

**STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT**

**SETTLEMENT FACILITATION PROGRAM
CONFIDENTIALITY AGREEMENT**

Date: _____ Case Number: _____

_____ vs. _____
Petitioner/Plaintiff Respondent/Defendant

By this agreement, the parties in the above case are attempting to resolve a controversy through the process of settlement facilitation with the assistance of

_____, and _____,
Name of Settlement Facilitator Name of Settlement Facilitator

who will be their settlement facilitator(s).

The parties understand that the settlement facilitator(s) is/ are acting in a neutral capacity and is/are not acting as attorneys for either party. The parties also understand that representations made by the settlement facilitator(s) should not be considered legal advice and the parties are free to consult with legal counsel of their choice at any time.

In order to promote communication and facilitate settlement of the controversy, the parties agree that all statements made during the course of the settlement facilitation are confidential privileged settlement discussions, are made without prejudice to each party's legal position, and are inadmissible for any purpose in any legal or administrative proceeding.

This confidentiality extends to all information disclosed during the course of the settlement facilitation, including all statements made by the settlement facilitators, each party, their attorneys and representatives and any witnesses.

The parties agree they will not seek to compel the settlement facilitator to disclose any confidential information in any proceeding or otherwise, and they will not encourage or permit another to do so.

If any party violates this agreement, that party is liable for and is to indemnify the other parties and settlement facilitators for all costs, expenses and fees, including attorney fees that may be incurred as a result of the violation.

Dated: _____, 20____, and signed before commencement of the settlement facilitation by each of the following:

SETTLEMENT FACILITATOR(S)

PARTIES AND REPRESENTATIVES:
