

### **Scenario #1**

The conciliator knows the lawyer for one of the parties; the lawyer was a college classmate of the conciliator, and they see each other yearly at college reunions.

#### **Questions**

1. What ethical standards apply and/or would be helpful in providing guidance for the conciliator in this scenario?
  2. What course of action would you take as the conciliator?
  3. How would you do it? What would you say to the parties? (Role-play this in your small group.)
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### **Scenario #2**

The parties disagree about the meaning of the settlement agreement they worked out with the conciliator, and counsel for Party A issues a deposition subpoena, ordering the conciliator to testify about the discussion in the conciliation and to bring her notes from the conciliation session. Party B opposes the testifying of the conciliator.

#### **Questions**

1. What ethical standards apply and/or would be helpful in providing guidance for the conciliator in this scenario?
  2. What course of action would you take as the conciliator?
  3. How would you do it? What would you say to the parties? (Role-play this in your small group.)
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### **Scenario #3**

In a business divorce case, Partner A discloses to the conciliator that he is personally about to receive a substantial contract from one of the partnership's best clients, and that his partner does not know this; Partner B would balk at their 50/50 division of assets if he knew. Partner A insists that the conciliator not disclose this information to her partner or he will quit the conciliation.

#### **Questions**

1. What ethical standards apply and/or would be helpful in providing guidance for the conciliator in this scenario?
2. What course of action would you take as the conciliator?
3. How would you do it? What would you say to the parties? (Role-play this in your small group.)

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**Scenario #4**

Consumer dispute with an insurance company over alleged over-charge. The conciliator is currently in a dispute with his insurance company over another issue (underpayment on a loss claim.) Disclose?

**Questions**

1. What ethical standards apply and/or would be helpful in providing guidance for the conciliator in this scenario?
2. What course of action would you take as the conciliator?
3. How would you do it? What would you say to the parties? (Role-play this in your small group.)