

EVALUATION OF THE DISTANCE MEDIATION PROJECT:

Report on Phase II of the Technology-Assisted
Family Mediation Project

Volume II: Appendices

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APPENDIX A
Evaluation Framework Tables

**DISTANCE MEDIATION PROJECT:
PHASE II**

EVALUATION FRAMEWORK

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p><i>Program Goal: To explore the feasibility of providing British Columbians in remote, non-urban areas with access to competent, qualified family mediators through the use of information and communication technologies (ICTs).</i></p>			
<p><i>Objective 1.</i> <i>To use a variety of ICTs to facilitate access to quality family mediation services for British Columbians, with a particular focus on providing these services to families residing in remote, non-urban areas.</i></p>			
<p>1.1. Do families residing in remote, non-urban areas of the province access the Project's services?</p>	<ul style="list-style-type: none"> • one or both parties in each Project mediation case reside in a remote, non-urban location in the province • the volume of inquiries and the rate of uptake over the pilot period demonstrates that parties from rural B.C. wish to, and have accessed, the Project's services 	<ul style="list-style-type: none"> • content analysis, case acceptance criteria for Project • # of parties identified as located in a remote, non-urban location, as recorded on inquiry/intake form and case tracking spreadsheet • # of cases initiated during pilot period, as recorded on inquiry/intake form and case tracking spreadsheet • if known, the reasons why people who otherwise qualify for the Project choose not to participate in the Project, or did not conclude mediation 	<ul style="list-style-type: none"> • "non-urban" locations are defined, for the purposes of the pilot project, as communities with not more than 10,000 people • the rate of uptake may be affected by a variety of factors, some of which it may not be feasible to examine in the context of the evaluation; these factors may include: the ability to advertise Project services in rural communities, the degree of familiarity with mediation generally in these communities, the degree to which the demographic profile in the community fits that of users of traditional family mediation services (e.g., whether the population is similar to one which normally uses family mediation services — see considerations under 1.2), etc.

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p>1.2. What is the demographic profile of the Project's clientele, and does this profile generally match the profile of B.C.'s non-urban residents?</p>	<ul style="list-style-type: none"> the demographic profile of the Project's clientele and that of B.C.'s non-urban residents are roughly similar to one another 	<ul style="list-style-type: none"> demographic statistics on rural B.C. demographic statistics on Project clients, as solicited by Project mediators and recorded on the Case Notes form and as accessed through a written survey 	<ul style="list-style-type: none"> the demographic profile of both Project clients and the rural B.C. population should focus on factors associated with the "digital divide" in using ICTs (see data requirements/ sources and considerations under 1.3) the demographic profiles should also address the extent to which they match users of traditional family mediation services; unfortunately, there is little in the literature that provides us with a picture of what the typical user of traditional family mediation services looks like; although some limited information may be drawn from a longitudinal study and outcomes study recently undertaken by the Family Justice Services Division, data that reflects on most of the digital divide factors with which this evaluation is concerned were not gathered in the context of these studies

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
1.3. What barriers — commonly referred to as “digital divide” issues — might prevent parties in remote, non-urban areas from accessing technology-assisted mediation services?	<ul style="list-style-type: none"> an analysis of demographic data on rural B.C. reveals that digital divide factors are either not likely to prevent parties in rural B.C. from accessing technology-assisted mediation services, or that these factors can be mitigated 	<ul style="list-style-type: none"> demographic statistics on “digital divide” factors in rural B.C., such as: <ul style="list-style-type: none"> - cultural background - broadband availability - age - disability - income - geography, and - education 	<ul style="list-style-type: none"> demographic data on some of these factors may not be readily available from Statistics Canada or B.C. Stats resources for the Project may not allow for an in-depth analysis of digital divide factors
1.4. Are the parties generally satisfied with their experience with ICTs in mediation, and do they believe that their use has been helpful as an aid in dispute resolution?	<ul style="list-style-type: none"> a majority of distance mediation parties express satisfaction with their experience with ICTs in mediation, and report that ICTs are an aid to dispute resolution 	<ul style="list-style-type: none"> written survey of Project clients 	<ul style="list-style-type: none"> clients will be surveyed at the conclusion of their allotted mediation time (6 hours) or at the close of their case, whichever comes first it may be difficult for parties to comment on the extent to which ICTs aid dispute resolution unless they have experience with mediation by more traditional means clients will be asked about different parts of the mediation process by technology-assisted means, including: screening, pre-mediation meetings, mediation sessions, and document formulation/preparation
1.5. Are Project mediators generally satisfied with their experience with ICTs in mediation, and do they believe that their use has been helpful as an aid to dispute resolution?	<ul style="list-style-type: none"> a majority of Project mediators express satisfaction with their experience with ICTs in mediation, and report that ICTs are an aid to dispute resolution 	<ul style="list-style-type: none"> interviews with Project mediators content analysis of case notes/case tracking spreadsheet 	<ul style="list-style-type: none"> mediators will be interviewed at the conclusion of the observation period for the Project

