



Practitioner guide to electronic Alternative Dispute Resolution (ADR)

This guide is for ADR events conducted in the Family Court of Australia and the Federal Circuit Court of Australia.

The term ‘electronic ADR’ is used throughout this guide to refer to Court ADR events conducted via electronic means, either using Microsoft Teams. The same rules and obligations apply in an electronic ADR event as an ADR event conducted in-person, including in relation to confidentiality.

The Family Court and Federal Circuit Court are conducting electronic ADR events using Microsoft Teams (videoconferencing and/or teleconferencing).

Microsoft Teams allows participants to join the ADR event using video or audio from a desktop, laptop, tablet or smartphone.

The decision as to how an ADR event is conducted is a matter for each Registrar. In considering the suitability of videoconferencing or teleconferencing, the Registrar may consider issues such as the nature of the case, the technological facilities available to parties and their lawyers, their ability to effectively participate in the ADR event, and how best to uphold the interests of justice.

Practitioners and self-represented litigants will receive correspondence from the Court in relation to the technology that will be used to facilitate their ADR event

Practitioners and litigants are expected to be proactive and inform the Court promptly if they foresee any difficulty with participating in an electronic ADR, and to propose jointly agreed solutions where possible.

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Please note: similar guides may be developed for other platforms on which the Courts will conduct electronic ADR.

MICROSOFT TEAMS

Before the ADR event

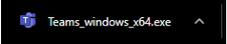
System and equipment requirements

- Microsoft Teams can be used on a variety of devices. For the ADR event, we recommend using:
 - ✓ A Windows PC laptop or desktop computer;
 - ✓ An Apple Macbook Pro, Air or iMac **with the Microsoft Teams app or Google Chrome installed**; or
 - ✓ An Apple or Android smartphone or tablet device **with the Microsoft Teams app installed**.
- To ensure the best audio and video quality, we recommend you have the following equipment:
 - ✓ an external microphone (which may be built into your headphones or headset);
 - ✓ a webcam (internal to your device or external); and
 - ✓ a headset or external speakers.
- Microsoft Teams can be accessed using the Microsoft Teams program for desktop or a web browser.
 - Preferred: [Download Microsoft Teams for desktop](#). There is **no cost** associated with downloading Microsoft Teams. You **do not** have to sign up to a 6 month plan.
 - If you are using a browser, the preferred browser is **Google Chrome**. Please [download](#) Google Chrome *for free* prior to your ADR event.

Downloading Microsoft Teams

The desktop app can be downloaded for free from the Microsoft website [here](#).

To download the desktop app:

- Visit <https://products.office.com/en-au/microsoft-teams/download-app>;
- Click on the purple download button; 
- A download will begin. Once completed, click on the file to begin installation; 
- Once installation is complete, press Continue to check that Microsoft Teams will open. If it opens, no further action is required until the day of the ADR event.
- On the next screen (which will read "You're not on Teams yet, but you can set it up for your organization"), participants do not need to sign up for a Teams account – it is sufficient to have the desktop app downloaded onto the computer;*

Establishing the ADR event

- ADR events run on Microsoft Teams are set-up using email addresses.
- Upon request from the Court, solicitors and self-represented parties are to provide their direct email addresses to the Court so that the ADR invitations can be sent out to all parties.
- You will receive two [Join Microsoft Teams Meeting](#) links representing a **joint room** and a **private room**.



To assist the Court, please ensure that a current Notice of Address for Service, including an email address, is on the court file. The form can be downloaded from the FCoA website or the FCC website, and uploaded to the Commonwealth Courts Portal. This email address will be used by the Court in the first instance to communicate regarding the ADR event. However, a direct email address will then be needed to forward the ADR event invitation.

Preparation and testing

Participants should download the Microsoft Teams desktop app well in advance of the ADR event, and ensure they are familiar with the microphone, webcam and speakers on their device, and that any external hardware is installed and working properly.



Once you have received a link to a Microsoft Teams ADR event from the Court, the link may be accessed at any time prior to the ADR event to check that the correct microphone, webcam and speakers are being recognised by Microsoft Teams, to make a test call and to see what your video will look like.

