



LAKE SIDE
MEDIATION CENTER

The Future of Mediation is Virtual

Lakeside Mediation is proud that it was among the very first mediation firms to switch from in-person to virtual mediations for the safety of all parties and counsel. Since March 2020, Lakeside has handled in excess of a 1,000 virtual mediations, and the results of the virtual mediation experience have pleasantly surprised all of us.

Consider the following:

1. Settlement rates using virtual formats are the same, if not slightly higher than in-person mediation at Lakeside and around the nation.
2. Parties report that they are more relaxed in their home environment or counsel's office, feel more comfortable and engaged, and don't feel pressured by logistical time constraints.
3. Mediators nationally report that, contrary to initial concerns, they are fully able to engage parties, even in high emotion cases. Many mediators report that more relaxed participants are better able to objectively look at the dispute.
4. Logistically, virtual mediation eliminates the travel, cost, and hassle of requiring participants to be in the same place at the same time. This makes scheduling so much easier – usually in a matter of weeks instead of months. Participants are not stressed by flight schedules or arrive late due to traffic.
5. Virtual mediation solves a decades-old problem – the mediator's ability to visit with the ultimate decision-makers. In a virtual space, true decision makers can join from anywhere and engage face to face with the mediator.
6. Joint sessions in virtual mediation actually are more effective. With Zoom's screen sharing feature, displaying PowerPoints, photos, or documents is easy and does not require available technical equipment. Every study suggests that 82% of all humans learn visually, so the visual aspect of virtual mediation joint sessions makes them especially effective.
7. Like it or not, counsel in the majority of cases decline the joint session – which was the core reason for everyone gathering together.

These are but a few of the strategic and logistical benefits of virtual mediation, beyond the safety and health concerns. We think institutions and businesses, considering the cost savings and logistical benefits, will insist on virtual mediation long after COVID-19 is defeated. Lakeside's opinion, predicated on extensive use and analysis of virtual mediation, is that virtual mediation for the reasons enumerated above is the more effective format for mediation beyond logistics and costs.

After July 4th, Lakeside will consider in-person mediations managed according to CDC guidelines in those rare cases in which there is a compelling strategic reason for an in-person session. Otherwise, Lakeside Mediation expects the majority of its work to be in a virtual format that has proven to be highly effective, much less stressful, more cost efficient, logistically superior, and safe for all of the participants. Lakeside Mediation, with its two decades of mediation experience and acclaim, will strive to be a national leader in virtual mediation and will continue to find ways of resolving cases in a virtual space even more effectively.

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