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
1.6. Is the Project design consistent with, and does it support: the Mediator Roster Society and Law Foundation mandates regarding access; and the <i>Notice to Mediate (Family) Regulation</i> regarding the use of alternate communication mediums?	<ul style="list-style-type: none"> the project design is found to be consistent with, and to support, the relevant mandates and applicable regulations 	<ul style="list-style-type: none"> content analysis of Project documentation, including: Agreement to Mediate, checklists, Distance Mediation Guidelines, and other practice aids developed for use during and after the pilot period 	<ul style="list-style-type: none"> the commitment to a design that supports the Mediator Roster Society mandate, the Law Foundation mandate, and the <i>Notice to Mediate (Family) Regulation</i> is referenced in the Project Map
1.7. What is the feasibility of delivering technology-assisted family mediation services on a large scale in remote, non-urban areas of B.C.?	<ul style="list-style-type: none"> an analysis of issues relevant to the delivery of distance mediation services suggests that it is feasible to deliver these services in remote, non-urban areas of B.C. 	<ul style="list-style-type: none"> interviews with stakeholders and subject matter experts interview with Project Coordinator administrative notes (notes retained by Project Coordinator for administration purposes) 	<ul style="list-style-type: none"> “issues relevant to the delivery of distance mediation” might include costs (for equipment, software, training, etc.), digital divide factors, and the interest/support of government and the ADR community see, also, considerations under 2.5

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p>Objective 2. <i>To increase knowledge about using ICTs in a competent, safe and appropriate manner to deliver family mediation services.</i></p>			
<p>2.1. Do the policy/procedural tools developed for the Project support and promote competent, safe and appropriate methods in respect of technology-assisted family mediation?</p>	<ul style="list-style-type: none"> • <i>before and during the pilot period</i>, the practice guidelines and other documentation (some of which Project mediators participate in developing) require familiarity with and application of competent, safe and appropriate methods in technology-assisted family mediation • <i>after the pilot period</i>, the practice guidelines and other documentation developed over the course of the Project provide clear direction on the competent, safe, and appropriate use of ICTs in family mediation 	<ul style="list-style-type: none"> • interview with Project Coordinator • content analysis of selection criteria for Project mediators • content analysis of Project reference materials • content analysis of Project documentation, including: Agreement to Mediate, checklists, Distance Mediation Guidelines, and other practice aids developed for use during and after the pilot period 	<ul style="list-style-type: none"> • the distinction between tools developed before/during and after the pilot period may be somewhat artificial, as the Project is exploring an area where little practice direction has been documented; some specifications, however — such as competency in family mediation as a selection criterion for Project mediators — have been part of the Project design
<p>2.2. Do the policy/procedural tools developed for the Project address screening for violence and assessing mediation capacity when ICTs are used in family mediation?</p>	<ul style="list-style-type: none"> • the practice guidelines and other documentation developed over the course of the Project provide clear direction on screening for violence and assessing mediation capacity when ICTs are used in family mediation 	<ul style="list-style-type: none"> • content analysis of Project documentation, including: Agreement to Mediate, checklists, Distance Mediation Guidelines, and other practice aids developed for use during and after the pilot period 	

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
2.3. Do the policy/procedural tools developed for the Project address screening/ assessing for the suitability of ICT use in family mediation?	<ul style="list-style-type: none"> the practice guidelines and other documentation developed over the course of the Project provide clear direction on screening/assessing whether ICT use is suitable in a family mediation case 	<ul style="list-style-type: none"> content analysis of Project documentation, including: Agreement to Mediate, checklists, Distance Mediation Guidelines, and other practice aids developed for use during and after the pilot period 	
2.4. Of the ICTs utilized by the Project, which appear to be best suited for distance mediation purposes, and which are better suited to different parts of the distance mediation process?	<ul style="list-style-type: none"> a variety of ICTs are identified as best suited to providing services to parties living in remote, non-urban areas of the province 	<ul style="list-style-type: none"> interview with Project Coordinator interviews with Project mediators written survey of Project clients content analysis of case notes, case tracking spreadsheet, and distance mediation guidelines 	<ul style="list-style-type: none"> compatibility with the B.C. Mediator Roster Society's objective of nurturing locally-based family mediation services was identified as an issue for study in the Phase I report; while not specifically pondered here, observations in connection with this evaluation question may reflect on the ability of a mediator residing in a remote, non-urban location to serve the local population directly, and expand their client base using ICTs
2.5. Are there particular types of family cases that lend themselves more to the application of technology-assisted mediation methods than others?	<ul style="list-style-type: none"> a variety of case types are documented in which ICT use is particularly appropriate 	<ul style="list-style-type: none"> interview with Project Coordinator interviews with Project mediators 	<ul style="list-style-type: none"> the literature is divided, for example, on whether cases involving a high level of conflict are better or less well managed with the help of ICTs

