

NMMA Mediation Ethics and Standards of Practice

Role of the Mediator:

The Mediator...

- ♦ Acquires informed consent of all parties to mediate.
- ♦ Facilitates a communication process that may bring disputes to resolution.
- ♦ Fosters empowerment of the parties for decision-making.
- ♦ Remains impartial and does not render decisions or give advice.
- ♦ Discloses training, experience, and any connection or relationship to any of the parties.
- ♦ Maintains open and professional relationship with others working on the same case.
- ♦ Does not cross disciplines while engaged as a mediator. For example, attorney mediators do not practice law during mediation, nor advocate, nor weigh the legal merits of a case. Counselor mediators do not provide counseling during the mediation process.
- ♦ Complies with all statutory requirements for reporting domestic, elder or child abuse or other threats of physical harm.
- ♦ Maintains the integrity of the process.

Mediation Ethics:

- ♦ The Mediation process is confidential, except as required by law.
- ♦ The Mediator makes no claims or promises of a specific outcome for the mediation.
- ♦ The Mediator does not seek to advance his/her own interests at the expense of the parties. The Mediator discloses any actual or potential biases or conflicts of interest.
- ♦ The Mediator does not accept commissions, gifts, rebates or referral fees.

Mediation Standards Of Practice:

- ♦ The mediator asks the parties to consider the impact of their decisions on their future.
- ♦ The mediator encourages the parties to seek independent advice when necessary e.g.: legal, accounting, counseling.
- ♦ Mediator's fees are reasonable and disclosed in advance of the mediation.

Mediators' Professional Obligations:

- ♦ Mediators seek to maintain and improve their professional skills.
- ♦ Mediators support the profession by mentoring novice mediators.
- ♦ Mediators educate the public about mediation.
- ♦ Mediators make mediation accessible with pro bono or reduced fee for service when appropriate.
- ♦ Mediators address abuses within the profession and strive with their peers to reach the highest ethical and professional standards.

By signing below, I agree to abide by these ethics and standards of practice.

Please sign and return this by mail to Kathleen Oweegon P.O. Box 3661, Santa Fe, NM 87501. Thank you.

Signature

Printed Name

Date