Depending on the case, the Court may schedule a test between the parties prior to the ADR event. This is of benefit to all parties, and the Court expects that practitioners and litigants will make themselves available to participate to reduce any delay on the day of the ADR event.

On the day of the ADR event



Prior to any ADR event, practitioners should agree with their clients on a method of confidential communication and how they will obtain any urgent instructions during the ADR event.

Joining the ADR event

If joining a Microsoft Teams ADR event from a desktop computer or laptop, it is recommended that participants download the Microsoft Teams desktop app prior to the day of the ADR event.

1. Participants will be sent **two** meeting invitations containing 'Join Microsoft Teams Meeting' links, one for the 'joint room' and the other for a 'private room'. Participants must be able to join both meetings.

Participants can join a Microsoft Teams ADR event from a desktop, laptop, tablet or smartphone via the purple 'Join Microsoft Teams Meeting' link included in the two invitations .



The Microsoft Teams webpage and web version work better in the Google Chrome web browser. All links should be copied and pasted into Chrome, rather than Internet Explorer, Mozilla Firefox or Safari.

Join Microsoft Teams Meeting

+61 2 9161 XXXX Australia, Sydney (Toll)

Conference ID: 333 245 XXX#

[Local numbers](#) | [Reset PIN](#) | [Learn more about Teams](#) | [Meeting options](#)

Join with a video conferencing device

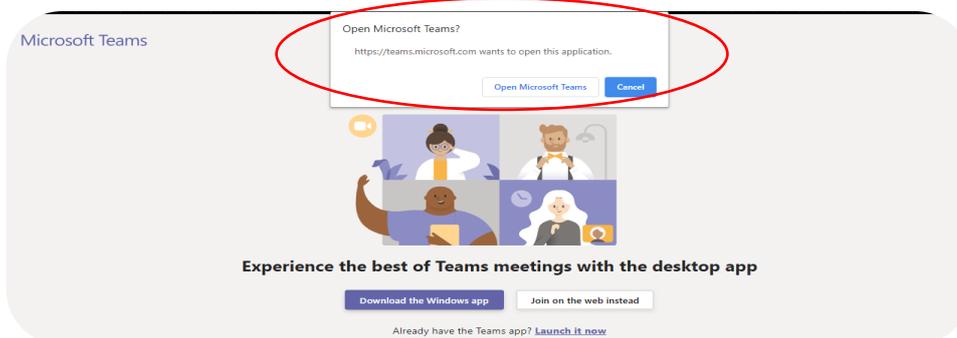
86201XXXX@t.plcm.vc VTC Conference ID: 132223XXXX

[Alternate VTC dialing instructions](#)