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p>2.6. What are observed to be the advantages and disadvantages of the ICTs used in mediation during the pilot period?</p>	<ul style="list-style-type: none"> the advantages and disadvantages of the ICTs used in distance mediation are identified 	<ul style="list-style-type: none"> interview with Project Coordinator interviews with Project mediators written survey of Project clients content analysis of case notes, case tracking spreadsheet, and distance mediation guidelines 	<ul style="list-style-type: none"> although some considerable work was done on the advantages and disadvantages of ICTs in mediation in the Phase 1 report, the particular emphasis of this evaluation question will be on the observations mediators make of the ICTs used in this pilot project discussion of the advantages and disadvantages will also include an assessment of the cost-effectiveness and user-friendliness of ICTs (as referenced in the project map) — for both mediators and parties — and some reflections about how they factor into the feasibility of large-scale implementation (e.g. would clients be prepared to pay for this service in the future, and do they believe the costs would be off-set by the corresponding savings in travel?); see also considerations under 1.7

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p>2.7. How does ICT use compare with existing dispute resolution approaches (e.g. shuttle mediation) when distance is a factor?</p>	<ul style="list-style-type: none"> a variety of circumstances are documented in which ICT use compares favourably to existing approaches when distance is a factor 	<ul style="list-style-type: none"> interview with Project Coordinator interviews with Project mediators written survey of Project clients content analysis of case notes and distance mediation guidelines 	<ul style="list-style-type: none"> mediators report, for example, that traditional shuttle mediation often presents a number of challenges: the mediator must paraphrase the communication from the other party, there is extra time in note taking and going back-and-forth between the parties, there is lack of immediacy in responses between the parties, there is a lack of accountability as both parties are not present when issues are communicated, etc.; are these problems circumvented with the help of ICTs? this question addresses some of the "4th party" factors discussed in the literature; that is, that technology acts as another presence at the table which both adds a dimension that must be factored into the mediation proceedings and adds value to the mediation process in the survey of clients, those who have prior experience with traditional mediation methods will be asked to reflect on how the technology-assisted mediation methods compares with that experience <p><i>Continued</i></p>

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
			<ul style="list-style-type: none"> if possible, and depending on the extent to which data may be available, this question might also explore how settlement rates compare between technology-assisted and traditional family mediation methods when distance is a factor
<p>2.8. Can some of the broader benefits of mediation be realized when ICTs are utilized in the mediation process?</p>	<ul style="list-style-type: none"> mediators believe that some of the broader benefits of mediation are achieved when a technology-assisted process is used distance mediation parties indicate that some of the broader benefits of mediation are achieved when a technology-assisted process is used 	<ul style="list-style-type: none"> interviews with Project mediators written survey of Project clients 	<ul style="list-style-type: none"> the “broader benefits of mediation” might include factors such as: facilitating communication, building common ground, and developing conflict resolution skills
<p>2.9. What additional skills or training should mediators acquire to employ competent, safe and appropriate methods in technology-assisted family mediation?</p>	<ul style="list-style-type: none"> the Project Coordinator and mediators can point to specific skills or training that mediators should acquire to employ competent, safe and appropriate methods in technology-assisted family mediation 	<ul style="list-style-type: none"> interview with Project Coordinator interviews with Project mediators 	

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
2.10. Do Project mediators believe that their own knowledge of ICT use in mediation has increased as a result of their participation in the Project?	<ul style="list-style-type: none"> Project mediators can point to specific ways in which their own knowledge has increased as a result of their participation in the Project 	<ul style="list-style-type: none"> interviews with Project mediators 	<ul style="list-style-type: none"> in the lead up to the Project, a great deal of effort was put into preparing for the start date, including: a training workshop, weekly conference calls, software trials, and the preparation of mediation checklists; this question refers, then, not only to knowledge gathered by putting skills into practice during actual mediation sessions, but also to that gathered prior to the project's start date by becoming familiar with concepts and technologies
2.11. What are the primary lessons learned in respect of competent, safe and appropriate ICT use in family mediation?	<ul style="list-style-type: none"> after the pilot period, the practice guidelines and other documentation developed over the course of the Project provide insights on the competent, safe, and appropriate use of ICTs in family mediation 	<ul style="list-style-type: none"> interview with Project Coordinator interviews with Project mediators content analysis of Project documentation, including: Agreement to Mediate, checklists, Distance Mediation Guidelines, and other practice aids developed over the course of the pilot period 	<ul style="list-style-type: none"> primary lessons learned may take the form of rules of thumb, or a list of "must do's and don'ts", e.g. "Always have a back up plan".

