

**[NAME OF INSTITUTION]  
[INSTITUTIONAL RULES]**

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In the Matter of the Arbitration between	:	
[Case No.[NUMBER]]	:	
[PARTY NAME(S)],	:	
Claimant(s),	:	
	:	
and	:	
	:	
[PARTY NAME(S)],	:	
Respondent(s)	:	

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**PROCEDURAL ORDER # [NUMBER]**

This Procedural Order No. [NUMBER] sets out [agreed] terms for holding the merits hearing by video conference.

1. [As agreed by the Parties and] [[In]/[in] accordance with Article[s] [NUMBER(S)] of the [NAME OF INSTITUTION] Rules], the merits hearing shall be conducted via [NAME OF PLATFORM] video conference (the Platform).

2. The [NAME OF HOST] is designated as host of the hearing. Prior to the hearing, the [PARTIES/NAME OF INSTITUTION] will coordinate with the Tribunal to enable (or disable) specific settings to comply with this Order. During the hearing, the Tribunal will manage hearing participants and exercise control over settings [ and the [PARTIES/NAME OF INSTITUTION] will take steps to assist the Tribunal].

3. [The parties will retain [NAME OF VENDOR] to operate, support, and work to resolve problems that arise concerning the Platform.]

4. Counsel, arbitrators, the parties, [and] witnesses [and stenographers/interpreters/other third parties]] shall all have a device (laptop or tablet) and have access to high speed broadband access during the hearing. The speed needs to be sufficient to support the reasonable functioning of the [NAME OF PLATFORM ] platform being used for this hearing. In addition, each participant must use the latest version of operational software and have a second method of connecting to the video conference (such as telephone, and the telephone number must be communicated to the Tribunal and the participants in advance of hearing,) in case the primary means of connection fails, in order to notify the hearing of any connectivity failure. In such a case, the Tribunal [may/ will] postpone the proceedings until the connectivity issue is resolved [or continue the proceedings by telephone conference only]. It is the duty of all participants to alert the Tribunal if a participant becomes aware of any connectivity issues of any other participant.

5. On [DATE AND TIME], the arbitrators and all counsel will conduct a test session of the Platform. The test session will include a mock direct and cross-examination of a witness, including the display of exhibits and such other mock procedures as may be necessary to recreate what is anticipated at the hearing. During the test session, parties shall set up the equipment exactly as it will be at the hearing, including lighting and camera angle. All participants to the hearing should be prepared to use the camera to show a 360° view of the room in which they are situated. [[The interpreter (s)] [stenographer] shall participate in the test session.]

6. [All participants to the hearing shall view any on-line training materials offered by the Platform in advance of the hearing and notify the Tribunal that they have done so at least [NUMBER] [hours/days] before the hearing takes place.]

7. The merits hearing/s is/are deemed to have taken place at the seat of arbitration, [SEAT OF ARBITRATION].

8. Counsel for the parties must log on to the Platform at least [NUMBER] minutes in advance of the scheduled start time of each hearing. The hearing shall not begin until the Tribunal is satisfied that all necessary counsel and parties and other participants are adequately connected to the Platform.

9. [The Tribunal may participate from a single location. No other participants may be at the same location used by any member of the Tribunal.]

10. Prior to the scheduled start time, participants will be placed in a virtual waiting room where they will remain until the Tribunal is ready to start the hearing, at which time the Tribunal will admit the participants to the virtual hearing room.

11. At the beginning of the hearing each participant shall identify him/herself and any other persons present at that participant's physical location. Each participant has an ongoing obligation to alert the Tribunal and other parties if an additional person enters the participant's physical location. Participants may not use a virtual background and the remote room in which they are located must be visible.

12. No participant may record any part of the proceeding without the advance, written authorization of the Tribunal. The Tribunal may record any part of the hearing if it alerts the counsel in advance.

13. The Parties are instructed to jointly consider methodologies to protect sensitive, confidential and private data that may be exchanged in the arbitration and/or submitted to the Tribunal. Such methodologies should take into account the parties' need for information sharing in the arbitration and whether such information must be provided to the Tribunal or exchanged among the parties in light of the sensitivity of the information and its relevance to the proceedings. The parties shall redact from information provided to the Tribunal any sensitive personal identifiers such as Social Security numbers (or other national identification numbers), dates of birth or financial account numbers, but may submit partially masked versions of such data if such masking is generally accepted for public use of such data (last four digits of credit card or Social Security numbers). The parties shall not submit to the Tribunal unredacted documents containing personal identifying numbers, individual health information or

financial information unless there is a demonstrated need for the Tribunal to have such information due to the matters at issue at the arbitration.

14. [Witness statements will serve as direct testimony in the arbitration, subject to a limited introduction not to exceed [LENGTH OF TIME]. During this time, counsel may ask the witness to highlight certain facts in the statement but may not elicit new evidence.]

15. Witnesses testifying at the hearings [will/will not] be sworn in. [If sworn testimony is to be taken by witnesses, the parties shall advise the Tribunal whether they are permitted to administer oaths to witnesses under the law applicable to the arbitration proceedings or, if not what procedures are to be followed.]

16. [The parties shall agree upon and submit in electronic format a jointly prepared consolidated and comprehensive set of joint exhibits by no later than [NUMBER] days prior to the hearing. All exhibits shall be deemed admitted and authentic unless an objection is stated to a specific exhibit with reasons by [DATE]. No new exhibits shall be admitted at the hearing.]

17. [Each hearing day will begin at [TIME], [TIME ZONE] time, and conclude at [TIME], [TIME ZONE] time. Usual business attire should be worn by the parties.]

18. All and any costs incurred by any of the participants to this order in relation any services provided for the purposes of this video conference hearing, whether provided by the parties themselves, or any third party provider, shall be borne by the parties [equally/ in such proportion as the Tribunal may determine].

19. The Tribunal may modify this Order in its discretion to protect the fairness and integrity of the hearing.

20. This Order shall continue in effect unless and until amended by subsequent order of the Tribunal.

Dated: [DATE]

[CITY], [STATE]

\_\_\_\_\_  
[NAME], Arbitrator

\_\_\_\_\_  
[NAME], Chair

\_\_\_\_\_  
[NAME], Arbitrator

**OR**

\_\_\_\_\_  
[NAME], Sole Arbitrator