



## Mi Practitioner Member Guidelines: Use of Artificial Intelligence (AI)

**Status:** Guidance for Mediation Institute Practitioner Members.

**Audience:** Accredited AMDRAS Mediators, FGC Facilitators and Family Dispute Resolution Practitioners who are practitioner members of Mediation Institute.

**Relationship to AI Governance Policy:** These Guidelines sit under, and should be read alongside, the [Mi Artificial Intelligence \(AI\) Policy \(Governance and Values Framework\)](#), available on the Mediation Institute website. The Governance Policy sets Mi's values, boundaries, and oversight arrangements. These Guidelines are intended to be readable as a standalone document while linking AI use to existing professional standards, accreditation obligations, and complaint handling processes.

### 1. Purpose

These Guidelines support Mediation Institute practitioner members to:

- use artificial intelligence (AI) ethically and responsibly in professional practice,
- consider how AI use interacts with existing accreditation and professional obligations,
- manage confidentiality, privacy, and professional judgment risks,
- avoid common AI-related pitfalls that may give rise to complaints, and
- engage with AI as an emerging professional tool without undermining client trust, safety, or standards.

AI is becoming part of the professional environment in which Mediators and Family Dispute Resolution Practitioners operate. These Guidelines recognise that most issues arising from AI use are likely to stem from lack of awareness rather than deliberate misconduct, and they are framed to support reflective, ethical practice.

## 2. Professional Standards and Obligations

Practitioner members remain bound by their existing professional, ethical, and statutory obligations, including:

- the Australian Mediator and Dispute Resolution Accreditation Standards (AMDRAS) and associated codes of conduct, and
- where applicable, accreditation as a Family Dispute Resolution Practitioner under the *Family Law Act 1975* and the *Family Law (Family Dispute Resolution Practitioners) Regulations 2025*.

While these frameworks do not yet contain AI-specific provisions, the obligations they impose apply equally to the use of AI. In particular, practitioners are expected to uphold:

- confidentiality and privacy,
- independence and impartiality,
- appropriate use of professional judgment,
- accuracy and integrity of information provided to clients, and
- accountability for their professional conduct.

AI does not alter or reduce these obligations.

## 3. AI as an Assistive Professional Tool

AI may be used by practitioner members as an assistive tool to support professional services. It must not replace professional judgment, ethical reasoning, or practitioner responsibility.

Appropriate uses may include:

- preparing for sessions or reflecting on process,
- drafting documents or correspondence for later professional review,
- organising information or identifying issues for consideration,
- supporting reflective practice, supervision, or professional development,
- assisting with practice management or administrative efficiency.

AI must not be used as:

- a substitute decision-maker,
- a source of authoritative advice to clients,

- a means of avoiding professional responsibility, or
- a mechanism for shifting accountability to technology.

#### 4. Use of Mi Developed AI Tools by Practitioner Members

Mediation Institute may develop, endorse, or make available artificial intelligence tools to support practitioner members in professional practice, reflective learning, and professional development.

Current examples include **MiAi Mediation Coach** and **MiAi FDR Coach**, which are available to practitioner members as structured, ethics-aware support tools. These tools are designed to assist with activities such as:

- reflective practice and supervision preparation,
- preparation for mediation or family dispute resolution processes,
- structured role-play and skills development,
- drafting and reviewing documents for later professional consideration, and
- professional learning and compliance awareness.

Mi-developed AI tools are assistive resources only. Their use does not replace, diminish, or alter the practitioner's professional obligations under AMDRAS, FDR accreditation requirements, or applicable law.

Practitioner members using Mi-developed AI tools remain fully responsible for:

- maintaining confidentiality and privacy,
- exercising independent professional judgment,
- ensuring accuracy and appropriateness of any material used in practice,
- complying with legal information and not legal advice boundaries, and
- their professional conduct, regardless of whether AI was used as a support tool.

Use of Mi-developed AI tools is subject to the same ethical expectations and complaint assessment considerations as any other aspect of professional practice. Practitioners cannot attribute responsibility for professional decisions, advice boundaries, or confidentiality breaches to the use of AI.

As technology evolves, Mi may update, replace, or expand the AI tools available to members. All such tools are governed by the **Mi Artificial Intelligence (AI) Policy** and these Guidelines unless otherwise specified.

Further information about Mi-developed AI tools is available at:

[www.mediationinstitute.edu.au/mi-ai](http://www.mediationinstitute.edu.au/mi-ai)

## 5. Confidentiality and Privacy (Heightened Professional Standard)

Practitioner members are subject to a higher standard of confidentiality than students or trainees, particularly when handling client information.

Accordingly:

- identifiable or reasonably identifiable client information must **never** be entered into public or open AI tools,
- care must be taken with contextual detail, even where names or obvious identifiers are removed,
- information relating to family circumstances, safety concerns, legal matters, or dispute resolution participation requires particular caution, and
- where doubt exists about identifiability, information must be treated as identifiable and not used with AI.

Where AI is used within secure, enterprise, or internally governed systems, practitioners remain responsible for ensuring that use aligns with privacy obligations, client expectations, and professional standards.

Breaches of confidentiality involving AI use are likely to be treated seriously in any complaint assessment.

See sections 4.5 and 4.6 of the Mi Artificial Intelligence (AI) Policy.

## 6. Professional Judgment and Influence on Outcomes

Practitioners must exercise independent professional judgment at all times.

AI must not be used to:

- influence mediation or FDR outcomes,
- frame options or proposals as if they carry neutral or authoritative status,
- substitute for practitioner analysis of safety, or suitability, or
- pressure parties by presenting AI-generated content as objective or determinative.

Practitioners remain accountable for the process they facilitate and the information they provide, regardless of whether AI was used as a support tool.

## 7. Drafting, Review, and Legal Information Boundaries

AI may assist with drafting documents, summaries, or agreements. However:

- all AI-generated content must be **carefully reviewed** by the practitioner before use,
- practitioners are responsible for ensuring accuracy, appropriateness, and compliance with professional obligations,
- AI outputs must not be provided to clients without professional review, and
- practitioners must not present AI-generated material as legal advice, or as a substitute for independent legal advice.

Practitioners cannot avoid responsibility for breaching the boundary between legal information and legal advice by attributing content to AI.

## 8. Transparency, Disclosure, and Accountability

These Guidelines do not require practitioners to routinely disclose AI use to clients.

However, practitioners are expected to:

- exercise professional judgment about whether disclosure is appropriate in particular circumstances,
- remain accountable for all aspects of their professional conduct, and
- ensure that AI use does not undermine client trust, informed consent, or process integrity.

Misrepresentation of AI as neutral, authoritative, or determinative is inconsistent with ethical practice.

## 9. Complaints and Risk Awareness

Mediation Institute provides an independent complaints handling service for practitioner members. Complaints relating to AI use may be assessed by reference to:

- compliance with accreditation standards and professional obligations,
- confidentiality and privacy requirements,
- the reasonableness of the practitioner's conduct,
- the practitioner's exercise of professional judgment, and
- the intent and effect of the AI use in context.

AI-related complaints are most likely to arise where there is:

- misuse or mishandling of client information,
- over-reliance on AI for professional judgment,
- failure to review AI-generated material,
- inappropriate influence on outcomes, or
- misrepresentation of AI as authoritative.

## 10. Reflective Practice and Ongoing Development

AI is an evolving area of professional practice. Practitioner members are encouraged to:

- engage in reflective practice about AI use,
- seek supervision or peer discussion where uncertainty arises,
- stay informed about emerging guidance from accreditation bodies, and
- use these Guidelines as a support for ethical decision-making.

These Guidelines are intended to assist practitioners to adapt thoughtfully to technological change while maintaining the professional standards and public trust central to mediation and family dispute resolution practice.