

## Canon three

In communicating with the parties, an Arbitrator should avoid impropriety or the appearance of impropriety.

A. An Arbitrator should not discuss a case with any Party in the absence of each other Party, except in any of the following circumstances:

- (1) Discussions may be had with a Party concerning such matters as setting the time and place of proceedings or making other arrangements for the conduct of the proceedings or procedural questions. The Arbitrator should not make any final determination concerning the matter discussed before giving each absent Party an opportunity to respond.
- (2) If a Party fails to be present at a proceeding after having been given due notice, the Arbitrator may discuss the case with any Party who is present.
- (3) Private discussions may take place if requested or consented to by all parties.
- (4) Such discussions may take place as otherwise provided in applicable rules or in an agreement of the parties.

B. Whenever an Arbitrator communicates in writing or by e-mail with one Party, the Arbitrator should at the same time send a copy of the communication to each other Party.