



Social Distancing & Isolation: A role for ADR

The current need for social distancing and isolation presents a real challenge to dispute resolution. At the same time, faced with the ongoing economic uncertainty, parties are likely to be keen to get their disputes resolved as soon as possible. Using technology to assist in alternative dispute resolution provides an answer for many disputes.

While it is always preferable to be in the same room as a mediator, video conferencing can provide a viable alternative. A mediator can use videoconferencing to speak to each party and his/her representatives even when they are in three different locations, and then quickly switch to speaking to another party and his/her representatives, and then conduct a plenary session if appropriate.

conducting procedural hearings by telephone, and there is no reason why it should not be possible to use video conferencing for substantive hearings. Witness examination provides a greater challenge, but not an insurmountable one.

Common reasonably priced technology will help us all find a way to resolve disputes.

Parties can also elect to arbitrate, not only in advance of a dispute arising but after the dispute has arisen. Some disputes are suitable for resolution on the basis of written submissions, but arbitrators are well used to



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