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
2.12. Are competent, safe, and appropriate methods in respect of technology-assisted family mediation utilized over the course of the Project?	<ul style="list-style-type: none"> the Project Coordinator, mediators, and parties can point to specific ways in which the methods used in respect of technology-assisted family mediation are competent, safe, and appropriate 	<ul style="list-style-type: none"> interview with Project Coordinator interviews with Project mediators written survey of Project clients 	<ul style="list-style-type: none"> the Project Coordinator and mediators will be interviewed at the conclusion of the observation period for the Project clients will be surveyed at the conclusion of their allotted mediation time (6 hours) or at the close of their case, whichever comes first

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p>Objective 3. <i>To work collaboratively with stakeholders in the family justice system to develop knowledge about using ICTs to deliver family mediation services.</i></p>			
<p>3.1. What methods are used to promote collaboration with stakeholders in the family justice system in developing knowledge about ICT use in family mediation?</p>	<ul style="list-style-type: none"> • a description of the methods used to promote collaboration with stakeholders over the course of the Project discloses methods that are conducive to collaboration 	<ul style="list-style-type: none"> • interview with Project Coordinator 	
<p>3.2. Is the Project designed to explore the delivery of family mediation services using ICTs that may be of interest and potential utility to other stakeholders in the family justice system?</p>	<ul style="list-style-type: none"> • the Project Coordinator and project documentation specifically addresses ways in which efforts were taken to explore technologies that may be of interest to various stakeholders in the family justice system 	<ul style="list-style-type: none"> • interview with Project Coordinator • content analysis of Project documentation, including: Project Map and administrative file notes 	<ul style="list-style-type: none"> • the Project Map indicates the intention to explore the delivery of family mediation services using ICTs which may be of interest and potential utility to other stakeholders in the family justice system

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p>3.3. Do stakeholders in the family justice system direct clientele to the Project during the pilot period?</p>	<ul style="list-style-type: none"> cases are referred to the Project by justice-system colleagues outside the the Mediator Roster Society 	<ul style="list-style-type: none"> referral sources for Project cases, as recorded on inquiry/intake sheet and in the written survey of Project clients 	<ul style="list-style-type: none"> one of the larger sources of referral to the Mediator Roster Society — the Family Justice Services Division — is already partnering with the Mediator Roster Society in this Project through the involvement of two of their own Family Justice Counsellors and will have a separate referral mechanism for the Project cases drawn from within the Family Justice Services Division will be counted separately, but will nevertheless be counted as referrals from “outside the Mediator Roster Society” — and therefore as an indication of collaboration between family justice system stakeholders
<p>3.4. Are steps taken to encourage communication amongst the stakeholders in the family justice system, as it relates to the delivery of family mediation services using ICTs?</p>	<ul style="list-style-type: none"> the Project Coordinator and team members can point to specific steps taken to encourage communication amongst the stakeholders in the family justice system, as it relates to the delivery of family mediation services using ICTs 	<ul style="list-style-type: none"> interview with Project Coordinator interviews with Project mediators interviews with selected stakeholders in the family justice system 	<ul style="list-style-type: none"> stakeholders might include: relevant government offices (Family Justice Services Division, Dispute Resolution Office), other ADR organizations (such as Family Mediation Canada which has announced the Project in one of their newsletters), the Legal Services Society, and the private bar; as the Project is both small and time limited, information sharing — on a formal basis — is expected to occur with only a small selection of stakeholders

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p>Objective 4. <i>To explore the extent to which the use of ICTs might reduce reliance on fossil fuels when delivering and accessing family mediation services.</i></p>			
<p>4.1. Are remote, non-urban areas of the province served without the necessity of travel?</p>	<ul style="list-style-type: none"> the Project's clients are provided with family mediation services without the necessity of travelling outside their home communities 	<ul style="list-style-type: none"> written survey of Project clients mileage/travel notes, as recorded on mediator travel claims and case notes 	<ul style="list-style-type: none"> some travel within a client's community — perhaps to a local office to access ICT equipment — may occur, and would not be considered contrary to the Project's objectives
<p>4.2. What are the distances between the participants who choose to participate in technology-assisted mediation during the project period?</p>	<ul style="list-style-type: none"> the distances between parties, and/or between parties and their Project mediator, would be prohibitive without ICT use 	<ul style="list-style-type: none"> distance between parties (and/or counsel and other participants), as calculated from locations recorded on the case notes/case tracking spreadsheet distance from the parties (and/or counsel and other participants) to their Project mediator, as calculated from locations recorded on the case notes/case tracking spreadsheet 	

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p>4.3. What distances might the participants have travelled for family mediation services if ICTs had not been utilized?</p>	<ul style="list-style-type: none"> the distances from the parties to the nearest family mediator, would be prohibitive without ICT use 	<ul style="list-style-type: none"> distance from the parties (and/or counsel and other participants) to the nearest qualified family mediator who can address the issues presented in the case, as calculated from distances recorded on the case notes/case tracking spreadsheet 	<ul style="list-style-type: none"> it is recognized that a Project mediator may be located further away than the closest alternative mediation service; a more accurate picture of transportation and fuel emission savings is, therefore, provided by reporting the distance to the nearest available service as a fully comprehensive list of competent family mediators is not available, “the nearest qualified family mediator” will be determined by calculating the distance to the nearest mediator according to 3 primary sources: B.C. Mediator Roster Society, Family Justice Services Division, and certified mediators with Family Mediation Canada; note that Family Justice Counsellors with the Family Justice Services Division and some mediators certified with Family Mediation Canada are limited in the range of family matters for which they can provide mediation services

