

Maren Strandevold in *Litigation Futures*: Managing Disputes in the Future

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PRACTICES Litigation

The lockdown across the globe has resulted in a number of industries having to learn quickly how to do business virtually rather than in person. For the legal profession, this was challenging as lawyers are notoriously technophobic.

However, the courts, arbitration institutions and lawyers rose to the challenge and judging by the number of articles on the topic, as a profession we are now all experts in virtual hearings. Looking ahead as lockdown eases, what lessons do we take with us into the future and what is best left for the history books?

Virtual Hearings

Parties to both arbitration and litigation have praised the ease with which it was possible to transition to virtual hearings. Whilst there have been obstacles, such as technology outages and getting used to presenting via a video link, the general consensus seems to be that parties have managed to make virtual hearings work.

However, making something work in a crisis is a far cry from being a solution that should be adopted wholesale as we start to return to normality. Whilst virtual hearings have largely been concluded successfully, there are downsides.

One of the most common complaints is the difficulties in communication between clients and the legal team during the hearing. It seems that the long-standing tradition of passing Post-it notes to counsel is still more effective than WhatsApp.

The positive experiences with virtual hearings might mean that video conferencing is used more widely going forward, for example for case management and interim hearings or to enable to save costs by having some witnesses and experts attend remotely.

Excerpted from *Litigation Futures*. To read the full article, click [here](#).