

SPACES BY MODRON

In a time of social isolation, moving between spaces electronically can be useful for mediation.



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Which practitioners would find this technology useful?
Litigators, courts, arbitrators, mediators and those wishing to use a sophisticated and secure videoconferencing service.

How does it work?

To begin with, SPACES requires the creation of a profile and login with a password. While not as immediately functional as a videoconferencing system such as Zoom, which can be accessed through just a hyperlink and a single click, SPACES requirement for users to create profiles and use passwords as part of the onboarding process makes the overall system more robust and secure. Users know that the parties they are engaging with are actually those parties, not merely someone who has been forwarded a link.

Once in the videoconferencing system, SPACES provides the sort of functionality that has become more familiar during social isolation: multiple callers visible at once, different types of views, messaging to the group and individuals, recording of calls etc. However, unlike some videoconferencing systems, the SPACES platform is optimised to use the available bandwidth and will automatically downgrade to just an audio feed should the bandwidth not be able to support a video call.

It is then the further functionality and ability for the parties to interact other than just via a video call that takes SPACES beyond a standard videoconferencing tool. The operator (generally the mediator) will create the specific case and the various parties and their roles will be added. Documents can be uploaded, meaning the entire mediation brief can be served through SPACES rather than via email or hard copy folders. Within the case, separate “rooms” can then be created: for example a room for just the plaintiff parties and a room for the defendant parties or a room for just the legal representatives. The mediator can jump between those rooms but no one from one of the other parties can enter those specified rooms accidentally.

Additional functions allow the mediator to create lists of issues for resolution or an agenda or a form (such as a quick survey of the parties regarding relevant issues). Parties can upload an agreement (such as the mediation agreement terms) or schedule a specific event. The mediator can even create and issue their invoice through the system.

Benefits

The key benefit of the SPACES system is that mediation can occur electronically and regardless of the location of the parties. In a time of social isolation, this may be very practical. However, it is the ability for parties, especially the mediator, to move easily from one space to another that is one of the key benefits of SPACES when contrasted with a standard videoconferencing system.

A further benefit is that the system can be “white labelled”, thereby allowing the mediator or whoever is making the platform available to treat the system as part of their offering by adding their own branding. SPACES has higher levels of security than the standard videoconferencing system and this can be increased, if requested, through the use of a multi-factor authentication process at the point of log-in. Although SPACES is designed for a dispute resolution process, there is no reason it couldn’t also be used in other contexts including online training, more highly confidential videoconferences or for tele-conferences where shared access to documents, forms or lists of issues are required.

Risks

As with all cloud systems, data sovereignty issues need to be considered. Modron uses Amazon Web Services and Heroku to host its data and customers can specify to Modron that data must not be held offshore, in which case only local data centres will be used. Practitioners need to be mindful of the need to procure consent before recording any calls and that cyber and legal risks come with capturing confidential and privileged information and data in a digital form.

Costs

SPACES is priced as a monthly subscription service of \$299 a month. This allows for unlimited cases and clients with a 50GB storage limit. Transactions that proceed through the SPACES system via the invoicing process (which uses the Stripe platform) attract a fee of 3 per cent on the transactions.

Downsides

As contrasted with an in-person mediation, not being able to “see the whites of their eyes” might be viewed by some practitioners as a lesser form of mediation and negotiation. Some cases may be too complicated or involve too many parties for the SPACES to be an appropriate platform for management. Whether an online process that may take place over a more sustained period of time provides the same level of “captive” pressure on the parties to reach a settlement on the day is something practitioners may need to consider. ■

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SNAPSHOT

What is SPACES?

A videoconferencing and online dispute resolution platform

What type of technology?

Cloud platform and mobile app

Vendor

Modron Pty Ltd

Country of origin

Australia

Similar tech products

Immediation, Zoom, MS Teams, Webex or other videoconferencing software

Non-tech alternatives

In person mediation

More information

www.modron.com