's National Correspondent at UNCITRAL (United Nations Commission on International Trade Law), and Director and Co-spokesperson of the International Max Planck Research School for Maritime Affairs in Hamburg. He is also a Member of the German Council for Private International Law, the European Group on Tort Law and the European *Acquis* Group.

Bevan Marten

Bevan Marten graduated with a BA (Māori Studies) and LLB (Hons) from Victoria University of Wellington in 2005 and then entered private legal practice at the Wellington firm of Izard Weston. He completed his LLM as a Commonwealth Scholar at the University of Cambridge in 2009 before heading to Hamburg, where he is currently completing his doctoral studies at the Max Planck Institute for Comparative and International Private Law. In August 2012 he has taken up a Lecturer's position at Victoria University of Wellington Law School.

Rafał Morek

Dr. Rafał Morek, LL.M., is Adjunct Professor and Co-director of the Center for Amicable Dispute Resolution at the Faculty of Law of the University of Warsaw (Poland). He is the Honorary Secretary of the ADR Council at Poland's Ministry of Justice, a lawyer with K&L Gates Jamka sp.k. and a mediator and arbitrator.

Knut Benjamin Pissler

Knut Benjamin Pissler studied law at the Maximilians University in Würzburg from 1991–1993 and law and sinology at the University of Hamburg from 1993–1996, earning an MA in 2007. He completed his First State Examination in Law in Hamburg in 1996 and conducted language studies and research at the Uni-

versity of Nanjing from 1996–1997. He completed his Second State Examination in Law in 2000. He carried out PhD research at the Sino-German Institute for Legal Studies at the University of Nanjing from 2000 to 2002. Since 2002 he has been a Senior Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg and completed his PhD in Hamburg in 2003. He has been a Lecturer on Chinese Law at the University of Göttingen since 2007 and at the University of Cologne since 2011.

Markus Roth

Dr. Markus Roth is Professor of Law at the University of Marburg, where he holds the Chair for Civil Law, Labour Law and German as well as European Commercial Law. Previously, he was a Senior Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg. His main areas of research and writing are Corporate Governance, Private Pensions (occupational and individual), Labour Law, Banking and Capital Markets Law, Private Law and Comparative Law. He has published extensively in the fields of Corporate Governance, Private Pensions and Labour Law.

Lukasz Rozdeiczer

Lukasz Rozdeiczer, LL.M., is the President of the Mediation Center at the Arbitration Court of the Polish Chamber of Commerce, Adjunct Professor of Law at the Georgetown University Law Center, and a Visiting Lecturer at the School of International Arbitration at Queen Mary College of the University of London. He is an attorney and solicitor admitted in England and Wales, New York, and Poland and works as a mediator and arbitrator.

Jens M. Scherpe

Dr. Jens M. Scherpe, MA (Cantab), M.Jur. (Oxon) is a Senior Lecturer in Law at the University of Cambridge, a Fellow and Tutor at Gonville and Caius College, Cambridge, an Honorary Fellow of St. John's College/Hong Kong University and an Academic Door Tenant at Queen Elizabeth Building (QEB), London. Previously, he was a Senior Research Fellow and Head of the Nordic Countries Unit at the Max Planck Institute for Comparative and International Private Law in Hamburg. He has held visiting positions in Belgium, Germany, England, Australia, New Zealand, Spain and Hong Kong.

Jan Peter Schmidt

Jan Peter Schmidt is a Senior Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg. He was Head of the Latin American Unit at the Institute from 2004–2011. He obtained his PhD in 2009 from the University of Regensburg with a comparative and historical study

of the Brazilian Civil Code of 2002. The dissertation was awarded the Otto Hahn Medal of the Max Planck Society. He has lectured at numerous universities in Germany and Latin America.

Liane Schmiedel

Liane Schmiedel is a Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg (Netherlands Unit). She studied law at the Universities of Leipzig, Germany and Leuven, Belgium. She completed her First State Examination in Law in 2003, and the Second State Examination in Law in 2006. Liane Schmiedel was a Visiting Fellow at Wolfson College of the University of Cambridge in 2010. Her main areas of research are: Comparative Private Law, the Law of Succession and Mediation. She has lectured at the University of Leipzig (German Civil, Administrative and Criminal Law), Bucerius Law School Hamburg (German Civil Law) and City University London (German Property, Family and Commercial Law). She has published widely in the field of Mediation and is currently completing her doctoral thesis on Dutch and German Laws of Succession.

Anneken K. Sperr

Dr. Anneken K. Sperr is a Postdoctoral Fellow at the Faculty of Law of the University of Bergen, Norway, a Lecturer at the University of Hamburg, a lawyer and a member of the Hanseatic Bar Association in Hamburg. Previously, she was a Senior Research Fellow and the Head of the Unit on the Law of the Nordic Countries at the Max Planck Institute for Comparative and International Private Law in Hamburg.

