

How to Make Virtual Sessions More Personal and Successful

Global Resolutions, PLLC

1. We recommend scheduling and conducting a 10-minute virtual practice session and consultation with the Neutral before the virtual session date. This allows you to discuss logistics and address questions about how the virtual platform will be used and how the sessions will run. In the case of arbitrations, all counsel and the Arbitrator can schedule a practice session on the virtual platform to address concerns prior to the scheduled hearing date and to work through witness ordering, access to exhibits and online protocol Orders.
2. Exchange cell phone numbers and e-mail addresses among counsel, with your clients and the Neutral in the event of an unexpected technical glitch. This will also allow a secondary method of communication.
3. Avoid the urge to get directly to work. Some people worry that virtual sessions will be sterile. They needn't be. A little time spent getting to know each other can put everyone at ease and allow time to address any technical difficulties or questions before formal commencement.
4. Although Global Resolutions has already conducted multiple days of arbitrations and mediations on the virtual platform (Zoom), virtual sessions are new for many and we are all learning to adapt to the technology. We are all really in this together.
5. Look into your device's camera the way you look into someone's eyes when you are making a point. You don't have to do this continuously. Consider your attire, especially if you plan to move about on camera.
6. You will have a discrete and private breakout room available for your use. As if in person, you can meet privately with others without the Neutral or other participants. The Neutral can enter and leave your breakout room upon request. You may text, e-mail, or use the "chat" or "help" button on the task bar to notify the Neutral when you wish to visit again.
7. Screen share is available on Zoom to display documents, exhibits, video or PowerPoint.
8. In addition to protecting the health of the participants, virtual sessions overcome logistical problems and travel costs. Virtual platforms allow the Neutral to discuss matters with decision-makers visually instead of only by telephone.
9. Virtual sessions are actually more personal than in-person gatherings under current guidelines requiring participants to wear masks, social distance, not share food, and to be concerned about the health and welfare of all participants.
10. Settlement rates in virtual mediations to date have been on par with in-person mediations – if not slightly better. Participants appreciate the security and "safety" of being in familiar environments.
11. Efforts continue to insure the confidentiality and privacy of virtual sessions. These include those provided by the sponsoring platform, the DR Agency, Online Protocol Agreements and Orders. Participants should make sure they are in a quiet, non public location, away from family, distractions and interruptions. Breaks are frequent in virtual sessions so all are able to address other matters that may arise during the sessions.
12. Do not hesitate to ask for assistance and expect possible technical interruptions.