

DISCLOSURE GUIDELINES

For serving on American Arbitration Association Cases

General – The American Arbitration Association Rules and the Code of Ethics require you to make full disclosure. Your duty to make disclosures is ongoing throughout all stages of the arbitration. You may be prompted to conduct a subsequent conflict check during key points of the case, but you should conduct such checks and make disclosures on your own initiative whenever new information about the case participants comes to light.

Any doubt as to whether or not disclosure needs to be made should be resolved in favor of disclosure. You should not judge the significance of the potential conflict but rather you should make the disclosure and let the parties determine its significance. As a guiding principle, *if a relationship or interest crosses your mind – disclose it*. You must disclose:

- Any circumstance likely to give rise to justifiable doubt as to your impartiality or independence (per AAA rules).
- Any interest or relationship that might create an appearance of partiality (per the Code of Ethics).
- Any applicable statutes pertaining to arbitrator disclosures.

Financial – As to any party, attorney, witness and other arbitrator involved in *this* case, you must disclose any:

- Financial interest that is *direct* (existing or past) or *indirect* (existing or past)

Relational – You must disclose any *relationships* you have with any party, attorney, witness and other arbitrator involved in *this* case – this includes relationships with their:

- Families or household members
- Current employers
- Partners
- Professional and/or business associates

How to Disclose – When disclosing, specificity is extremely important. Provide enough detail in your disclosure so that the parties are fully informed of the potential conflict. Tell us:

- Who
- What
- When
- Where
- How

Failing to provide a sufficient level of detail will delay the confirmation of your appointment, as well as the progress of the case overall. All disclosures must be provided in writing. In the rare situation where a disclosure comes to light at a hearing, you are obligated to excuse yourself from the proceeding and immediately contact the AAA who will facilitate the process for communicating the disclosure to the parties and obtaining their response. Pursuant to the AAA Rules, the AAA shall determine whether or not a challenge raised by a party to an arbitrator's continued service shall be granted or denied.