EVALUATION QUESTIONS	MEASURABLE INDICATORS OF SUCCESS	DATA REQUIREMENTS/ SOURCES	CONSIDERATIONS
<p>4.4. What is the savings in fuel associated with the distances not travelled, and how might these savings be expressed in terms of carbon emissions avoided?</p>	<ul style="list-style-type: none"> • fuel savings are reported in connection with distances not travelled, for each mediation and for all the mediations conducted during the pilot period • carbon emissions are avoided in connection with distances not travelled, for each mediation and for all the mediations conducted during the pilot period 	<ul style="list-style-type: none"> • calculation of fuel that might otherwise have been used, per case • calculation of carbon emissions associated with the fuel that might otherwise have been used, per case 	<ul style="list-style-type: none"> • calculation of fuel that might otherwise have been used will be based on assumptions about the distance the parties might otherwise have travelled, (see 4.3), and by assumptions about the most likely means of travel that might have been used (automobile, airplane, boat) if the parties (and/or counsel and other participants) had to travel to the nearest qualified family mediator who can address the issues presented in the case • calculations of fuel savings and carbon emissions will also be based on a standardized, well accepted method for calculating carbon emissions (as currently applied by the B.C. Ministry of Labour and Citizen Services)

APPENDIX B

Client Survey and Case Notes Forms

The Distance Mediation Project

~ Client Survey ~

A. About You

In this section, we ask you for some basic information that will help us better understand the clients of the *Distance Mediation Project*.

1. Is this the first time you have participated in a mediation?

Yes No Don't Know

2. How did you first hear about the *Distance Mediation Project*?

The B.C. Mediator Roster Society office A Family Justice Centre
 The B.C. Mediator Roster Society website A Government Agent's Office
 Other (*Please specify*) _____

3. Where might you have gone for help to resolve the issues you brought for mediation if the *Distance Mediation Project* had not been available?

Other service available through a local Family Justice Centre Out-of-town family lawyer
 Other service available through an out-of-town Family Justice Centre Local Family Court
 Local family lawyer Out-of-town Family Court
 Other (*Please specify*) _____ Would not have got help
 Don't Know

4. By what means would you normally travel to get to the largest community centre near you?

Private vehicle Bus Train Boat Aircraft

B. About Your Mediation

In this section, we ask you about your impressions of your mediation with the *Distance Mediation Project*.

1. At the time you are completing this survey questionnaire, have all the mediation sessions been finished in your case?

Yes
 No, but another mediation session has already been scheduled
 No, but another mediation session has not yet been scheduled
 Don't know

2. Did you feel that you were fully able to express your thoughts, feelings, and concerns during your mediation? (*Please comment on the next page*)

Yes No Somewhat Don't know

~ Client Survey ~

Please comment: _____

3. Has the mediation process helped to improve the way you communicate with the other person(s) with whom you were in mediation?

Yes No Somewhat Don't know

Please comment: _____

4. How satisfied are you with the outcome or end result of your mediation? *(Use a rating scale from 1 to 5, in which 1 is very unsatisfied and 5 is very satisfied)*

☹ 1 2 3 4 ☺ 5 Don't Know
 Not applicable (no outcome, as my mediation has not yet been completed)

5. How satisfied are you with the mediation *process* you experienced (apart from your impression of the mediation *outcome*)? *(Use a rating scale from 1 to 5, in which 1 is very unsatisfied and 5 is very satisfied)*

☹ 1 2 3 4 ☺ 5 Don't Know

6. If you have participated in a mediation before, how favourably did your mediation with the *Distance Mediation Project* compare with the other mediation(s) in which you participated? *(Use a rating scale from 1 to 5, in which 1 is very unfavourable and 5 is very favourable)*

☹ 1 2 3 4 ☺ 5 Don't Know
 Not applicable (I have not previously participated in a mediation)

C. About Technology and Your Mediation

In this section, we ask you about the information and communication technologies you used during the mediation process.

1. To which of the following information/communication technologies did you have access for the mediation? This could include access at home, at work, with friends, or at a local agency or service. *(Select all that apply)*

<input type="checkbox"/> Dedicated (or landline) telephone	<input type="checkbox"/> Computer
<input type="checkbox"/> Cell phone	<input type="checkbox"/> Web cam
<input type="checkbox"/> Telephone conferencing equipment	<input type="checkbox"/> Other <i>(please specify)</i> _____
<input type="checkbox"/> Dedicated video conferencing equipment	_____

~ Client Survey ~

2. Which of the following information/communication technologies did you use in discussions and/or mediation sessions with your mediator? *(Select all that apply)*

- | | |
|---|--|
| <input type="checkbox"/> Dedicated (or landline) telephone | <input type="checkbox"/> Computer |
| <input type="checkbox"/> Cell phone | <input type="checkbox"/> Web cam |
| <input type="checkbox"/> Telephone conferencing equipment | <input type="checkbox"/> Other <i>(please specify)</i> _____ |
| <input type="checkbox"/> Dedicated video conferencing equipment | _____ |

3. Did you experience any difficulties in your discussions and/or mediation sessions because of these technologies?

- Yes No Don't know Not applicable

If yes, please describe these difficulties: _____

4. Did using the technology(ies) you identified in question 2, above, influence how effectively the mediator was able to manage any safety concerns you may have had?

