

## ***Ethical Guidelines***

***Preface:*** The model standards of conduct for mediators are intended to perform three major functions: to serve as a guide for the conduct of mediators, to inform the mediating parties, and to promote public confidence in mediation as a process for resolving disputes.

Mediation is a process in which an impartial third party - a mediator - facilitates the resolution of a dispute by promoting voluntary agreement (or "self-determination") by the parties of the dispute. A mediator facilitates communications, promotes understanding, focuses the parties on their interests, and seeks creative problem solving to enable the parties to reach their own agreement. These standards give meaning to this definition of mediation.

***I. Self Determination.*** A mediator shall recognize that mediation is based on the principle of self-determination by the parties.

***II. Impartiality.*** A mediator shall conduct the mediation in an impartial manner.

***III. Conflicts of Interest.*** A mediator shall disclose all actual and potential conflicts of interest reasonable known to the mediator. After disclosure, the mediator shall decline to mediate unless all parties choose to retain the mediator. The need to protect against conflicts of interest also governs conduct that occurs during and after the mediation.

***IV. Competence.*** A mediator shall only mediate when the mediator has the necessary qualifications to satisfy the reasonable expectations of the parties.

***V. Confidentiality.*** A mediator shall maintain the reasonable expectations of the parties in regard to confidentiality.

***VI. Quality of the Process.*** A mediator shall conduct the mediation fairly, diligently, and in a manner consistent with the principle of self-determination by the parties.

***VII. Advertising and Solicitation.*** A mediator shall be truthful in advertising and solicitation for mediation.

***VIII. Fees.*** A mediator shall fully disclose and explain the basis for compensation, fees, and charges to the parties.

***IX. Obligations to the Mediation Process.*** Mediators have the duty to improve the practice of mediation.