



## Online Mediation Information and Guidelines

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Online mediation is based on the same principles as face to face mediation: confidentiality, voluntariness, self-determination and transparency (see also the Client Handbook). There are, however, some extra factors to be aware of when mediating online.

Online mediation is usually conducted by means of a secure, tailored online mediation system, Juripax™, accessed via <https://swmediation.juripax.com>, combined with single and joint skype sessions and, if necessary and feasible, face to face meetings. The Juripax platform is text-based and asynchronous, which means that parties, and the mediator will type their information, discussions etc. into the system. Parties can choose whether messages or other inputs are only seen by the mediator or by the other party too. To begin, clients will be asked to log in to the system, create their own user profile, and will then be asked to complete a number of initial tasks, including signing the Agreement to Mediate and filling out initial questionnaires.

The Agreement to Mediate is the document which regulates the process as between the parties and the Mediator. It should be printed out, signed, and returned to the Mediator, or digitally signed if available. The signing of the Agreement to Mediate will commence the mediation process.

Some points to be aware of in relation to Online Mediation:-

- The Mediator has an ongoing duty to ensure that the case is suitable for mediation. If she has any concerns, she will make these known to all parties straight away, and if they cannot be resolved she will be obliged to terminate the mediation process. Some circumstances which can preclude mediation include concerns for the safety of either party, or the children, lack of full disclosure of personal and financial circumstances, lack of willingness to engage with the process and undue influence.
- It is essential that all parties are comfortable using a computer, that they are happy typing, sending and receiving e-mails, working with word and PDF documents and using Skype or similar online communication software. It is absolutely essential that both parties have private, unrestricted access to a computer and a secure internet connection. Public WIFI connections and internet cafes do not have a sufficiently high level of security for online mediation.



- We would ask that when using the text based platform, all messages are replied to within 2 days, unless the mediator is notified in advance that this will not be possible. The reason for this is to ensure that the process continues to flow and long breaks in communication do not cause unnecessary anxiety for the parties.
- Confidentiality and privacy is essential in online mediation. Please ensure you take all reasonable steps to maintain the privacy of the process. These include managing children's access to your computer, only using the secure platform for communications, logging off after a session and so on.

In relation to skype / video conferencing sessions:

- Please ensure that your software is up and running in advance of the session, and be sure that you have upgraded to the most recent version.
- Please shut down all other applications on your desktop so you are not tempted to multi task and answer e mails etc. during the session.
- Please ensure that you have a telephone (preferably landline) on standby in case the internet connection goes down or the software stops working.
- Please be in position a few minutes before the scheduled session time so as to facilitate a punctual start.
- It is essential to ensure that you are alone in the room and no-one can overhear your conversation. If someone enters the room during a session, please notify the mediator and any other parties. Please also check that the environment is warm enough, comfortable and free from background noise that could disturb the session.
- The same rules of etiquette and procedure apply as in face to face communications – all discussions must remain respectful and free from threats and hostility.

**Very Important!** If at any stage of the process you have any concerns about using any aspect of online mediation, you are uncomfortable using this model, or you experience “technology fatigue” please tell the mediator and please ask questions at any time.



- When you have reached agreement, the mediator will send you both on a copy of your draft Agreement which, at this stage will not be legally binding until both parties have taken legal advice on its contents and all legal steps have been taken to give it legal effect. If you are living in different countries, your lawyers may need to co-operate in order to ensure that your agreement has legal effect in both/all the relevant countries.
- Fees for Online Mediation usually consist of a once off charge for the text based process via Juripax. Any skype sessions or face-to-face sessions are charged at an hourly rate. The once off charge is payable before the commencement of mediation, and the hourly charges are billed and payable as they arise. Fees are usually split equally between the parties unless you agree otherwise.
- For more information on any of the above, please contact Sabine at [sabine@swmediation.com](mailto:sabine@swmediation.com)