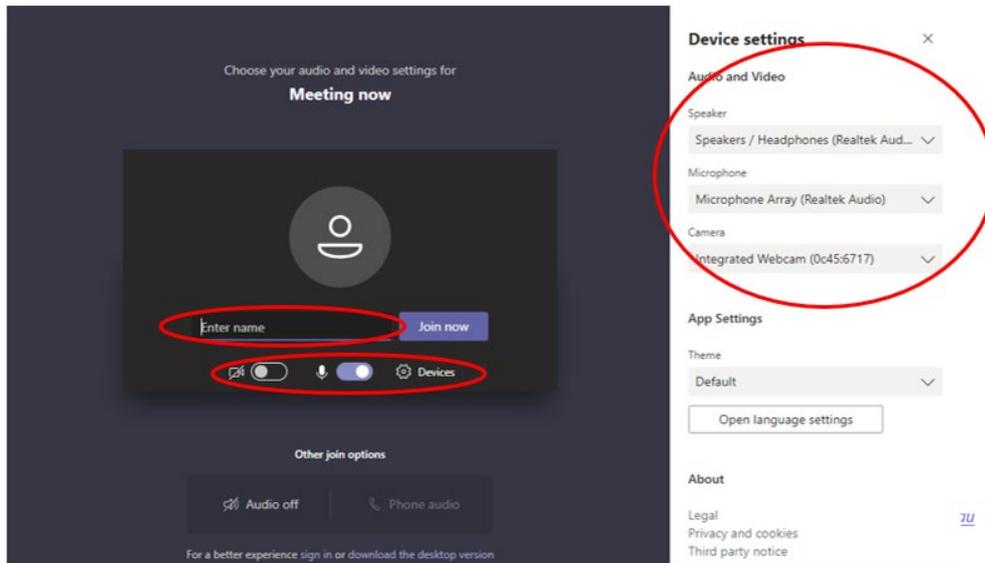


On a desktop computer or laptop, Microsoft Teams can be used in a web browser version, or by downloading the free desktop app. For a better user experience, download the desktop app. See below for details.

2. On the day of the ADR event, at least 15 minutes before the listing time, click on the 'Join Microsoft Teams Meeting' link. It will open in the web browser, but a dialogue box will pop up that says 'Open Microsoft Teams?' or 'Launch Microsoft Teams now'. Click open or launch so that the meeting opens in the app.

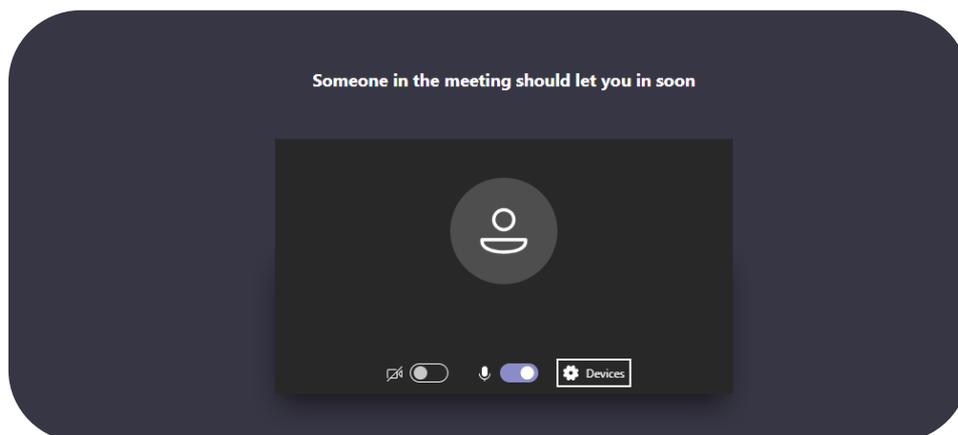


3. The Microsoft Teams app should launch the meeting and show the following screen:



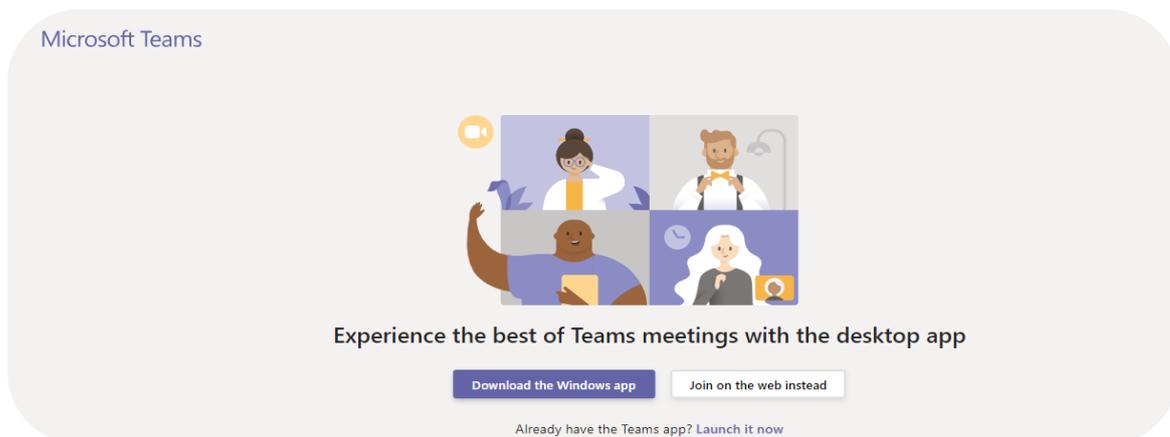
4. When this screen launches:
 - a. Fill in the 'Enter name' field with name and party description, such as 'Mr Surname (AppSoli)' or 'Ms Surname (RespCounsel)' if the participant is a legal practitioner, or 'Ms Surname' / 'Mr Surname' if the participant is a party.
 - b. Use the sliders next to the camera icon and microphone icon to turn camera or microphone on and off.
 - c. Clicking on the 'Devices' cog will open the Device Settings menu, which allows the user to select the correct microphone, speakers and webcam that they are using, and to make a test call.
 - d. When ready to join the ADR event, click on 'Join Now'.

