

COLORADO JUDICIAL DEPARTMENT
Office of Dispute Resolution

ODR Policies and Procedures Manual

Date: July 1, 2011

Subject: **Foundations of Mediation: Neutrality, Impartiality & Competence**

NEUTRALITY, IMPARTIALITY AND COMPETENCE

1. If at any time during the process the Neutral's ability to mediate impartially is impaired, the Neutral should withdraw from the case and take steps to have the case assigned to another Neutral.
2. If a Neutral believes there are factors that might cause a conflict of interest in a particular case, the Neutral should withdraw from the case and take steps to have the case assigned to another Neutral.
3. If any party to a dispute questions the impartiality or competence of an ODR Neutral, the Neutral should suggest that the party should offer an opportunity to proceed with a different mediator or should be invited, where appropriate, to contact the Director or local Program Administrator, where appropriate.

If an ODR Neutral has a concern about a colleague's impartiality or competence, that Neutral should raise the concern with the Director, or the local Program Administrator, where appropriate.