



# Peace Advocate Code of Ethics

Peace Advocates who serve in matters administered by PeacePoint or who post profiles on the PeacePoint.com website are required to conduct themselves according to this Code.

## A. General Standards of Ethics

1. Peace Advocates serve under the lordship of Jesus Christ and, therefore, are committed to living a life worthy of the calling they have received (Eph. 4:1).
2. Peace Advocates shall be committed to the principles of Christian unity and strive to live at peace with others (Eph. 4:3; Rom. 12:18).
3. Peace Advocates shall accept appointment to matters only when they have the necessary competence to satisfy the reasonable expectations of the parties. If during the course of a matter a Peace Advocate determines that he or she cannot conduct the proceedings competently, the Peace Advocate shall discuss that determination with the parties as soon as possible and take appropriate steps to address the situation, including, but not limited to, withdrawing.
4. Peace Advocates shall receive informed consent from all parties to engage in mediation, arbitration or other proceedings before the process begins. The Peace Advocate shall clearly define his or her role in the process (including a clear statement that he or she is not serving any party as its legal representative or advocate) and inform the parties of all associated fees and costs.
5. Peace Advocates should only accept appointment to a matter when they can satisfy the reasonable expectation of the parties concerning the timing of the proceedings.
6. Peace Advocates shall manage matters expeditiously and economically and conclude the matter as quickly as circumstances reasonably permit.
7. Peace Advocates shall manage matters in an impartial manner, treating all participants respectfully and fairly in keeping with the biblical principles that guide personal conduct and interaction with others.
8. Peace Advocates shall diligently provide the parties with a fair process in the context of the rules and/or procedures to which the parties have agreed.
9. A Peace Advocate's relationship with the parties is one of trust and, therefore, he or she shall not, at any time, use confidential information obtained during a mediation, arbitration or other proceedings to gain personal advantage or advantage for others, or to affect adversely the interest of another.
10. Peace Advocates shall not be swayed by ecclesiastical pressure, public opinion, and fear of condemnation or by self-interest.
11. Peace Advocates shall encourage all Christians participating in a mediation or arbitration to exhibit behaviors and apply standards of conduct Jesus expects of those who bear His name.

12. Peace Advocates shall respect the relationships parties have with pastors, attorneys, counselors, and other professionals and may encourage such professionals to support the process.
13. Peace Advocates shall show deference to the jurisdiction of legitimate civil authorities and cooperate with them as required by law, unless there is a clear scriptural basis not to do so.
14. In the role of mediator or arbitrator, Peace Advocates shall be a witness to “the lost” and may encourage them to accept the Good News offered through Jesus Christ. Peace Advocates, however, shall in no way coerce any person to accept the Peace Advocate’s beliefs. If a person has expressly indicated an interest in knowing more about the Gospel, it is appropriate for a Peace Advocate to discuss with that person the life and ministry of Jesus Christ.

**B. Ethics When Serving as a Mediator**

1. The general standards of ethics as set forth in Part A above shall apply to Peace Advocates when serving as a mediator.
2. Scriptural Principles for Resolving Disputes and Reconciling Conflicts
  - a. Peace Advocates shall show the parties that their lives and decisions must conform to the concepts and standards of Scripture in order to achieve an outcome that edifies those involved, strengthens the Christian community and glorifies God.
  - b. Peace Advocates shall point out how particular Scriptures apply to the parties’ specific circumstances and the impact the Scriptures may have on helping the parties achieve resolution and/or reconciliation.
  - c. Peace Advocates shall encourage parties to make decisions, take actions, and modify behaviors pursuant to biblical instructions for leading a godly life.
  - d. Peace Advocates shall encourage – as applicable to a parties’ circumstances – repentance, confession, forgiveness, reconciliation, and restoration whenever sin has occurred or a relationship has been damaged.
  - e. Peace Advocates shall encourage and support only those decisions and actions that reflect sound biblical principles of faith and practice.
3. Party Self-Determination
  - a. Peace Advocates shall conduct mediations based on the principle of party self-determination whereby each party comes to voluntary, uncoerced decisions by making free and informed choices as to process and outcome.
  - b. Peace Advocates should make the parties aware of the importance of consulting other professionals to help them make informed choices.
4. Impartiality and Duty to Disclose
  - a. Peace Advocates shall decline a mediation appointment if they cannot conduct it in an impartial manner.
  - b. Peace Advocates shall conduct mediations in an impartial manner and avoid conduct that gives the appearance of partiality.