5. All participants will be placed in a virtual lobby. The below screen will be displayed. The Registrar running the ADR event can see when participants are waiting in the lobby, and will accept each participant into the rooms when ready to do so. Please wait patiently, do not exit the lobby if you are not immediately admitted. If you have joined the meeting early, or the Registrar is delayed, the lobby may time out. If this occurs, please re-join the meeting.



If you do **not** have the Microsoft Teams desktop app installed

If a participant clicks on 'Join Microsoft Teams Meeting' from an email or calendar invite and does not have the desktop app installed, the below webpage will open. Select 'Join on the web' instead and follow steps 4-5 as above.

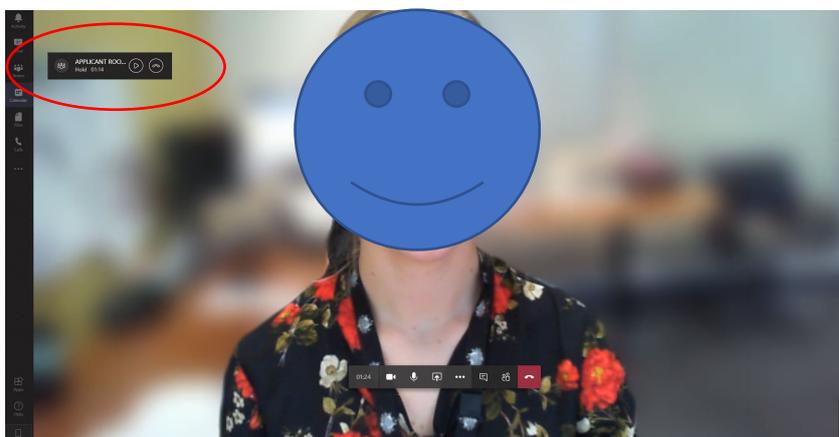


Participants to the ADR event must ensure they join **both** rooms they have been invited to prior to the ADR event commencing, or if only able to join one room at a time, ensure you have easy access to both Join links. Unless advised otherwise, the ADR event will commence in the joint room.

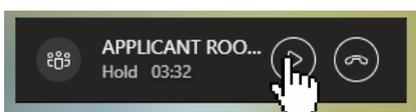
Switching between the joint and private rooms

During the ADR event, you may wish to have a private conversation with the Registrar and/or your representative or client. To do this, you will need to go into your **private room**.

At the start of the ADR event, you joined two calls. While you are in the joint room, the private room is on hold.

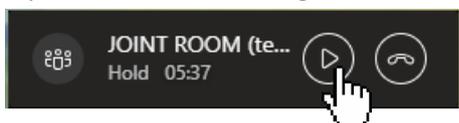


To navigate into the **private room**, click the  button



You are now in the **private room**. While you are in the **private room**, only participants invited into that room can hear you (eg: **party, representative, counsel, Registrar**).

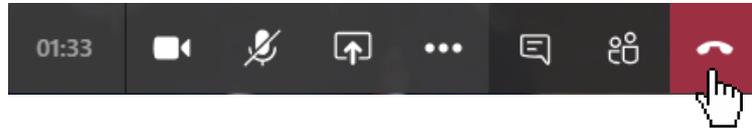
If you would like to navigate back to the **joint room**, click on the  button.



