

Greater Albuquerque Association of REALTORS®
1635 University Blvd. NE, Albuquerque, NM 87102
Phone: (505) 724-3466 Fax: (505) 724-3493

Form #M-7

Confidentiality Statement

Confidentiality is an important feature of mediation. Commitment to maintain confidentiality promotes an environment in which the parties can honestly, openly, and fully discuss the issues of the dispute.

Pre-mediation and mediation conferences are held in strict confidence by the mediators. Private meetings with the mediators (caucus) are also treated as confidential, and only information that the party wishes to be shared will be provided to the other party(ies).

Parties to the mediation are asked to respect the confidentiality and privacy of the mediation sessions. Parties agree not to disclose any information from the mediation conference without the explicit approval of the other party(ies). At the end of each mediation conference, the mediators and the parties will discuss which topics discussed are to remain confidential and which are to be shared, including to whom and in what format. Notes taken during the mediation conference by mediators and parties or other participants are destroyed at the end of the session. Experts whose advice is sought with respect to any issues in the mediation or additional parties in attendance at the mediation conference will be bound by the same rules of confidentiality.

All parties must give approval to a request for any non-party participant to be present during the mediation conference. If a person is approved to attend the session, that person must agree to the standards of confidentiality by signing this statement as well.

There are several exceptions to strict confidentiality:

- Mediators must report issues that are required by law to be revealed, e.g., suspected child abuse or threats of physical harm to self or others.
- At the request of the parties, statements of progress in mediation conferences may be reported to individuals specifically designated and agreed to by the parties.
- Mediators may consult with other mediators and professionals who adhere to the same code of confidentiality for purposes of promoting the mediation process.
- Copies of any mediation resolution agreement will be provided to the parties. With the consent of the parties, a copy of the mediation resolution agreement will be provided to other agreed-upon named persons.
- The Greater Albuquerque Association of REALTORS® will retain only the Agreement to Mediate and the Confidentiality Statement forms for one year following the mediation conference. All other documents are destroyed following the mediation.

Mediators may not be called as witnesses in the event of any subsequent judicial or administrative proceedings. Documents produced in the mediation conference cannot be subpoenaed or used in any legal or administrative proceedings.

By their signature on this Confidentiality Statement, the parties, the mediators, and any non-party participants acknowledge their agreement to the terms of this Confidentiality Statement.

Party(ies):

(Type/Print Name)

(Signature)

(Date)

(Type/Print Name)

(Signature)

(Date)

Mediator:

(Type/Print Name)

(Signature)

(Date)

Non-Party Participant(s):

(Type/Print Name)

(Signature)

(Date)

(Type/Print Name)

(Signature)

(Date)

Mediator:

(Type/Print Name)

(Signature)

(Date)