



Standards and Responsibilities for Members of the AAA Roster of Arbitrators and Mediators

The American Arbitration Association (“AAA”) is committed to offering a Roster of Arbitrators and Mediators with whom the Association has a strong and positive relationship and in which parties can have the utmost confidence. Our primary objective is to offer to parties the best-qualified panelists for cases filed with the AAA.

To that end, members of the Roster of Arbitrators and Mediators are required, at all times, to be in compliance with the following *Standards and Responsibilities*:

- Panelists must understand and support their responsibilities to the Alternative Dispute Resolution (“ADR”) process, the parties that they serve, and the AAA. The responsibilities inherent in the role of an Arbitrator or Mediator include:
 - understanding that the arbitration and mediation processes are expeditious, more efficient and less formal alternatives to litigation;
 - commitment to speed, economy and a just resolution for controversies brought before them;
 - dedication to the highest demonstrated practice of ethical behavior and integrity;
 - providing the very best service to the users of arbitration/mediation who place their trust in the AAA;
 - respect for others who contribute to ADR processes and the role they play -- most notably the case management staff of the AAA who serve as partners in the management of the process;
 - support of the AAA and the policies and practices the AAA applies to best serve the field of ADR.
- Billing Guidelines: Every effort should be made to meet the guidelines specified in the AAA’s *Arbitrator Billing Guidelines (Commercial, Construction and Employment Cases)*.
- Continuing Education Requirements: Arbitrators must fulfill an annual Arbitrator Continuing Education (ACE) requirement -- a commitment to ongoing education and training to enhance their dispute resolution skills. The AAA does not have a mandatory continuing education requirement for the AAA Panel of Mediators, but does have an expectation that mediators will participate in continuing education and training activities designed to enhance their mediation skills and knowledge.
- Panel Fee: An annual Panel Fee is assessed on Commercial, Construction, Employment and Labor arbitration panelists to underwrite the administrative and technology cost of services offered to the panelists. There is a separate annual Panel Fee for members of the AAA’s Mediation Panel.
- Profile and Resume Accuracy: Panelists are required to keep their resume current and notify the AAA immediately if changes occur that affect their profile information.
- Panelists may not share with another ADR Provider Organization the compensation received for services rendered while serving on an AAA-administered case.¹
- Panelists should be aware of the importance that the confidentiality of the process plays in the parties’ decision to enter into a contract containing an arbitration or mediation clause. In this regard, Panelists must not violate the terms of the *Code of Ethics for Arbitrators in Commercial Disputes*,² the *Model Standards of Conduct for Mediators*,³ the *Code of Professional Responsibilities for Arbitrators of Labor-Management Disputes*,⁴ or the AAA Arbitration Rules and Mediation Procedures⁵ respecting the confidentiality⁶ of the conflict management process, and may not disclose confidential information related to cases unless required by law.

- Consistent with the AAA's Rules, Panelists should recommend the use of the AAA whenever asked to serve on a case where the AAA rules, procedures, or case management services are included in a contract.
- Panelists are encouraged to recommend and promote the use of ADR, and AAA Rules and Services. If approached to serve on a case where the AAA is not named in a contract, our expectation is that our Panelists will ask the parties to consider using AAA case management services.
- When the parties have agreed to arbitrate or mediate pursuant to the Rules of the AAA, but have requested that the matter proceed on an *ad hoc* basis or through the administration of another service provider, AAA Panelists must disclose clearly in writing to the parties that the AAA has no affiliation, connection, or responsibility for that case. In addition, Panelists may not indicate or represent that the AAA has any connection, or responsibility for the case.
- Standards of Responsibilities and Understanding: On an annual basis all Panelists must acknowledge compliance with these Standards by completion of the *Annual Statement of Responsibilities and Understanding*.

The composition of the Roster of Arbitrators and Mediators is at the sole discretion of the AAA, including the selection and retention of arbitrators and mediators. Continuation on the Roster is subject to standard review based on service need, qualifications and performance as deemed appropriate by AAA. Neither acceptance to the Roster nor appointment to cases shall make any member of the Roster of Arbitrators and Mediators an employee, agent, or independent contractor of the AAA.

¹ ADR Provider Organization: defined as a For-Profit Company/Organization that offers a roster of arbitrators/mediators, case management/administrative services, or ADR rules and procedures for inclusion by parties in contracts.

² *The Code of Ethics for Arbitrators in Commercial Disputes* – Canon VI(B).

³ *The Model Standards of Conducts for Mediators* – Standard V.

⁴ *Code of Professional Responsibilities for Arbitrators of Labor-Management Disputes* – Section 2.C.

⁵ *Commercial Arbitration Rules and Mediation Procedures* – Rules R-25 and R-34(c).

⁶ Disclosures made for the sole purpose of compliance with conflict of interest and disclosure requirements are permissible. However, at no time may information regarding the identities of parties to cases filed with the AAA be disclosed to third persons, including ADR Provider Organizations for the purpose of marketing and sales initiatives.