

RULES OF CONCILIATION

1. **Legal Counsel and Legal Advice.**
 - 1.1 STEVEN A. JENSEN IS NOT ACTING AS AN ATTORNEY AND WILL NOT UNDER ANY CIRCUMSTANCES GIVE LEGAL ADVICE TO EITHER PARTY. BOTH PARTIES ARE ADVISED TO SEEK THEIR OWN LEGAL COUNSEL AT ANY TIME DURING THE PROCESS.
 - 1.2 Steven A. Jensen may give legal information to both parties as may be necessary for the parties to make informed decisions.
 - 1.3 Each of the parties is encouraged to seek the advice of independent and separate legal counsel at any time during the process with regard to his or her individual legal rights and responsibilities.
2. **Communications with Steven A. Jensen.** The parties may communicate with Steven A. Jensen as directed by Steven A. Jensen as part of the conciliation process.
3. **Third Party Involvement.** To facilitate the conciliation process, the parties shall refrain from discussing the matters in conciliation with friends, relatives or others. However, they are encouraged to consult with legal counsel at any time. With the consent of all parties, third persons may be brought into the conciliation session.
4. **Full Disclosure.** Each party shall fully and completely disclose in good faith to the other party and Steven A. Jensen all information and writings relevant to these matters.
5. **Termination.** Any participant or Steven A. Jensen may terminate conciliation at any time. Steven A. Jensen will terminate the conciliation whenever the conciliator believes that: (a) continuation of the process would harm or prejudice one or more of the parties; (b) the ability or willingness of any participant to participate meaningfully in conciliation is so lacking that a reasonable agreement is unlikely; (c) the participants' interests are so complex and difficult that the participants cannot prudently reach an agreement without legal or other expert assistance; (d) there is a known or potential conflict of interest on the part of the conciliator which would affect the conciliator's impartiality; (e) there has not been a fair and full disclosure of all relevant information; or (f) in Steven A. Jensen's professional judgment the agreement does or will involve overreaching, duress, or unfairness. A participant's disagreement with a proposed conciliation report is not sufficient grounds to terminate conciliation.

6. Confidentiality.
- 6.1 Evidence of anything said or of any admission, representation or statement made in the course of conciliation is not confidential and may be discussed and communicated to the Court in the conciliation process.
 - 6.2 Each party hereby authorizes Steven A. Jensen to communicate with the respective attorneys of each of the participants involved in conciliation concerning any subject involving that attorney's client.
 - 6.6 Steven A. Jensen shall not be subpoenaed or otherwise noticed to testify in any trial or hearing involving the subject matter of conciliation or the process.
 - 6.7 The participants understand that Conciliators have imposed upon them by Kansas Statutes Annotated Section §38-1522 and amendments thereto certain obligations concerning the disclosure and reporting the child abuse and neglect. If during the conciliation a matter comes to the conciliator's attention which they believe they are obligated by law to report to any agency or authority, nothing contained herein shall prohibit them from making such a report or disclosure. The participants hereby agree to release and hold the conciliator harmless from any damage they may suffer as a result of such disclosures.
 - 6.8 The participants understand that Steven A. Jensen is further obligated to report the commission of a crime during the conciliation process or an expressed intent to commit a crime in the future and nothing herein shall prevent the reporting of such crimes or expressed intents. The participants hereby agree to release and hold the conciliator harmless from any damage they may suffer as a result of such disclosures.
 - 6.9. The participants understand that confidentiality does not extend to information that is reasonably necessary to establish a defense for Steven A. Jensen or staff in the case of an action against Steven A. Jensen or staff member filed by a party to the proceeding.
7. Substance abuse. The parties understand and agree that if there becomes an issue of substance abuse allegations then the Conciliator has the authority to require testing of blood, breath, or urine, of his choosing, at the parties' expense, and that any testing results may be shared with the Court. Failure to comply with or pay for the testing shall be deemed a failure.
8. Electronic Devices. No telephones, iPads, computers, or other electronic devices may be used during the conciliation process. All such devices shall be

left in your vehicle prior to beginning conciliation. No recordings of the conciliation process are authorized.

9. Report. At the conclusion of the conciliation process, a report shall be generated by the conciliator, documenting the agreements reached (unless another is designated to prepare the same). If an agreement is not reached on all issues then a report shall be generated to the Court explaining the process, whether there was full cooperation and participation, the issues discusses, any agreements reached, and a recommendation to the Court on resolving any remaining issues.

I hereby acknowledge that I have been provided a written copy of these rules; have read these rules; and agree to follow these rules.

Participants: _____ Date: _____

_____ Date: _____

Attorneys: _____ Date: _____

_____ Date: _____