Troubleshooting

“When I try and have two calls running concurrently, it hangs up a call”

To work around this you will need to **leave the joint room** by hanging up, and enter the **private room** by clicking on the [Join Microsoft Teams Meeting](#) link that you received from the Court or your solicitor so there is only one call running at once.

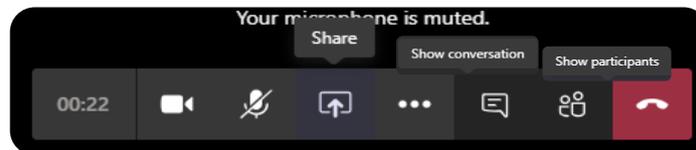


To **re-enter the joint room**, hang up the **private room** meeting and click the [Join Microsoft Teams Meeting](#) link for the private room.

Tip: Keep all emails or calendar invitations open on during your ADR even so you can easily navigate between rooms.

Controls during the ADR event

During a Microsoft Teams ADR event, moving the mouse brings up a ribbon of meeting options across the screen. Participants can take the following actions:



- Click on the **camera icon** to turn the video on and off;
- Click on the **microphone icon** to turn the microphone on and off (mute and unmute);
- Click on the **share icon** to share a document on the screen for all participants to see – this option may only be available if the Registrar gives permission for participants to share;
- Click on the **ellipsis (...)** for more options, including to check device settings, blur background, turn off incoming video;
- Click on the **show conversation icon** to see the chat window on the right hand side of the screen;
- Click on the **show participants icon** to see a list of all the participants in the ADR event;
- Click on the **red phone icon** to end the meeting when the ADR event is finished.
- In the desktop app, participants can right click on up to four participants' videos to **pin** them to the screen so that they are always visible.
- If using the web browser version, by default, Microsoft Teams will display the video of the person speaking. One participant's video can be pinned by either:
 - clicking on 'show participants' to bring up the people menu, clicking on the ellipsis next to the participant you want to pin, and selecting 'Pin'; or
 - right click on the circled initials of the participant you want to pin.
 - if you have Participant A pinned, to pin Participant B, you must first 'unpin' Participant A.

Pin



Please note, on different devices, these options may appear in a different location. For example, on an iPad, the show conversation/chat function, and the show participants/people function  are in the top right hand corner.



If a participant is experiencing poor video quality during the ADR event, or cannot maintain a connection through the desktop app or web version, they can join via the teleconferencing option. The details are included in every meeting invite.

If practitioners or parties do not have a strong internet connection, or do not have access to the technology to appear by video, please communicate with the Court prior to the ADR event about participating by telephone.

TECHNOLOGY TIPS



To avoid echo and increase audio quality, use a headset, or headphones that have a microphone (such as most headphones that come with smartphones). Ensure you select the headphones in the settings for 'Devices' as the microphone and speaker. If you have the volume turned up and audio coming through the speakers of your device, it may be picked up by your microphone and echo. If other participants are complaining of echo and you cannot hear any echo, it is likely that you are the cause.



If parties are participating from their home, as far as is possible, ensure that they are out of earshot of any children present in the household to which the proceedings relate.



Ensure you are located in a quiet, distraction free location with good lighting and minimal background noise. Use an appropriate camera angle and background to your video.



Participants should have their microphone muted to limit the interference of background noise.



Ensure devices are fully charged before the ADR event, and have the charger handy nearby. Videoconferencing can drain the battery of devices quickly.

SAFETY IN ELECTRONIC ADR EVENTS

Parties should be mindful of their personal safety when participating in electronic ADR events, including by considering the following:

- If joining the ADR event using video, consider turning on background blur, or sitting in front of a neutral background such as a blank wall, blind or door;
- If there are safety concerns about appearing with video turned on, the Judge may permit litigants to participate in the ADR event using only audio;
- If possible, set aside time to participate in the ADR event distraction free and without children present;
- Maintain social distancing at remote locations;

Visit <https://www.cyber.gov.au/publications/web-conferencing-security> for tips on video-conferencing security;