

Mediation Ethics

This interactive program uses hypotheticals to explore ethics issues facing lawyers who act as mediators or represent clients in mediations. Among other things, the program will cover: mediators' pre-mediation obligations (including disclosure of conflicts, and unauthorized practice of law issues); lawyers' pre-mediation obligations (including multijurisdictional, collaborative lawyering, and work product issues); mediators' duties during mediations (including deception, confidentiality, unauthorized practice of law, and conflicts issues); lawyers' duties during mediations (including negotiation ethics, dealing with adversaries' substantive mistakes and scrivener's errors, privilege and work product waiver issues); mediators' post-mediation issues (including liability, conflicts, confidentiality issues, and possible duty to report child abuse and lawyers' misconduct); lawyers' post-mediation issues (including confidentiality, and settlement enforcement issues).