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What needs to be included in the proposed reforms is a med/ARB stage in the resolution process akin to the Disputes Tribunal but presided over by a judge. This should immediately follow filing of the claim and evidence (as required in a summary judgement proceeding) and start as a mediation but from the very outset allowing the parties the agreed option of a judicial determination if they are unable to agree a settlement. By putting this as the first stage following filing of the claim and defence there is the real likelihood that matters can be disposed of before getting bogged down in procedure while still giving litigants an opportunity to be actively involved in the resolution.

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