Arbitration and Mediation in the Time of Coronavirus - How ADR Providers are Conducting Arbitrations and Mediations During the Crisis

April 13, 2020
Ana Sambold, Moderator
Speakers

- **Jeffrey T. Zaino**, American Arbitration Association (AAA)-ICDR
- **Gina Miller**, JAMS
- **Olivier P. André**, International Institute for Conflict Prevention & Resolution (CPR)
• What are the institutions doing internally to address COVID-19?
Has the pandemic had a large impact on your caseload?
• Do you anticipate an increase in disputes post-pandemic?
• If so, in what areas?
What has been the feedback from parties (lawyers, insurance representatives) regarding online hearings?
• Pre-pandemic, to what extent was online/video technology being utilized?
• Do you feel comfortable with the online platforms that exist (e.g. Zoom, BlueJeans, WebEx, etc.)?

• Can your panel handle the virtual world?
What technical support do each of the providers provide for Zoom arbitration hearings with regard to:

1) screen-sharing exhibits

2) trouble-shooting participants' technical difficulties

3) transferring the proceeding to a different platform if there are insurmountable difficulties with Zoom

4) contacting a party or attorney who "fell off" the video hearing and getting her or him back on the hearing?

5) Other assistance provided?
• Do you see online virtual hearings becoming the norm post-pandemic?
• Are there specific areas of the law that are deemed better for virtual hearings?
The online platforms allow for recording, is that a good or bad thing?
What problems do you see with online/virtual hearings? How should the institutions and Tribunals handle this?
• The three institutions put on a lot of educational programs – what has been the impact?
ABA DR SECTION
RESOURCES

- https://www.americanbar.org/groups/dispute_resolution/resources/resources-for-mediating-online/
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CPR RESOURCES

1. ICCA-New York City Bar Association-CPR Protocol on Cybersecurity in International Arbitration: https://tinyurl.com/wvhn8m

2. CPR Data Security webpage: https://www.cpradr.org/dispute-resolution-services/data-security

AAA-ICDR RESOURCES

https://go.adr.org/covid19.html?_ga=2.90197850.1965375979.1586875008-89800966.1582576534
JAMS RESOURCES

https://www.law.com/tlerecor
der/2020/03/27/how-the-covid-
19-crisis-is-reshaping-
alternative-dispute-
resolution/How the COVID-19
Crisis Is Reshaping
Alternative Dispute Resolution
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April 16 at 10 am EST:

Progressing Arbitrations in the New Global Reality

• Michael Mcilwrath
• Mireze Philippe
• Prof. Mohamed S. Abdel Wahab