

# New Mexico Mediation Association Ethics and Standards of Practice

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## 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.

NMMA has listings for mediators in 18 cities across New Mexico

[Find a Mediator](#)

NMMA is a non-profit member organization of mediators and others interested in mediation

[Learn about Membership](#)

### Upcoming Events

[Preparing for disabilities during mediations](#)

Thu Jul 13 2017, 12:00pm MDT - 1:30pm MDT

[Unlicensed practice of law- Dathan](#)

Thu Sep 14 2017, 12:00pm MDT - 1:30pm MDT

[Protocol for language translations](#)

Thu Nov 9 2017, 12:00pm MST - 1:30pm MST