Felix Steffek

Dr. Felix Steffek LL.M. (Cambridge) is a Senior Research Fellow at the Max Planck Institute for Comparative and International Private Law in Hamburg. He has studied both law and economics at the Universities of Heidelberg, Ferrara, Cambridge and Hagen. Past and present teaching positions include posts at the Universities of Hamburg, Cambridge, Warsaw and Beijing (CUPL). He has conducted research at Harvard Law School (Visiting Researcher), the University of Cambridge (Visiting Fellow) and the University of Oxford (Academic Visitor). He has acted, *inter alia*, as an expert for the German Ministry of Justice (2007–2008: mediation law reform; 2010–present: insolvency law reform), the German Parliament (Finance Committee, with Klaus J. Hopt et al.) and the European Commission/Academy of European Law. His research interests encompass Private Law, Company and Commercial Law, Insolvency and Procedural Law.

Peter Tochtermann

Dr. Peter Tochtermann serves as a Judge at the District Court in Mannheim, where he deals with intellectual property cases, particularly concerning matters of patent infringement. Before serving as a Judge, he was a Research Fellow at the University of Heidelberg and a Visiting Scholar at the Hamline University's Dispute Resolution Institute (St. Paul, MN, USA) as well as Harvard Law School's Program on Negotiation. His PhD thesis analyses 'The Independence and Impartiality of the Mediator' from a comparative perspective. Peter Tochtermann regularly publishes articles on Alternative Dispute Resolution and teaches mediation techniques to young lawyers.

María Luisa Villamarín López

María Luisa Villamarín López is Professor of Procedural Law at the Universidad Complutense in Madrid, Spain. In 2002 María Luisa Villamarín López earned her PhD (awarded with extraordinary distinction) for her work *El sobreseimiento provisional en el proceso penal*, published in 2003. Apart from numerous articles and chapters in collective works on Civil and Criminal Procedure, María Luisa Villamarín López has also written two monographs on Spanish Civil Procedure (2005) and European Civil Procedure (2008). She has also received research grants from the Spanish Ministry of Education, the DAAD and the Real Colegio Complutense for academic research at the University of Munich, the Max Planck Institute of Comparative and International Private Law in Hamburg, the Max Planck Institute for Foreign and International Criminal Law in Freiburg and Harvard Law School.

Abbreviations

A. 2d	Atlantic Reporter, Second Series
A.D. 2d	Appellate Division Reports, Second Series New York
A.L.J.	Australian Law Journal
A.L.R.	American Law Review
A.L.R. 2d	American Law Reports, Second Series
AA	Ars Aequi
AADR	Act on the Adjudication of Domestic Relations
AB	Amtliches Bulletin (Official Journal)
ABA CEELI	American Bar Association Central European and Eurasian Law Initiative
ABA	American Bar Association
ABGB	Allgemeines Bürgerliches Gesetzbuch (Austria)
AC	Appeal Cases
ACAS	Advisory, Conciliation and Arbitration Service
ACB	ADR Centrum voor Bedrijfsleven
ACCC	Australian Competition and Consumer Commission
ACDC	Australian Commercial Dispute Centre
Act of 8 February 1995	Act no. 95-125 of 8 February 1995 concerning the organisation of the jurisdictions and the civil, criminal and administrative procedures
AcP	Archiv für die civilistische Praxis
ACT	Australian Capital Territory
Admin. L. Rev.	Administrative Law Review
ADNDRC	Asian Domain Name Dispute Resolution Centre
ADR	Alternative Dispute Resolution
ADR Act	Act on Promotion of Use of Alternative Dispute Resolution
ADR Order	Order for Enforcement of the Act on Promotion of Use of Alternative Dispute Resolution
ADR Ordinance	Ordinance for Enforcement of the Act on Promotion of Use of Alternative Dispute Resolution
ADRRLR	Alternative Dispute Resolution Law Reports
AdvBl	Advocatenblad
AG	Amtsgericht
AJP/PJA	Aktuelle Juristische Praxis
Ala. L. Rev.	Alabama Law Review
Alb. L.J. Sci. & Tech.	Albany Law Journal of Science and Technology
ALI	American Law Institute
All ER	All England Law Reports
Am. Crim. L. Rev.	American Criminal Law Review
Am. J. Econ. & Soc.	American Journal of Economics and Sociology
Am. U. L. Rev.	American University Law Review
Am. Bankr. Inst. J.	American Bankruptcy Institute Journal
Am. Bankr. Inst. L. Rev.	American Bankruptcy Institute Law Review

