

## Regional Roundtables Discussion Topics

### ***General questions for consideration (across all protocols):***

- Whether the language should be mandatory or opt-in. Do users prefer (as currently drafted) leaving open a choice to adopt the Protocols as either mandatory provisions or as guidance?
- Do users agree that the Protocols should provide the possibility (as currently drafted) to be adopted in their entirety or alternatively only component parts thereof?
- Best environmental practices, including practices not considered in the protocol.
- Whether users see a benefit to the Protocol and can see the Protocol being adopted in their individual practice or by their organisation either in whole or in part.
- Any suggested additions to any of the Protocols.

*In relation to the **Green Protocol for Arbitral Proceedings and Model Procedural Order**, we welcome feedback on the content and measures included in the Protocol, in particular:*

- Whether our proposed default rule for electronic communications and correspondence should stand?
- Would users feel comfortable with the mandated use of shared technology platforms, case management systems, or electronic annotation of documents throughout proceedings?
- In relation to documentary exhibits, do parties feel comfortable with the requirement that only extracts of lengthy documents be exhibited, provided such extracts provide adequate context to the document?
- Is it feasible to mandate that the consultation, meeting, conferring of witnesses and experts (by Parties) and expert joint meetings be performed using video conferencing rather than by in-person meetings?
- Similarly, are users comfortable with the default requirement that pre-hearing conferences, procedural or substantive hearings be conducted remotely, in whole or in part, via telephone or video conferencing?
- Where hearings are conducted in person, do users feel comfortable with the requirement that attendance numbers be limited to what is strictly necessary (to avoid unnecessary travel)? In practice, would such a requirement discourage travel to hearings (e.g. for more junior members of the legal team, or clients)?
- Should the parties agree to use suppliers and service providers committed to reducing their environmental impact? Hearing venues? Are the Sustainability Measures included too prescriptive?
- Should paper filings be eliminated altogether?
- Are users prepared to agree that offsetting costs can be allocated as part of a cost award?
- Do users find the draft language proposed in the Model Procedural Order appropriate and drafted such that it is easy to incorporate into existing procedural orders?
- Would users/parties find it easier to adopt the Green Protocols directly into arbitration agreements if a model arbitration clause were to be included in the Framework?