



VIRTUAL MEDIATION GUIDELINES

These guidelines are specific to the use of virtual means of mediation, including video/ phone conferencing by any and all mediators, clients, and observers/mediators in training (referred to collectively as the “Participants”). By participating in this process, I am agreeing to the following:

Confidentiality

- All Participants agree not to record any or all of the virtual mediation session.
- All Participants commit to having no one else in the mediation space or within listening distance. Examples include using a room with a closed door where other individuals agree not to interrupt.
- Furthermore, all participants will sign the mediation agreement which includes the following statement:
“I agree that all mediation communications will be confidential, unless otherwise agreed. Mediation communications are privileged, meaning they may not be disclosed in future legal proceedings under the Washington Uniform Mediation Act, RCW 7.07. The following information is not confidential or privileged and may be disclosed.
 - a. *Any written agreement (e.g. the agreement to mediate and settlement agreement);*
 - b. *Threats to inflict bodily injury or commit crimes of violence;*
 - c. *Plans to commit a crime or conceal ongoing criminal activity;*
 - d. *Claims of professional misconduct or malpractice occurring during the mediation;*
 - e. *Admissions/ allegations or abuse or neglect of a child, elderly adult, or disabled person;*
 - f. *Non-identifying disclosures for educational and/or research purposes.”*

Breaks or One-on-One Conversations

- If any Participant requests a break, clients will be placed in a virtual waiting room for a specific amount of time.
- If the mediators need to have a one-on-one conversation with each client, the mediators will meet with each client individually for a specified amount of time while the other client is placed in a virtual waiting room.

Mediation Space and Process

- Participants agree to limit as best as possible, external noise and distractions during mediation.

- Your voice is important. Background noise such as pets, children, traffic, and household appliances can be distracting. Utilizing the mute feature when not speaking will help limit background and feedback noise.
- Participants agree to keep the focus on the mediation during its duration. Consequently, Participants agree to refraining from viewing other sites or tending to other matters during the mediation. The use of email and other applications should be limited to the needs of the mediation process.
- Participants will not use the Decline function in the DocuSign envelope. If corrections are needed or if I have questions about the document, I will notify the DRC instead. Failure to do so, may result in additional charges.