

621—13.6(20) Conflict of interest.

13.6(1) *Conflict of interest.* The board shall determine whether a person has a conflict of interest which may require denial of an application or removal from the list or from individual assignments. A conflict of interest arises where:

- a.* A mediator is or has been an employee or advocate for a party to the mediation within the prior two years; or
- b.* A mediator's immediate family member, or any other person with whom the mediator has close, personal ties, is an interested party in the outcome of the mediation; or
- c.* Any other matter that may create an appearance of bias, lack of impartiality, or interest in the proceedings to which the mediator may be or has been assigned.

13.6(2) *Duty to disclose.* A person applying for inclusion on the list or a person included on the list has a continuing duty to disclose to the board in writing any potential or actual conflicts of interest as described in subrule 13.6(1).

13.6(3) *Disclosure.* The board may require a mediator to disclose certain matters to the parties of a mediation prior to its commencement. If either party objects to proceeding to mediation with that mediator, the board may assign a different mediator.

[ARC 1642C, IAB 10/1/14, effective 11/5/14]