



FACETIME/TELEPHONE MEDIATION

BASIC PROTOCOL 2020

The Society is regularly asked for a protocol for using telephone/online/FaceTime (etc) alternatives to face-to-face mediations. It offers this tried and tested protocol.

Before the mediation

The parties each supply the mediator with the mobile numbers/FaceTime (or similar video-chat) accounts they wish to use. The mediator will do check calls either on the day.

On the day of the mediation

- (1) The mediator manages this, sometimes with an assistant to check the dialling.
- (2) The mediation begins with the mediator speaking to each party through (usually) a Facetime or (alternatively) a telephone conference call.
- (3) The parties and the mediator agree a protocol for each person to confirm to the mediator whom they are at the start of future telephone calls to ensure privacy.
- (4) The mediator then calls everyone for a joint session where the ground rules are repeated - these include not using the names of the parties, just referring to C or D
- (5) At the end of the joint session, the mediator cuts the call and makes a fresh call to the party the mediator is joining for the first private session.
- (6) Matters then proceed almost completely replicating a mediation.

Offers

When offers are made, the mediator will ask the offeror to text or email the offer to the mediator, marked private and confidential, and without prejudice, to avoid error

Settlement

At the end of the mediation, when agreement is reached, the parties exchange emails containing the agreed terms and then agree to how any order is to be lodged. When this is done, the mediator is notified, and mediation then concludes.