

CLEMENT MEDIATION

ONLINE MEDIATION GUIDELINES AND GROUND RULES

Technology

Zoom Online Platform: Your mediator uses the online secure platform provided by Zoom.us to conduct online mediation sessions. In advance of your first scheduled mediation session:

- Download and install the free Zoom.us software and/or app and open a personal account.
- Familiarize yourself with the operation of the Zoom platform so that you can operate and participate in mediation sessions.
- Use the Zoom.us tutorials available at <https://support.zoom.us>.

Documents:

- Your mediator will not collect or store your personal documents.
- Correspondence may be sent to you both electronically to print and sign.

Payment:

- All services are “pay as you go”. A retainer is not required for mediation services.
- Payment is due prior to meetings and preparation of documents.
- Payments will be processed electronically using Square or PayPal.

Secure Connection:

- Please use a secure Wi-Fi or Ethernet (hard-wired) connection.
- Do **not** use a public access Wi-Fi connection, your information is not safe and may be at risk.

Confidentiality and Privacy

Privacy and Confidentiality:

- Only the people who have agreed to the mediation may be present in the same room during any online mediation session.
- You must confirm that you are alone in the room and that you cannot be overheard.

Confidential Communication: You agree that the provisions of Pa. Cons. Stat. §5949 “Confidential Mediation Communications and Documents” applies to online mediation.

- Mediation communications and mediation documents are privileged.
- Disclosure of mediation communications and mediation documents may not be required or compelled through discovery or any other process.
- Mediation communications and mediation documents are not admissible as evidence in any action or proceeding.

Absolute Prohibition on Recording: No Recording or transmissions.

- You, or anyone on your behalf, may **not** audio or video record any portion of the mediation session.
- If you learn of an audio or video recording of any session, you will immediately destroy the recording and will not share the recording with any third parties.
- You agree not to transmit a live or deferred video or audio relay of the online mediation sessions to third parties.

Best Practices and Troubleshooting

Interruption Free Zone: During the session you agree to:

- Take all reasonable measures to ensure that you are not interrupted during your online mediation session.
- This includes arranging for appropriate childcare, notifying family and friends of your unavailability, and making appropriate scheduling choices.

Technology Hiatus: During the session you agree to:

- Turn off or silence any phones, tablets or computers and disable alert announcements and/or texts for the duration of online mediation sessions. (except for the computer or device you are using for online mediation sessions)
- Refrain from the use of social media, email and/or internet search engines, other than as may be necessary to conduct the session, during your online mediation sessions.

Early Log On:

- Please log on to the scheduled mediation session no less than 5 minutes in advance of the scheduled start time so that any technology issues can be resolved, and your mediation session can start on time.
- Test your audio and microphone prior to our meeting.
- If you experience an issue logging on, please contact your mediator at **484-888-8833**.

Waiting Room:

- You will enter the meeting each time you log on in a “virtual waiting room” until all parties have arrived.
- Once all parties are logged on and in the waiting room, you will be admitted into the meeting by your mediator.

Technology Failure Protocol:

- Technology may at times not operate properly and a scheduled online mediation session may not begin on time or may be interrupted.
- If you experience an issue during a scheduled mediation session, please immediately call your mediator at **484-888-8833** to discuss how to proceed.
- If the technology issues cannot be resolved in a reasonable time, the online mediation session will be canceled and rescheduled as soon as possible.

Respectful Online Communication:

- Video must be turned on; it is important to view facial expressions and body language during the session.
- Due to the nature of the online forum, you may have to adjust how you communicate.
- It is especially important to allow each participant to finish their comment or statement before responding.
- The online format can amplify and exaggerate sound so maintaining a regular speaking voice is important.
- Please remember that the camera may not always transmit non-verbal cues, make an effort to clearly verbalize communications during an online mediation session.

Questions?

Contact Dawn Clement at 484-888-8833 or dawn@clementmediation.com