ICODR Video Arbitration Guidelines

1. Accessible

Confirm individually with each party their willingness to use technology for the session. Ensure both you and each participant have an effective connection (e.g. audio clear, adequate lighting, good bandwidth). Use a videoconferencing platform that is free to parties, reliable, and easy to log into. Send reminders to parties with log in information a minimum of two days before and two hours before the scheduled start time.

2. Competent

Practice the software you are using before you utilize it with your parties and offer to try it out with the parties individually in advance of the session. Inform parties what technology will be employed prior to the session. Learn the additional ethical obligations that come along with arbitrating over video (see links below) as well as addressing the parties' ethical obligations for video arbitration in your ground rules.

3. Confidential

Let the parties know you will not record video or audio in your online arbitrations. Get a written commitment from the parties in advance that they will not record audio or video as well, nor take screen shots. If parties want to show a document or photo in the session have them share their screen and show it instead of emailing it to other participants. Once all parties have joined, lock the room so others cannot join in.

4. Fair/Impartial/Neutral

Begin the session with everyone's video and microphone on, as if they were in the room. If one party disconnects, suspend the session until they can re-join. If a party's audio cuts out or becomes distorted, notify them once the audio resumes and ask them to repeat what was said during the outage. Always have a back-up option for sound, for instance dialing in by phone. Join 10 minutes early to troubleshoot any problems.

5. Secure

Use a secure videoconferencing platform with end-to-end encryption. Do not use apps or software that require location information to be shared, or inform the parties that they have the ability to turn that off (and explain how to do so). Ensure the videoconference will not "time out" or close down after a certain duration. Have all videos on screen at the same time as opposed to only highlighting the speaker.