- Yes, it increased his/her effectiveness
 Yes, it decreased his/her effectiveness
 No, it did not influence his/her effectiveness
 Don't know
 Not applicable (I did not have any safety concerns)

Please comment: _____

5. Did using the technology(ies) you identified in question 2, above, influence how effectively the mediator was able to manage the discussion between people during your mediation sessions?

- Yes, it increased his/her effectiveness
 Yes, it decreased his/her effectiveness
 No, it did not influence his/her effectiveness
 Don't know

Please comment: _____

D. Your General Impressions

In this section, we ask you about your impressions of mediation generally, and about the *distance mediation* process specifically.

1. Overall, how favourable is your impression of the mediation process you experienced — apart from the information/communication technologies you used? *(Use a rating scale from 1 to 5, in which 1 is very unfavourable and 5 is very favourable)*

- ☹ 1 2 3 4 ☺ 5 Don't Know

~ Client Survey ~

2. Overall, how would you rate your satisfaction with the information/communication technologies you used — apart from your feelings about the mediation process itself, or the outcome of your mediation? *(Use a rating scale from 1 to 5, in which 1 is very unsatisfactory and 5 is very satisfactory)*

- ☹️ 1 2 3 4 😊 5 Don't Know

3. If another issue arose, would you choose a “distance mediation process” (a mediation using information/communication technologies) for help in resolving it?

- Yes
 No, I would choose an in-person mediation process
 No, I would not choose mediation of any kind
 Don't Know

4. Would you recommend that others choose a “distance mediation process” (a mediation using information/communication technologies) for help in resolving an issue?

- Yes
 No, I would recommend an in-person mediation process
 No, I would not recommend mediation of any kind
 Don't Know

5. The *Distance Mediation Project* offered mediation services without charge. If you answered “yes” in question 4, would you recommend that others choose a distance mediation process even if they had to pay for these services?

- Yes No Don't know
 Not applicable (answered “no” or “don't know” to question 4)

6. Do you have any other remarks or observations to make about the distance mediation process in which you took part? *(Please comment, and continue on the back if space is insufficient)* _____

Thank you for taking the time to participate in this survey!

*Please return your completed survey in the enclosed envelope to:
C.A. Walker & Associates, 1649 Brousson Dr., Victoria, B.C., V8N 5N2*

The Distance Mediation Project

~ Case Notes ~

A. Administrative Information

1. Project case number: _____
2. Name of mediator: _____
3. Date of case assignment/file opening (dd/mm/yy): _____
4. Case closing date at conclusion of project-allotted time period: _____
(dd/mm/yy)

B. Party Details — Demographic and Digital Divide Factors

Number of parties: _____		
<p>1. Party 1</p> <p>Gender: male ___ female ___</p> <p>Birth date: _____ (dd/mm/yy)</p> <p>Location: _____</p> <p>1st language: _____</p> <p>1st Nations: yes ___ no ___</p> <p>Disability: yes ___ no ___</p> <p>Highest level of education completed:</p> <p>___ < grade 12</p> <p>___ high school (gr. 12)</p> <p>___ college/tech. inst.</p> <p>___ under graduate post secondary</p> <p>___ graduate post secondary</p> <p>Approx. annual net income:</p> <p>___ under \$50,000</p> <p>___ \$50,000 to \$100,000</p> <p>___ over \$100,000</p>	<p>2. Party 2</p> <p>Gender: male ___ female ___</p> <p>Birth date: _____ (dd/mm/yy)</p> <p>Location: _____</p> <p>1st language: _____</p> <p>1st Nations: yes ___ no ___</p> <p>Disability: yes ___ no ___</p> <p>Highest level of education completed:</p> <p>___ < grade 12</p> <p>___ high school (gr. 12)</p> <p>___ college/tech. inst.</p> <p>___ under graduate post secondary</p> <p>___ graduate post secondary</p> <p>Approx. annual net income:</p> <p>___ under \$50,000</p> <p>___ \$50,000 to \$100,000</p> <p>___ over \$100,000</p>	<p>3. Party 3</p> <p>Gender: male ___ female ___</p> <p>Birth date: _____ (dd/mm/yy)</p> <p>Location: _____</p> <p>1st language: _____</p> <p>1st Nations: yes ___ no ___</p> <p>Disability: yes ___ no ___</p> <p>Highest level of education completed:</p> <p>___ < grade 12</p> <p>___ high school (gr. 12)</p> <p>___ college/tech. inst.</p> <p>___ under graduate post secondary</p> <p>___ graduate post secondary</p> <p>Approx. annual net income:</p> <p>___ under \$50,000</p> <p>___ \$50,000 to \$100,000</p> <p>___ over \$100,000</p>