AMC	Associação de Mediadores de Conflitos (Mediators' Association)
Amend.	Amendment
AMF	Autorité des marchés financiers
AMINZ	Arbitrators' and Mediators' Institute of New Zealand
AO	Abgabenordnung
APA	Administrative Procedure Act
APEC	Asia-Pacific Economic Cooperation
Appalachian J. L.	Appalachian Journal of Law
approx.	approximately
APR	Act on Promoting the Resolution of Individual Labor-Related Disputes
Arb.	Arbitration
ArbGG	Arbeitsgerichtsgesetz
Arbitration Int'l	Arbitration International
Ark. L. Rev.	Arkansas Law Review
ARM	Automatic Referral to Mediation
Art./Arts.	Article/Articles
AS	Amtliche Sammlung des Bundesrechts
ASA	Association Suisse de l'Arbitrage
ASEAN	Association of Southeast Asian Nations
ASoK	Arbeits- und SozialrechtsKartei
ATME	Associazione ticinese per la mediazione
Austr. Disp. Res. J	Australian Dispute Resolution Journal
Avtl.	Lov om avslutning av avtaler, om fuldmagt og om ugyldige viljeserklæringer (Avtaleloven) av 31. Mai 1918 Nr. 4
B. U. L. Rev.	Boston University Law Review
BAADR	Bulgarian Association for Alternative Dispute Resolution
BAFM	Bundesarbeitsgemeinschaft für Familienmediation
BB	Der Betriebsberater
BC	Before Christ
BCCI	Bulgarian Chamber of Commerce and Industry
BG	Bundesgericht (Swiss Federal Supreme Court)
BGB	Bürgerliches Gesetzbuch
BGBI.	Bundesgesetzblatt (Austria and Germany)
BGE	Entscheidungen des Schweizerischen Bundesgerichts
BGH	Bundesgerichtshof
BJ	Betrifft Justiz
BKR	Zeitschrift für Bank- und Kapitalmarktrecht
BOE	Boletín Oficial del Estado
Brkcty. Ariz.	US Bankruptcy Court, District of Arizona
Bkrcty. M.D. Fla.	US Bankruptcy Court, Middle District of Florida
Bkrcty. S.D. Fla.	US Bankruptcy Court, Southern District of Florida
Brkcty W.D. Pa.	US Bankruptcy Court, Western District of Pennsylvania
Bl.	Lov om barn og foreldre (Barnelova) av 4. August 1981 Nr. 7

BMWA	Bundesverband Mediation in Wirtschaft und Arbeitswelt
BORA	Berufsordnung für Rechtsanwälte
Brooklyn L. Rev.	Brooklyn Law Review
BT-Drs.	Bundestags-Drucksache
Bull. civ.	Bulletin des arrêts des chambres civiles de la Cour de cassation
Bus LR	Business Law Reports
BVerfG	Bundesverfassungsgericht
BVerfG(E)	(Entscheidungen des) Bundesverfassungsgericht(s)
Bvl.	Lov om barneverntjenester (Barnevernloven) av 17. Juli 1992 Nr. 100
BW	Burgerlijk Wetboek
C. civ.	Code civil
C. mon. fin.	Code monétaire et financier
C. pr. civ.	Code de procédure civile
C. pr. pén.	Code de procédure pénale
C. trav.	Code du travail
c.	Chapter
C.D. Cal.	Central District of California (US District Court)
C.J.S.	Corpus Juris Secundum
CA	Court of Appeal (England and Wales)
CA	Cour d'appel (France)
ca.	circa
CAFCASS	Court Advisory and Support Service
CAJP	Conselho de Acompanhamento dos Julgados de Paz
Cal.	California (Supreme Court of)
Cal. 4th	California Reports, Fourth Series
Cal. App. 1st Dist.	Court of Appeal, First District, California
Cal. App. 2nd Dist.	Court of Appeal, Second District, California
Cal. App. 3rd Dist.	Court of Appeal, Third District, California
Cal. App. 4th Dist.	Court of Appeal, Fourth District, California
Cal. App. 4th	California Appeal Reports, Fourth Series
Cal. App. 5th Dist.	Court of Appeal, Fifth District, California
Cal. L. Rev.	California Law Review
Cal. Rptr. 2d	California Reporter, Second Series
Cal. Rptr. 3d	California Reporter, Third Series
CAMP	Court-annexed Mediation Program
Cardozo J. Conflict Resol.	Cardozo Journal of Conflict Resolution
Cardozo J. Int'l & Comp. L.	Cardozo Journal of International and Comparative Law
Cardozo L. Rev.	Cardozo Law Review
Cass.	Cour de cassation
Cass. ass. plén.	Cour de cassation (assemblée plénière)
Cass. ch. mixte	Cour de cassation (chambre mixte)
Cass. civ. 1re	Cour de cassation (1ère Chambre civile)
Cass. civ. 2e	Cour de cassation (2ème Chambre civile)
Cass. crim.	Cour de cassation (Chambre criminelle)
CC Ordinance	Ordinance Regarding Civil Conciliation

