



**Association for
Conflict Resolution**
www.ACRnet.org

FINAL REPORT OF ACR ETHICS COMMITTEE

MAY, 2010

INTRODUCTION

In October, 2008, the ACR Board of Directors set policy that initiated a committee to explore, for conflict resolution practitioners, the creation of ethical principles that would be supplemental to any and all such documents then in place.

After exhaustive research, it was found that the 2005 Model Standards of Conduct for Mediators, approved in its entirety by ACR and others, are the only behavioral standards approved by the ACR Board of Directors.

It is unclear what ACR ethical principles were used to make the 2005 decision. Although some suggest that the former SPIDR ethical principles were contemplated, no approval of record exists. Nor are there ACR Section ethical principals, standards of behavior or grievance procedures formally approved of record. Thus the task of the Committee became to present universal Ethical Principles for ACR that will guide practice standards for all ACR neutrals and be in compliance with existent behavioral standards for dispute resolution processes contemplated by the various Sections of the organization.

An interim report was presented to the board in February, 2009, and again in June, 2009. In October, 2009, the report was approved by the Board of Directors for release for public comment, the deadline for such comment being December 10, 2009. Subsequently, input was again sought from the Board, as final comment. This final draft is submitted to the Board for approval and whatever subsequent action it chooses to take.

ETHICAL PRINCIPLES

- **Principles of Professionalism:** An ACR Neutral must adhere to the highest standards of integrity, impartiality and professional competence in rendering her or his professional service.
 1. A Neutral must not accept any engagement, perform any service, or undertake any act which would compromise the Neutral's integrity.
 2. A Neutral must maintain professional competence in dispute resolution skills by staying informed of, and abiding by, all relevant practice statutes, rules, and administrative orders and by regularly engaging in educational activities that inform as to professional practices and promote professional growth.
 3. A Neutral must decline appointment, withdraw, or request technical assistance when the Neutral feels that a case is beyond the Neutral's competence.
 4. A Neutral must decline all cases where there is a conflict of interest or where there is the appearance of an impropriety.
 5. A Neutral must not engage in conduct that is considered contrary to professional standards of justice, honesty and ethics, including but not limited to misrepresentation of credentials, crossing of professional boundaries and truth in advertising.

- **Principles of Role:** An ACR Neutral must respect the principle of individual integrity by ensuring that in dispute resolution proceedings, other than arbitration or other leader-directed models of dispute resolution, decision-making authority rests with the participants. The role of the Neutral shall include assisting participants in identifying issues, reducing obstacles to communication, maximizing the exploration of alternatives and helping the participants reach voluntary agreements.
 1. A Neutral must promote a balanced process and must promote mutual respect among the participants throughout the conflict resolution process.
 2. A Neutral must not coerce or unfairly influence a participant into any settlement agreement.
 3. A Neutral must not intentionally nor knowingly misrepresent material facts or circumstances in the course of conducting the conflict resolution proceeding.
 4. A Neutral must be impartial and advise all participants of any circumstances bearing on possible bias, prejudice, or impartiality. Impartiality means freedom from favoritism or bias in word, action, and appearance. Impartiality implies a commitment to aid all participants, as opposed to an individual participant in conducting the conflict resolution process.
 5. A Neutral must promote informed decision making among the participants in the process, without offering legal, psychological or any other advice associated with the Neutral's background and training

- **Principles of Process:** An ACR conflict resolution process should emphasize the following principles:
 1. **Participants' Self-determination:** The act of participants coming to informed, voluntary and uncoerced decisions.
 2. **Client Centered Negotiation:** The needs and interests of the participants form the basis upon which resolution is sought.
 3. **Neutral's Impartiality:** Freedom from favoritism or bias in word, action, attitude and appearance; ensuring a commitment to aid all participants, as opposed to an individual participant, in conducting the conflict resolution process.
 4. **Fairness of the Process:** The balancing of the process to meet the needs and interests of the participants.
 5. **Procedural Flexibility:** Designing the process to fit the circumstances of the situation, wishes and needs of the participants.
 6. **Confidentiality:** Keeping all information shared in the process private unless such privilege is waived by all participants.
 7. **Full Disclosure:** All information necessary for making informed decision by the participants.
 8. **Informed Decision Making:** The capacity to make decisions with full understanding of all the information needed and shared.

Respectfully submitted: Carol Berz, Crevon Tarrance, Co-Chairs

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