



FRIDAY FORUM SERIES

LET'S TALK...

USING TELECOMMUNICATIONS & OTHER MEANS OF CONDUCTING PROCEEDINGS

DATE: FRIDAY, JUNE 19, 2009
TIME: 1:00 – 2:30 PM, EDT
FACILITATORS: David Brunke (TX) & Jan Smith (FL)
CALL-IN NUMBER: Will be Emailed to registrants on June 17th
REGISTRATION DEADLINE: JUNE 16, 2009
REGISTRATION REQUIREMENTS:

1. Must be a 2009, dues paid, IALLA Member or Subscriber
 - a) To join, go to www.ialla.net click on “How to Join” and follow the instructions!
2. Go to www.ialla.net/forums.htm and complete the registration form
3. The conference call-in number will be emailed to confirmed registrants on June 17th.

This forum is intended to be participatory, so bring your ideas, issues, opinions and comments, and prepare to share!

DISCUSSION TOPIC:

I. In today's budget-cutting economy, can telecommunications technology be used to conduct mediation conferences and arbitration hearings that are both cost-effective and resolution-effective?

A. What are some of the alternatives to in-person hearings that are currently being utilized by state programs, private programs (non-government or manufacturer) and manufacturer-sponsored programs?

1. Share your experiences – what have you used, what's worked and what hasn't
 - a. Telephone conference call
 - b. Webinar
 - c. Webcast or video conference
 - d. Other methods
2. Who participates? Witnesses? Both parties? Only the Manufacturer? Why?
 - a. Is participation via telecommunications technology optional or required?
3. What types of procedures use this technology?

- a. Pre-mediation or pre-arbitration negotiation/facilitation only
- b. Complete mediation conferences
- c. Pre and/or Post-arbitration motion hearings or conferences only
- d. Complete arbitration hearings
- e. Some other combination of telecommunication and in-person procedure

B. Mediator/Arbitrator/Decisionmaker/Program Administrator issues with telephone or similar types of participation by parties, attorneys/representatives, witnesses

1. Administration of oaths
2. Maintaining decorum and control
3. Assessing credibility – judging demeanor
4. Document dissemination, identification & review
5. Vehicle inspections/test drives
6. Recording issues
7. Technical issues (bad reception; dropped calls; using the mute button; cell phones)
8. Public access & Notice issues

C. The Cost of Calling It In – Who Pays?

1. Toll-free numbers vs. Participant-pay
2. Program costs
3. Consumer costs – if paying to call in, would this be a reimburseable charge if consumer prevails?
4. Other costs to the parties – (remote witnesses, attorneys, notaries, etc.)

D. Open Forum – Other issues on this topic not yet discussed...

(Remember, we're on the telephone, so "open" doesn't mean everyone talk at once!!)