CC	Civil Code
CC	Código Civil (Portugal)
CCA	Civil Conciliation Act
CCI	Chamber of Commerce and Industry
CCM Ordinance	Conciliation Committee Ordinance
CCP	Code of Civil Procedure
CCrP	Code of Criminal Procedure
CE	Conseil d'État
CED	Código de Ética e Deontologia (Code of Ethics and Deontology of the Mediators Association)
CEDR	Centre for Effective Dispute Resolution
cert. den.	certiorari denied
cf.	confer (compare)
Ch	Chancery Division
ch.	chapter
CHF	Swiss Francs
Chi-Kent L. Rev.	Chicago-Kent Law Review
CIARB	The Chartered Institute of Arbitrators
Cir.	Circuit (US Court of Appeals)
Civ. Justice Q.	Civil Justice Quarterly
Civ.	Civil
Civic ADR Council	Civic Council for Alternative Methods of Conflict and Dispute Resolution at the Ministry of Justice
CivPrCode	Code of Civil Procedure
CJA	Code de justice administrative
CJCP	Code of Juvenile Criminal Procedure (Jugendstraßprozessordnung, JStPO)
cl.	clause
CLC	Civil Law Cases
CLDRA	Collective Labour Disputes Resolution Act
CLOUT	Case Law on UNCITRAL Texts
CMAP	Centre de Médiation et d'arbitrage de Paris
Co.	Company
Colo.	Colorado (Supreme Court of)
Colo. Law	The Colorado Lawyer
Colum. J. L. & Soc. Probs.	Columbia Journal of Law and Social Problems
Colum. L. Rev.	Columbia Law Review
Com'n	Commission
Comm	High Court Commercial Division
Conn. L. Rev.	Connecticut Law Review
Contemp. Asia Arb. J.	Contemporary Asian Arbitration Journal
Cornell J. L. & Pub. Pol'y	Cornell Journal of Law and Public Policy
Cornell L. Rev.	Cornell Law Review
Corp.	Corporation
Costs LR	Costs Law Reports
CP Rep	Civil Procedure Reports
CP	Consultation Paper
CP	Código Penal (Spain)

CPA	Consumer Protection Act
CPC	Code de Procédure Civile du Québec (Canada)
CPC	Código de Processo Civil (Portugal)
CPC	Consumer Protection Commission (Bulgaria)
CPR	Civil Procedure Rules
CPR	Conflict Prevention and Resolution (Italy)
Creighton L. Rev.	Creighton Law Review
Cth	Commonwealth (of Australia)
D.	Recueil Dalloz
D. Conn.	District of Connecticut (US District Court)
D. Idaho	District of Idaho (US District Court)
D. Kan.	District of Kansas (US District Court)
D. V.I.	District of Virgin Islands (US District Court)
d.	durch
dAnwBl	(deutsches) Anwaltsblatt
DCS	District Court of Smolian
Decree of 22 July 1996	Decree no. 96-652 of 22 July 1996 concerning judicial conciliation and mediation
Decree 5/2003	Legislative Decree n. 5 of January 17, 2003
Decree of 2 December 2003	Decree no. 2003-1166 of 2 December 2003 concerning the creation of a family mediator State diploma
Decree 28/2010	Legislative Decree n. 28 of 4 March 2010
Decree 180/2010	Ministry of Justice Decree n. 180 of 18 October 2010
Decree 145/2011	Ministry Decree n. 145 of 6 July 2011
Decree of 20 January 2012	Decree no. 2012-66 of 20 January 2012 concerning alternative dispute resolution
Denv. U. L. Rev.	Denver University Law Review
DePaul J. Health Care	DePaul Journal of Health Care Law
DePaul L. Rev.	DePaul Law Review
DGM	Deutsche Gesellschaft für Mediation e.V.
Disp. Resol. J.	Dispute Resolution Journal
Disp. Resol. Mag.	Dispute Resolution Magazine
DL	Domstolsloven av 13. August 1915 Nr. 5
DR	Diário da República
Drake L. Rev.	Drake Law Review
DRiZ	Deutsche Richterzeitung
Dr. et proc.	Droit et procédures
Duke L.J.	Duke Law Journal
DVBl.	Deutsches Verwaltungsblatt
E.D. La.	Eastern District of Louisiana (US District Court)
E.D. Pa.	Eastern District of Pennsylvania (US District Court)
E.D. Wis.	Eastern District of Wisconsin (US District Court)
E.D.N.Y.	Eastern District of New York (US District Court)
eg	<i>exempli gratia</i> (for example)
e.V.	eingetragener Verein
eastlex	eastlex – Recht u. Steuern in Mittel- u. Osteuropa