



NATALIE BAIRD MEDIATIONS **ONLINE MEDIATION INFORMATION**

Technology:

1. **Zoom Online Platform.** I am using the online secure platform provided by **Zoom.us** to conduct all online mediation sessions. In advance of the first online mediation session, please download and install the software and/or app from Zoom necessary to participate in the online mediation session. You will only need to download the free basic personal meeting plan software/app and open a personal account. Once you have downloaded Zoom, you may want to familiarize yourself with the operation of the Zoom platform so that the mediation goes smoothly. Zoom has tutorials available at <https://support.zoom.us>.

I will be able to caucus during the mediation by placing the parties with each respective attorney in separate virtual “breakout rooms”. Only the client and attorney (and mediator when in the room) will be able to hear and see each other while in the breakout rooms. The mediator will be able to go back and forth, joining the separate breakout rooms. If necessary, the mediator will be able to break out with the attorneys into a third virtual breakout room as well. Any other neutral (GAL, forensic expert, et al) will be able to join with the mediator.

2. **Document Execution.** If requested, we can use Docusign.com as a secure platform for the execution of documents required during the mediation process. You will need to create a free account with Docusign to utilize the service.
3. **Secure WiFi or Ethernet Connection.** All participants will need a strong and secure WiFi or Ethernet (hard-wired) connection for their computer or other device. Participants should NOT use a public access WiFi connection, such as those available in public spaces and businesses as they are not secure. In addition, a strong internet connection is vital to the proper function of the online video-conferencing. A poor connection will result in a frozen screen and/or audio issues that will significantly disrupt the process.

Confidentiality and Privacy:

4. **Privacy and Confidentiality.** **Only the mediation participants may be present during the mediation. Third parties shall be expressly excluded from the mediation unless agreed**

between the participants. Each participant will need a private space for use during the online mediation session.

I will remind everyone at the beginning of the mediation that only participants may be in the private space and to please confirm the participants cannot be overheard. Please make advance accommodations for children so that they are not in the private space and do not interrupt the mediation.

The provisions of Florida Statute 44.405 shall apply to online mediation, including but not limited to the following:

(1) Except as provided in this section, all mediation communications shall be confidential. A mediation participant shall not disclose a mediation communication to a person other than another mediation participant or a participant's counsel. A violation of this section may be remedied as provided by s. [44.406](#). If the mediation is court ordered, a violation of this section may also subject the mediation participant to sanctions by the court, including, but not limited to, costs, attorney's fees, and mediator's fees.

(2) A mediation party has a privilege to refuse to testify and to prevent any other person from testifying in a subsequent proceeding regarding mediation communications.

5. **Absolute Prohibition on Recording. No audio or video record of any mediation session or portion thereof may be made by any participant or anyone acting on behalf of a participant, including but not limited to screen shots. In the event any participant learns that an audio or video recording of any session has been made, the participants shall take immediate measures to destroy the recording. No participant will transmit a live or deferred video or audio relay of the online mediation sessions to third parties.**

Best Practices and Troubleshooting:

6. Interruption Free Zone. Please take all reasonable measures to ensure that we are not interrupted during the online mediation sessions as noted above. This includes arranging for appropriate childcare, notifying family, friends and work of your unavailability during the mediation and blocking out sufficient time to complete the mediation.
7. Technology Hiatus. Except for the computer or mobile device used to conduct the online mediation session, please remind your client to turn off or put on silent any phones, tablets or computers and disable any alert announcements and/or texts for the duration of the mediation.
8. Early Log On. I recommend that all participants 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 the mediation session can start on time.
9. Waiting Room. Each participant will enter a "virtual waiting room" upon logging in and will wait there until all parties have arrived. This virtual waiting room is silent – no one will be able to speak to or see the other participants until the mediator arrives. Once all parties are logged on and in the

waiting room, the mediation will begin. Parties will not be admitted to the mediation session until each participant's respective attorney has logged in to the mediation.

10. Technology Failure Protocol. Despite all of our best efforts, at times technology may not operate properly and a scheduled mediation may not commence on time or may be interrupted. If you run into a problem, please immediately call me at **813.440.9975** to discuss how to proceed. If your connection to the meeting is interrupted, please attempt to log on again. If you are unable to log back in, please call me at the number above.
11. Respectful Online Communication. Due to the nature of the online forum, it is especially important to allow each participant to finish their comment or statement before responding. If the participants speak over each other, the microphone may only pick up one speaker. In addition, the online format can amplify and exaggerate sound so maintaining a regular speaking voice is important. Finally, please remember that the camera does not always transmit hand gestures or non-verbal cues, so it is important to verbalize all communication during an online mediation session.
12. Payment Provisions. As always, please remember that all mediation payments are due and owing on the date/time immediately upon conclusion thereof and shall be processed electronically. I use Laypay for the processing of all credit card payments – just click the link. If you prefer to pay directly, payments can be made via Venmo to Natalie-Baird.