

Mediating with Zoom

by Clare Fowler

“Our restaurant needs to either close or move to take-out, and we can’t agree what to do. Can we mediate today?”

“The lunch ladies at our school can’t agree on sanitary measures for COVID-19 compliance. Can you help?”

“Our office needs to figure out new policies for working at home. Can you assist?”



If your practice is shifting online, here are 5 steps and a [Zoom Video Tutorial](#) to get you started:

- [Software](#)
- [Plan](#)
- [Settings](#)
- [Process](#)
- [Next Steps](#)

In our current high-stress social environment, it is easy for conflicts to spark. When clients reach out to mediators for help, we need a fast and effective solution.

For many of us, this means mediating online. This is now commonly done via videoconference (Skype, Zoom and the like). Other options include text-only (such as [CREK](#)) or online chat. Some mediators have moved to phone conciliation, where mediators set-up a conference call with all participants or separately. The most common and most effective technology, from our own experience and what we are hearing from mediators at Mediate.com, seems to be using Zoom to host a videoconference. This article reviews the basic process for mediating with Zoom online.

1. **Software:** If you already have an application that you are comfortable with, such as WebEx, GoToMeeting or Skype, you can surely continue with that. However, make sure that you are not missing out on needed capabilities, to be described later. It seems that the most common video platform is Zoom, and we also look forward to hearing other suggestions from professionals.
2. **Plan:** If this is your first time using video-conferencing software, you should try out the free version to make sure that you like it. However, before your first client meeting, you will likely want to upgrade to the "pro" version. Common limits with a basic version include that a meeting cuts-off after 30 or 40 minutes, there is a maximum of 2 attendees, clients have to watch an ad before they can join, and/or a more "clunky" user experience (more clicks, difficult registration, etc.). All of these obstacles get in the way of establishing a sense of safety and rapport with your clients and your professional appearance.

3. **Settings:** Of course, spend time going through the software settings to identify what you are most comfortable with. Here are some default suggestions that help to support a mediation:
 - a. Begin the call with **everyone's video and mic on**, just as if they were in the room.
 - b. Have **all videos on the screen at the same time** (as opposed to only highlighting the speaker). This will allow you to observe any micro-reactions from listening participants.
 - c. **Enable screen-sharing for everyone.** If a client has a suggested change to a document, allow them to share their screen, instead of them needing to send you the document.
 - d. **Enable breakout rooms.** This allows you to move clients into separate breakout rooms and caucus with each client. This can be enabled in your settings and then flexibly used during your online meeting.
 - e. **Create a Private Meeting ID (PMI).** This allows the link for participants to join to always be the same.
 1. Benefit: You can create invitation templates that automatically send out with your link (through CaseloadManager.com, your Outlook or Google Calendar, or in Thunderbird or MacMail.). Once your clients have the link, they are also prepared for their next meeting with you.
 2. Downside: If everyone has the same link, that means that anyone can click on it at anytime. So your client scheduled for tomorrow could click on the link today and crash your current mediation. FIX: as soon as all of the parties have joined your mediation, click on Participants>More>Lock meeting. This will prevent anyone unexpected from dropping in, just as if you were closing the door to your office.

4. **Process:** The process for using a video-conferencing software should, in time, come to feel natural (once you have worked out the kinks).
 - a. **Create an invitation** (email or calendar invite). Find out what the meeting ID and the conference ID are in your settings, then use that to create a user-friendly, warm invite that clearly tells participants where to click.
 - b. **Send that invitation to participants early and a reminder beforehand.** Remember, for many clients, this is a new process, so it is good to overshare information to reassure them and for convenience. As soon as the meeting is scheduled, send them the information link, then again about 15 minutes before your meeting.
 - c. **Starting Your Meeting:** Join the meeting 5-10 minutes before it is scheduled to begin to make any changes to your lighting, sound, etc. ALWAYS have a back-up option for sound. If the speakers sound strange on your or a participant's computer, know how to call in with your phone. Some mediators share a splash screen that looks like an inviting waiting room for participants to see when they log-in. While you are mediating, make sure that no one is recording (usually indicated by a flashing red light in the upper-left of the screen). Your settings should restrict this so that you are the only one allowed to record, but this is always wise to check.
 - d. **Create an Agenda; Share Your Screen:** While participants are talking, you will likely want to have the highlight be on people's faces. However, when you begin negotiating over data or text, make sure that you are prepared to share your screen. This means cleaning out any open apps, and likely having a blank "Agreement" Word document ready to go.

- e. **Breakout rooms manually:** If you need to caucus with participants, create breakout rooms using the manual option. If you use the automatic option, then Zoom will randomly assign people to a room. You could end up with husband and wife alone in a room, and the attorneys in the another!
- f. **Stop share:** Conclude the mediation by stopping share, so that you can have the final connection to honor the mediation experience and thank participants, just as you would shake a client's hand if you were in-person (and still allowed to shake hands).
- g. **Tell clients what to expect next:** This is likely a process that you are already using, but make sure clients know next steps and a timeline. Will you be drafting the final document? Will you send them both a copy to sign and scan back to you? Will you be sending them an invoice using Zelle or Paypal?

5. **Breathe.** If you are figuring things out online, it is also good to be authentic and honest as to any technical glitches. This is a time where everyone is going through something new, both alone and together, and your transparency and humility are reassuring for participants. Even the most experienced online mediators run into technical challenges. Be prepared for this and know that it will likely turn into a funny story someday.

Advanced Tutorial: Mediating with Zoom



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