

**FORECLOSURE DIVERSION PROGRAM
POLICY ON CONFLICTS OF INTEREST AND DISCLOSURE
FOR FDP MEDIATORS
Rev. 11/8/12**

1. An FDP mediator shall disclose any social, professional or financial relationship or interest with a participant in an FDP mediation that might affect impartiality or objectivity, or that might create an appearance of partiality or bias. Following such a disclosure, the mediation may proceed only with the written consent of the parties. No disclosure is required when an FDP mediator's only financial relationship with a party who is in business as a lender is that the FDP mediator maintains a personal checking, savings, or other similar account; a mortgage; or a vehicle or other personal loan.
2. An FDP mediator who receives, or has an agreement to receive, compensation from a law firm may not serve as a mediator in any case involving that law firm. An FDP mediator who received compensation, but who no longer receives compensation or has an agreement to receive compensation from the law firm, after a period of one year from the last date of receipt of compensation, may serve as a mediator in cases involving that firm upon disclosure of the prior relationship and with the written consent of the parties.
3. An FDP mediator who represents or has represented, on a limited basis or otherwise, a party in the action being mediated, must disclose this representation to the mediation participants and may proceed with mediation only if:
 - A. the mediator reasonably believes that he or she is able to act with complete impartiality; and
 - B. each mediation participant gives written consent.
4. If an FDP mediator is in default, or at risk of default, on a mortgage, the FDP mediator shall disclose this in confidence to the FDP Manager.