

**STATEMENT OF PROFESSIONAL
ASPIRATIONS FOR ILLINOIS COURT-
APPOINTED MEDIATORS**

Preamble

This Statement of Professional Aspirations for Court-Appointed Mediators provides mediators with a deeper understanding of what professionalism means in action and serves as a call to mediators to aspire to the highest degree of professionalism and integrity when handling matters in the Illinois legal system.

The principles contained in this Statement establish standards of conduct for mediators appointed to work in the Illinois court system. The values set forth in this Statement are not enforceable as a matter of discipline and may not be used as a basis for civil liability.

Nonetheless, the Statement is grounded on underlying professionalism principles that acknowledge that mediators have obligations to conduct themselves with personal courtesy and professional integrity in the fullest sense of these terms. The following standards are designed to encourage mediators to meet their obligations to facilitate negotiation and decision-making by the parties to a dispute in a rational, peaceful and efficient manner, and thereby achieve the twin goals of civility and professionalism.

1. Mediators should maintain objectivity.

Mediators should maintain objectivity and avoid conflicts of interest in the performance of their professional duties. They should recognize their role is to reduce obstacles to communication, assist in the identification of issues and exploration of alternatives and otherwise facilitate voluntary agreements resolving the parties' dispute. Accordingly, they should conduct mediation in an impartial manner, avoid conduct that gives the appearance of partiality, and promote mutual respect among the mediation participants.

2. Mediators should be courteous.

Mediators should be courteous, patient and respectful to all persons having business before them and promote the same respectful behavior from others. Mediators should be aware that they have the primary opportunity, obligation, and authority to ensure that all proceedings are conducted in a civil and professional manner and to manage proceedings accordingly. They should refrain from any discriminatory, harassing, intimidating or bullying conduct.

3. Mediators should be responsive and timely.

Mediators' communications to the parties, to the court and among themselves should be prompt and timely. As competent professionals, mediators should be well-prepared and ready to address issues and concerns as they arise. Mediators should not demand unreasonable deadlines and should encourage the parties to meet reasonable deadlines.

4. Mediators should maintain confidentiality.

Mediators should maintain the confidentiality of all information revealed during mediation, unless otherwise agreed to by the parties or required by applicable law or court rule or order.

5. Mediators should keep their word.

Mediators should faithfully honor their representations, commitments and promises or explain in a timely manner why they cannot.

6. Mediators should not abuse their position.

Court-appointed mediators represent the Court as they assist parties in dispute resolution. It would be improper for mediators to use or attempt to use their position as court-appointed mediator to secure privileges or exemptions for themselves or anyone else in the judicial system. It would be improper for a court-appointed mediator to accept, solicit, or agree to accept any gift, favor or anything of value based upon any understanding, either explicit or implicit, that such gift, favor or thing of value would influence the official actions, decisions, or judgment of that mediator or anyone else in the Illinois judicial system.

7. Mediators should represent their professional ideals.

Mediators recognize that creating and reinforcing the spirit of professionalism, civility and inclusion is an ongoing process that can include such considerations as appropriate attire, speech and conduct in professional settings and an awareness of their professional standing in circumstances where a public perception of the legal profession is formed.

8. Mediators should act in a manner that advances the practice of mediation.

Recognizing that enhancement of mediation is both a collective and individual task, mediators should strive to make mediation accessible to those who elect to use it, including by providing services at a reduced rate or on a pro bono basis as appropriate and by participating in outreach and education efforts to assist the public in developing an improved understanding of and appreciation for mediation. Mediators should assist newer mediators through training, mentoring, and networking.

9. Mediators should strive to serve the community.

Mediators should recognize in their words and actions the importance of contributing to and serving the communities in which we practice our profession.