

Academy of Court-Appointed Neutrals Policy on Joint Efforts with Other Organizations

WHEREAS, the Academy of Court-Appointed Neutrals (ACAN) seeks to help people become court-appointed neutrals; court-appointed neutrals become better; and the profession better serve justice; and

WHEREAS, the achievement of each these goals requires working informally or formally with other organizations, but at the same time requires that these joint efforts be undertaken with care and consistency, so that ACAN can make sure, among other things, that the joint efforts advance ACAN's mission, are fair to all concerned, maintain the neutrality of our organization and our membership, make appropriate use of ACAN's resources and are not expected to expose ACAN to liability or other significant negative consequences;

The following policy will apply to consideration of possible partnership with other organizations:

1. All overtures or information about the possibility of joint efforts between ACAN and another organization will be brought to the attention of ACAN's Executive Director for specific consideration before any agreement is made.

2. The Executive Director will be responsible, in the first instance, for considering possible joint efforts between ACAN and other organizations and to make recommendations on these joint efforts. If a possible joint effort involves the entry into a written agreement or otherwise raises what, in the Executive Director's judgment, are significant strategic or other concerns, the Executive Director will consult with other officers and recommend a course of action for approval by the President. Otherwise, the Executive Director may decide on the possibility and report afterwards to the officers and Board on the decision. Where matters are brought to the President's attention, the President will decide whether to seek advance approval of the Board or to report to the Board afterwards.

3. In evaluating the possibility of entering into a joint effort, the Executive Director and, where applicable, the President, shall consider the following factors:

a. The short and long term benefit to ACAN of having the joint effort in advancing ACAN's mission;

b. How this particular potential joint effort fits within ACAN's broader strategic objectives or plan going forward;

c. The mission and nature of the other organization potentially involved and the extent to which that mission or nature is consistent with ACAN's mission and organization;

d. Any detriments that might be expected to arise from the arrangement, including, but not limited to any imposition the joint effort might be expected to place upon ACAN as an organization, its reputation, its membership, its finances or its staff resources;

e. Whether the arrangement presents a risk of affecting the actuality or perception of neutrality of ACAN or its membership – including the possibility that the arrangement may put ACAN in the position of favoring or appearing to favor one group, vendor, viewpoint or litigation role over others or aligning ACAN with a position that would reflect negatively on its neutrality or the neutrality of its membership;

f. The extent, if any, to which the arrangement might create tension with other organizations with whom ACAN associates or individuals in ACAN's membership or potential membership;

g. The extent, if any, to which the arrangement might work to ACAN's detriment, by, for example, reducing incentives for individuals to join ACAN, or occupying ACAN resources that can be more productively used for other purposes; and,

h. Any other obligations the arrangement might impose or limitations that the arrangement might create on options that ACAN might want to pursue in the future.

4. ACAN will not enter into any agreement whether formal or informal that would be expected to create a conflict with its mission, to expose ACAN to liability, or to involve the violation of any law or breach of any obligation. ACAN will otherwise enter into partnering agreements only where, upon consideration of all the facts described above, the benefit outweighs the costs or risks and after attempting to take action to reduce the costs or risks.