* If more than 3 parties, please provide details below or on overleaf

~ Case Notes ~

C. Issues In Dispute (check all that apply)

<input type="checkbox"/>	reorganization of the family
<input type="checkbox"/>	Parenting
<input type="checkbox"/>	custody/guardianship
<input type="checkbox"/>	Access
<input type="checkbox"/>	child support
<input type="checkbox"/>	spousal support
<input type="checkbox"/>	property matters under \$25,000 (please describe): _____
<input type="checkbox"/>	property matters over \$25,000 (please describe): _____
<input type="checkbox"/>	other issue (please specify): _____

D. Description of Technologies Utilized in this Case (please list/describe)

1. Technologies used at initial contact:
2. Technologies used during pre-mediation:
3. Technologies used during mediation:
4. Technologies used during post-mediation:

E. Observations Related to Technology Use in this Case (please specify)

1. Advantages of technology use:

~ *Case Notes* ~

2. Disadvantages of technology use:

3. Practice Notes (ideas or principles that have broad general application) relating to technology use as drawn from this case:

F. Observations at Close of Case

1. Outcome at conclusion of project-allotted time period:

- agreement – some issues; mediation continuing outside of project
- agreement – some issues; mediation concluded
- agreement – all issues; mediation concluded
- no agreement – all issues; mediation continuing outside of project
- no agreement – all issues; mediation concluded
- no agreement – mediation ended/discontinued before conclusion
- other (please specify) _____

2. If the mediation concluded past the project-allotted time period, did you continue to employ technology-assisted methods?

- Yes
- No

~ Case Notes ~

If no, what were the reasons you decided not to continue employing these methods?

3. At the conclusion of this mediation, approximately how long did you spend on this case — whether inside or outside the project-allotted time period? (include any administrative time spent, as well as time spent in meetings and mediation sessions with the parties):

approximately _____ hours

4. In your experience as a mediator, was that time more, less, or about the same amount of time you would have spent had you conducted this mediation with everyone together, physically, in your office/mediation room?

- more time, by approximately _____ hours
 less time, by approximately _____ hours
 about the same amount of time

5. Did you undertake any travel in this case?

- yes, vehicle travel of _____ kms
 yes, air travel of _____ kms
 No

6. Other notes or observations you may have:

*Once completed, please return this form to: Susanna Jani at distanceproject@shaw.ca
and Colleen Getz at cgetz@telus.net*

APPENDIX C

**Distance and Emission
Avoidance Calculations**

Distance and Carbon Emission Calculations

To determine the offset or possible savings that might be attributed to the Distance Mediation Project — in both distance traveled and associated carbon emissions avoided — it was necessary to make some assumptions about what typical distance mediation would have been like *without* the assistance of information or communication technology (ICT). In fact, no two mediation cases are alike, particularly when trying to determine the likely travel patterns people might follow when miles or geography make it hard for them to get together. Certain assumptions, nevertheless, had to be made and conditions applied in order to come up with a reasonable estimate of the distances and emissions avoided.

The results reported in the chart on the next page are based on the following assumptions and conditions:

1. If two parties in a Project case were not located in the same community, a community closest to the mid-point along a regularly traveled road, water, or air way between them was identified. The location of a qualified family mediator nearest to that mid-point was then determined.¹
2. The nearest qualified family mediator was determined from 3 sources: the B.C. Mediator Roster Society, Family Mediation Canada (comprehensive family mediators), and the Family Justice Services Division of the B.C. Ministry of Attorney General.
3. If the Project case was initiated through the Family Justice Services Division, Roster Society and Family Mediation Canada mediators were excluded from the determination of the nearest qualified family mediator.
4. If one of the issues in the case involved a financial matter over \$25,000, Family Justice Services Division mediators were excluded from the determination of the nearest qualified family mediator.
5. The most likely vehicle for travel was determined considering cost, time, and ease of access to a particular mode of transportation. Automobile distances were determined using *Google Maps* at <http://maps.google.ca/maps?client=firefox-a&rls=org.mozilla:en-US:official&hl=en&tab=wl>. Flight distances between two airports were determined using *Web Flyer* at <http://webflyer.com/>.
6. For calculation ease, in the three cases in which it would be likely for air travel to be used, the fuel calculations were determined assuming 3.5 litres per 100-passenger km.²

¹ None of the clients in the Project chose a mediator that was also the nearest qualified family mediator. At the same time, clients did seem to prefer Project mediators who were located as near to them as possible, as many chose mediators either in the same or a neighbouring region.

