Maintaining Mediation Confidentiality

The Center for Peace and Conflict Resolution (CPCR) is requesting your help with maintaining the integrity of our mediation process due to concerns about violations of mediation confidentiality.

As CPCR staff, we are formally addressing this issue because confidentiality breaches in mediation may corrode the integrity of the mediation process, which is grounded in confidentiality. When parties in conflict negotiate within the protections of confidentiality with each other, they are much more likely to reach a settlement. While not all CPCR mediations result in a settlement, historically our center’s settlement rate has averaged above 86% for all mediations held (based on 16 years of data between 2002 and 2018).

The CPCR staff would really like students to have the opportunity to negotiate in good faith with their landlords without the process being derailed by mediation standards violations, especially regarding confidentiality. As outlined in the mediation agreement all parties agree to in the CPCR’s mediations, “Except as otherwise agreed by the parties or permitted by law, any oral or written communications prepared specifically for or expressed in the course of the mediation proceeding are privileged and confidential and shall not be disclosed through discovery or any other compulsory process and are not admissible as evidence in any judicial or arbitration proceeding (See the CPCR’s “Agreement to Mediate”).” Please review the CPCR “Agreement to Mediate” form for more specifics about confidentiality in mediation at our center.

While we understand the right for parties to express frustration with mediation outcomes, we want to encourage adherence to confidentiality agreements that will reinforce the integrity and value of the dispute resolution services we offer. We will continue to do our best to provide fair, structured, and easily accessible dispute resolution for all parties.