- c. If at any time a Peace Advocate is unable to conduct a mediation in an impartial manner, he or she shall withdraw.
- d. A Peace Advocate shall avoid a conflict of interest or the appearance of a conflict of interest during and after a mediation.
- e. A Peace Advocate shall make a reasonable inquiry to determine whether there are any facts that a reasonable individual would consider likely to create a potential or actual conflict of interest.
- f. A Peace Advocate shall disclose, as soon as possible, all actual and potential conflicts of interest that are reasonably known to the Peace Advocate and could reasonably be seen as raising a question about his or her impartiality. After disclosure, if all parties agree, the Peace Advocate may continue to serve as the mediator. This duty to disclose is a continuing duty throughout all phases of the mediation process.
- g. If a Peace Advocate's conflict of interest might reasonably be viewed as undermining the integrity of the mediation, a mediator shall withdraw from or decline to proceed with the mediation regardless of the expressed desire or agreement of the parties to the contrary.
- h. Subsequent to a mediation, a Peace Advocate shall not establish another relationship with any of the participants in any matter that would raise questions about the integrity of the mediation.

5. Confidentiality

- a. Peace Advocates shall maintain the confidentiality of all information learned during the course of the mediation, unless otherwise agreed to by the parties or required by applicable law. If the parties to a mediation agree that the mediator may disclose information received during the mediation, the mediator may do so.
- b. A Peace Advocate should not communicate to any non-participant information about how the parties acted in the mediation. A Peace Advocate may report, if required, whether parties appeared at a scheduled mediation and whether or not the parties reached a resolution.
- c. A Peace Advocate who meets privately with any persons during a mediation shall not divulge directly or indirectly to any other person, any information that was made know to the Peace Advocate during that private meeting without the consent of the disclosing party or person.

6. Conducting the Mediation

- a. Peace Advocates shall conduct mediations in a manner that promotes biblical principles of resolution and reconciliation.
- b. The Peace Advocate and the parties may agree to the presence or exclusion of persons at a mediation conference or any private session held during the conference.
- c. Peace Advocates should promote open and candid dialogue between and among all parties and other participants and shall not intentionally misrepresent any material fact or circumstance at any point during a mediation.

- d. A Peace Advocate may recommend that parties consider resolving their dispute through arbitration, counseling or other processes.
- e. A Peace Advocate shall not change roles in the same proceeding without the agreement of all parties. Additionally, before changing roles, a Peace Advocate shall inform the parties of the implications of the change and get their agreement to the change.
- f. If a mediation is being used to further criminal conduct, a Peace Advocate should take appropriate steps including, if necessary, postponing, withdrawing from or terminating the mediation.
- g. If a Peace Advocate is made aware of domestic abuse or violence among the parties, he or she shall take appropriate steps including, if necessary, postponing, withdrawing from or terminating the mediation.

### **C. Ethics When Serving as an Arbitrator**

#### **1. General**

- a. The general standards of ethics as set forth in Part A above shall apply to Peace Advocates when serving as an arbitrator.
- b. Peace Advocates have a responsibility the parties, to all participants in the arbitration and to the arbitration process itself to observe high standards of conduct at all times and to protect and preserve the integrity and fairness of the process.
- c. Peace Advocates should neither exceed the authority they derive from the agreement of the parties nor do less than is required to fully exercise that authority. Where the agreement of the parties establishes procedures governing the arbitration or refers to rules to be followed, Peace Advocates must abide by these procedures or rules.
- d. Peace Advocates should recognize that the ethical obligations of an arbitrator begin at the time they accept the appointment and continue through all stages of the proceeding and may, as applicable, continue even after the award has been issued.

#### **2. Impartiality and Duty to Disclose**

- a. Unless otherwise agreed by the parties, or required by applicable rules or law, a Peace Advocate should keep confidential all matters relating to the arbitration proceedings and decision.
- b. Peace Advocates should, after accepting appointment to a matter and while serving as an arbitrator in any matter, avoid entering into any financial, business, professional, family or social relationship, or acquiring any financial or personal interest, which is likely to affect impartiality or which might reasonably create the appearance of partiality or bias. For a reasonable period of time after issuing an award, Peace Advocates should avoid entering into any such relationship, or acquiring any such interest, in circumstances which might reasonably create the appearance that they had been influenced in the arbitration by the anticipation or expectation of the relationship or interest.

