



CONFLICT OF INTEREST WAIVER

Clients: _____ and _____

1. You have asked me, Shawn Weber (Mediator), to provide both of you legal services in connection with your family law matters, specifically in regards to: _____ . In addition to acting as Mediator, you have asked me to prepare for both of you legal documents associated with your issues. These documents will be prepared in your own names and you will be listed as your own attorney. Preparation of these documents does not result in legal representation of either or both of you. In preparing the documents for both of you, certain conflicts of interest may arise in that the interests and objectives of each of you individually on certain issues related to your matter are, or may become, inconsistent with the interests and objectives of the other.
2. These multiple interests have significant implications which you should consider. For example, rather than vigorously asserting a single client's interest on an issue, there likely will be a balancing of interests between the parties. Terms that are advantageous to one party are often disadvantageous to the other party.
3. In mediation you will reach your own agreement on these issues. The documents prepared will reflect those agreements. Further, in the event of a dispute between you which cannot be resolved through mediation, the mediation would terminate and each of you would be advised to seek individual counsel. Should that happen, I will be precluded from representing either of you.
4. Normally, an attorney would only prepare documents on behalf of their own client. In mediation, I do not and will not represent either of you. However, you have advised me that neither of you wishes to have other counsel prepare these documents at the present time, and that you have decided I should prepare them for both of you.
5. One of the following situations apply:
 - I am aware of information regarding my past or present relationship with the parties or their counsel, direct or indirect, whether financial, professional, or social, and have fully disclosed such information to all parties. I am not aware of any additional information that may affect my ability to maintain my neutrality toward all participants in the mediation session and conduct the session impartially.
 - I have no knowledge of, or history with, either/any party or attorney in this case. I have had no social contact with either/any party. Any social contact with a lawyer in this case would be limited to chance encounters at professional functions.

- 6. The parties declare that they are not aware of any circumstances which may affect my neutrality.
- 7. I stress that each party remains completely free to seek independent counsel at any time even if you decide to sign the consent set forth below. Should you have any questions concerning this consent form, please discuss them with your own independent counsel before signing and returning this letter.

CONSENT

Mediator has explained to both of the undersigned that there may exist potential conflicting interests in the above-described matter and has informed both of us of the possible consequences of these conflicts. We also understand that we have the right to and have been encouraged to consult independent counsel before signing this consent.

Each of the undersigned nevertheless desires Mediator to prepare legal documents related to our matter and, therefore, consents and gives approval to do so. Each of us is aware of any personal relationships between us or our attorneys and Mediator as set forth above and hereby waive these conflicts.

DATED: _____

Client

DATED: _____

Client

DATED: _____

Mediator, Shawn Weber