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### DWIGHT GOLANN ON A YEAR OF ZOOM MEDIATIONS

John Lande

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## DWIGHT GOLANN ON A YEAR OF ZOOM MEDIATIONS

MAY 11, 2021 | JOHN LANDE | 3 COMMENTS

Dwight Golann just wrote a nice article about mediators' experiences mediating on Zoom: "*I Sometimes Catch Myself Looking Angry or Tired ...*" *The Impact of Mediating by Zoom*, published in CPR's *Alternatives to the High Cost of Litigation*.

Dwight solicited mediators' reactions on the International Academy of Mediators listserv as well as in two focus groups. He got responses from leading mediators in the US, Canada, and Britain who had collectively conducted more than 2000 Zoom mediations.

Here are some highlights, though it's worth reading the full article, which is pretty short.

People often feel as connected and friendly as in person and sometimes even more so on Zoom.

I was particularly intrigued to read that parties often were more active than in person, perhaps related to the fact that everyone has an equal box on the Zoom checkerboard.

People often improved their behavior, increasing self-awareness after seeing themselves on the video – and not always liking what they saw.

Parties love the convenience as well as the saving of time and expense. Mediators have long complained about the absence of key decision-makers in in-person mediations, and Zoom enables them to participate more easily.

Considering complaints about "Zoom fatigue," it may be surprising that many people find Zoom mediations less tiring, perhaps because it's easier to participate from home.

The settlement rates were similar to those for in-person mediations before the crisis, and sometimes were higher.

Dwight concluded, "Mediating by Zoom is a much more positive experience than they expected and will be a large part of the field in the future." This illustrates how parts of what I

called the “[crisis new normal](#)” may become part of the “[normal new normal](#)” after people feel safe to meet in person.

Although the article doesn’t discuss which video platforms the mediators use, the fact that it referred only to Zoom suggests that it is very popular and perhaps the default.

Finally, I want to note that Dwight’s study is an [excellent example of the value of qualitative research](#). Although it isn’t a large, randomized survey, it is empirical research that provides valuable insights. Doing this kind of research requires some skill – actually much like being a good mediator. But people can do this well with some thought and advice from knowledgeable colleagues. This kind of qualitative research can lay the groundwork for well-focused quantitative research.

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### 3 THOUGHTS ON “DWIGHT GOLANN ON A YEAR OF ZOOM MEDIATIONS”

★ **John Lande**

MAY 18, 2021 AT 5:12 AM

In a post on the Kluwer Mediation Blog, mediator James Claxton reported the [results of a survey about Zoom mediation](#). He received almost 500 responses, primarily from mediators whose practices are focused in the Americas, Europe, and Central Asia.

“About 83% of mediators describe their experiences online as either positive (43%) or highly positive (41%). About 13% describe their experience as neutral. By contrast, 5% describe their online experience as negative.”

The post provides too many findings to summarize here. Take a look.

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★ **John Lande**

MAY 16, 2021 AT 12:15 PM

This [Washington Post article](#) describes a general effect of communicating by Zoom. It suggests that people interrupt each other less on Zoom than in person. Some people resent being interrupted, perceiving it as loss of control in a conversation. The article quotes someone describing how Zoom makes room for “people that aren’t always the best at getting their voices in there.” Sociolinguist Deborah Tannen described this dy-

namic in classes. “Sometimes the quieter students who have more trouble getting the floor in class discussions actually are finding it more comfortable to speak.” This seems to parallel the observation in Dwight’s article that parties have participated more on Zoom than in person mediations.

On the other hand, the Washington Post article suggests that interrupting can provide social benefits. It refers to Prof. Tannen’s concept of “cooperatively overlapping” which is “talking along to show enthusiasm, as a way of encouraging the other person to keep speaking rather than cutting them off.”

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**Russ Bleemer**

MAY 12, 2021 AT 12:51 PM

Thanks for the post, John, and for the kind (overstated) words.

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