- c. Peace Advocates should, before accepting appointment to any matter, disclose (i) any direct or indirect financial or personal interest in the outcome of the arbitration; (ii) any existing or past financial, business, professional, family or social relationships which are likely to affect impartiality or which might reasonably create an appearance of partiality or bias.
  - d. Peace Advocates should disclose any relationships they personally have with any party or its representative or with any individual whom they know will be a witness. They should also disclose any relationships involving members of their families or their current employers, partners or business associates. This duty to disclose is a continuing obligation throughout all stages of the arbitration process.
  - e. Peace Advocates should make a reasonable effort to inform themselves of any interests or relationships which are likely to affect impartiality or which might reasonably create an appearance of partiality or bias.
  - f. Peace Advocates should withdraw as the arbitrator whenever requested by all parties to do so. If less than all of the parties request withdrawal because of alleged partiality or bias, the Peace Advocate should withdraw unless the agreement of the parties or arbitration rules agreed to by the parties establishes procedures for determining challenges to arbitrators, in which case those procedures should be followed or, the Peace Advocate, after carefully considering the matter, determines (i) that the reason for the challenge is not substantial (ii) that he or she can nevertheless act and decide the case impartially and fairly and (iii) that withdrawal would cause unfair delay or expense to another party or would be contrary to the ends of justice.
3. Managing the Proceedings
- a. Unless otherwise provided in applicable arbitration rules or in an agreement of the parties, Peace Advocates should not discuss matters related to a particular case with any party in the absence of any other party except concerning the setting the time and place of hearings or other arrangements related to managing the proceedings. In the event of such communication, the Peace Advocate should promptly notify all other parties of the discussion and should not make any final determination concerning the issue discussed before giving any absent party the opportunity to comment.
  - b. Unless otherwise provided in applicable arbitration rules or in an agreement of the parties, whenever the Peace Advocate communicates in writing with one party, he or she should at the same time send a copy of the communication to all other parties. Whenever the Peace Advocate receives any written communication related to the matter from one party which has not already been sent to all other parties, the Peace Advocate should send a copy to all other parties.
  - c. Unless the parties agree otherwise or the rules governing the arbitration provide otherwise, a Peace Advocate should provide all parties the right to be heard and to appear in person.
  - d. Peace Advocates shall ensure that all parties and their representatives have been duly notified of the date, time and place of hearing.

- e. A Peace Advocate should not discourage or prohibit any party from having legal representation.
  - f. A Peace Advocate may proceed with the hearing in the absence of a duly notified party when authorized to do so by the parties' arbitration agreement, applicable arbitration rules or law.
  - g. A Peace Advocate may ask questions, call witnesses, and request documents or other evidence in instances where the Peace Advocate determines that more information than has been presented by the parties is necessary for making a decision.
  - h. A Peace Advocate may act as a mediator of a dispute in which he or she has been appointed as arbitrator if requested to do so by all parties or where authorized or required to do so by applicable arbitration rules or law.
  - i. When a panel of arbitrators is serving on a matter, each panel member should be given full opportunity to participate in all phases of the process.
4. Decisions and Award
- a. When serving as arbitrators Peace Advocates should (i) independently and diligently decide all submitted claims and counterclaims in a just manner, (ii) make no determination on issues not submitted, and (iii) not delegate his or her responsibility to decide any issue another person.
  - b. In instances where all parties agree upon the terms of settlement of disputed issues and ask the arbitrator to embody such terms in an award, the arbitrator may do so only if satisfied with the propriety of the terms. The arbitrator should state in any "consent award" that it is based on the terms agreed to by the parties.
  - c. An arbitrator may not inform anyone of his or her award prior to the time it is transmitted to all parties. When a matter is heard and determined by a panel of arbitrators, no panel member shall disclose anything about the arbitrator's deliberations. After an arbitration award has been issued, it is improper for an arbitrator to assist in post-arbitral proceedings, except as required by law.