² Fuel use in air travel is highly variable, depending on factors such as the age, type, and size of aircraft and the numbers of passengers. In any case, as a broad estimate, modern aircraft are thought to use

7. Greenhouse gas (GHG) emissions (which, in the case of vehicle travel involves carbon dioxide) were calculated using the carbon calculator on the B.C. government's website *LiveSmart B.C.* at <http://www.livesmartbc.ca/calc/>³
8. For illustration purposes, the calculations are based on a scenario in which the parties travel to the location of the mediator for mediation sessions. Pre-mediation meetings (often conducted by telephone in long-distance situations) are not included in the calculations.
9. The kilometers traveled for each session are calculated assuming two-way or round trip travel.
10. As the numbers of sessions vary, distance and emissions-calculations were undertaken for both 1 and 3 mediation sessions to show the range of possible kilometers and emissions avoided.
11. The chart on page 4 shows the actual distances between the parties by road or air, and the distances they might have traveled had they had in-person mediation sessions with their mediator in the Distance Mediation Project.

approximately 3.5 litres per 100 passenger-kilometre. Figures for aircraft smaller or larger than 100 passengers were not readily available.

³ Although this calculator is intended for personal rather than scientific or statistical use, it was chosen as provincial data is used in the factors underlying its application. The figures are, therefore, only offered for illustration purposes.

**Distance and Unused Fuel Calculations
To Nearest Qualified Family Mediator**

Case Number	Most Likely Vehicle used for Travel	Distance			Unused Fuel	
		Kms to Nearest Qualified Family Mediator (2 parties, 1-way)	Kms Avoided if 1 Mediation Session (2 parties, return)	Kms Avoided if 3 Mediation Sessions (2 parties, return)	Litres of Fuel Unused if 1 Mediation Session	Litres of Fuel Unused if 3 Mediation Sessions
001	Automobile	432	864	2592	95.04	285.11
002	Automobile	923	1846	5538	203.06	609.18
003	Automobile	782	1564	4692	172.04	516.11
004	Automobile	472	944	2832	103.84	311.51
005	Automobile	586	1172	3516	128.92	386.76
006	Automobile	1424	2848	8544	313.28	939.84
007	Automobile	1437	2874	8622	316.14	948.42
008	Automobile	353	706	2118	77.66	232.98
009	Air	1636	3272	9816	114.52	343.56
011	Automobile	1751	3502	10506	385.22	1155.67
014	Automobile	604	1208	3624	132.88	398.64
016	Automobile	692	1384	4152	152.24	456.71
017	Automobile/Air	1455	2910	8730	236.55	709.65
018	Automobile	594	1188	3564	130.68	392.04
019	Automobile	98	196	588	21.56	64.69
020	Automobile	646	1292	3876	142.12	426.36
021	Automobile	89	178	534	19.58	58.73
022	Automobile	656	1312	3936	144.32	432.96
023	Automobile	533	1066	3198	117.26	351.78
024	Automobile/Air	3867	7734	23202	316.74	950.22
025	Automobile	306	612	1836	67.32	201.96
029	Automobile	2068	4136	12408	454.96	1364.89
031	Automobile	466	932	2796		307.56

**Distance and Carbon Emission Calculations
To Nearest Qualified Family Mediator**

Case Number	Most Likely Vehicle used for Travel	Distance			Carbon Emissions	
		Kms to Nearest Qualified Family Mediator (2 parties, 1-way)	Kms Avoided if 1 Mediation Session (2 parties, return)	Kms Avoided if 3 Mediation Sessions (2 parties, return)	Tonnes of GHG Avoided if 1 Mediation Session	Tonnes of GHG Avoided if 3 Mediation Sessions
001	Automobile	432	864	2592	0.228	0.684
002	Automobile	923	1846	5538	0.487	1.461
003	Automobile	782	1564	4692	0.413	1.239
004	Automobile	472	944	2832	0.249	0.747
005	Automobile	586	1172	3516	0.309	0.927
006	Automobile	1424	2848	8544	0.752	2.256
007	Automobile	1437	2874	8622	0.759	2.277
008	Automobile	353	706	2118	0.186	0.558
009	Air	1636	3272	9816	1.44	4.32
011	Automobile	1751	3502	10506	0.925	2.775
014	Automobile	604	1208	3624	0.319	0.957
016	Automobile	692	1384	4152	0.365	1.095
017	Automobile/Air	1455	2910	8730	0.502	1.506
018	Automobile	594	1188	3564	0.314	0.942
019	Automobile	98	196	588	0.052	0.156
020	Automobile	646	1292	3876	0.341	1.023
021	Automobile	89	178	534	0.047	0.141
022	Automobile	656	1312	3936	0.346	1.038
023	Automobile	533	1066	3198	0.281	0.843
024	Automobile/Air	3867	7734	23202	2.762	8.286
025	Automobile	306	612	1836	0.162	0.486
029	Automobile	2068	4136	12408	1.092	3.276
031	Automobile	466	932	2796	0.246	0.738

APPENDIX D

**Suggested Guidelines for
Distance Mediation**