

Mediation Standards of Practice for Mediators

NSU Student Mediation Services

These guidelines represent the obligations the mediator, co-mediator and participating RA/AD/AAD(s) have to the Student Mediation Services and to the mediated parties. The items listed are considered as morally binding obligations to the process and pilot program.

Ethical Concerns: To Student Mediation Services

1. To keep an open mind, an intellectual impartiality. To clearly formulate issues, not conclusions.
2. To give a full, best effort to each case: good faith.
3. To make a principled decision to decline or withdraw from a case if you know the parties and/or if you feel you cannot mediate it in good faith. There is further responsibility to look for any reasonable probability of bias or other interference occurring due to the nature of the case.
4. To represent the SMS and the process competently and professionally, and to:
 - a. Become and remain proficient in the skills of mediation.
 - b. Accept and follow through efficiently on all assigned cases.
 - c. Maintain loyalty to the process.
 - d. Maintain the spirit as well as the appearance of confidentiality and honesty.
5. To service the mediation program as a volunteer, not amenable to payoffs, outside entrepreneurship, or other self-serving interests.
6. To represent the mediation program in a professional manner when talking to individuals and others outside the mediation service, and to direct outside interests to the mediation program coordinator for information, assistance or service.

Ethical Concerns: To the Parties

1. To encourage but not manipulate or coerce settlement. Agreement is up to the parties.
2. To give each party a fair hearing, by:
 - a. Facilitating and supporting communication.
 - b. Maintaining and defending the rights of each party to be heard.
 - c. Listening. There is frequently real virtue in not speaking.
3. To keep confidences unless a party gives permission to share the information or the law demands a non-confidential response, by:
 - a. Being candid and sincere in responses.
 - b. Not exposing unnecessarily weaknesses or factors extraneous to the negotiation.
4. To respect parties' rights to disagree and to work out their own result or their right not to work out a result.
5. To refuse to mediate a case if it becomes apparent that there has been a pattern of repeated violence or intimidation in an interpersonal relationship, and to suspend mediation if it becomes apparent in the course of the mediation session itself.

If you have any questions or concerns please contact the SMS at studentmediation@nova.edu or 954-262-7196. We are committed to making our mediation a successful experience.