

Good Character Requirement for Arbitrator Registration

1. **General.** No person shall be registered as an arbitrator unless the person first produces satisfactory evidence of good character, as required in the Arbitration Standards & Registration Procedures. An arbitrator shall have, as a prerequisite to registration and as a requirement for continuing registration, good character as set forth in subsequent sections.
2. **Purpose and Disclaimer.** The purpose of the good character requirement is to help protect participants in arbitration and the public, and to safeguard the justice system. Any inquiry into an applicant's good character should not be deemed to be exhaustive or conclusive. Participants to an arbitration also should use their own due diligence to ascertain the fitness or capability of an individual arbitrator to serve appropriately as arbitrator in their particular dispute.
3. **Registration and Removal.** The following shall apply for initial and continuing arbitrator registration:
 - a. The applicant's or arbitrator's character is subject to inquiry.
 - b. In assessing whether the applicant's or arbitrator's conduct demonstrates a lack of good character, the Alabama Center for Dispute Resolution (Center) will consider, without limitation, the following factors:
 - (1) the extent to which the conduct would interfere with an arbitrator's duties and responsibilities;
 - (2) the factors underlying the conduct;
 - (3) the applicant's or arbitrator's age at the time of the conduct
 - (4) the recency of the conduct;
 - (5) the reliability of the information concerning the conduct;
 - (6) the seriousness of the conduct as it relates to arbitrator qualifications;
 - (7) the effect of the conduct or the totality of information gathered;
 - (8) any evidence of rehabilitation;
 - (9) the applicant's or arbitrator's candor;
 - (10) denial of application, disbarment, or suspension from any profession; and
 - (11) treatment or commitment for treatment for alcohol or other substance abuse.
 - c. An applicant for initial registration who has been convicted of a felony shall be ineligible for registration until such person has received a restoration of civil rights or has been pardoned.
 - d. A registered arbitrator shall be subject to removal from registration for any knowingly and willfully incorrect material information contained in any arbitrator

application. There is a presumption of knowing and willful violation if the application is completed, signed and notarized.

4. Conviction of Crime. A conviction of a felony or misdemeanor shall be reported by the arbitrator in writing to the Center within 30 days of such conviction. The report shall include a copy of the judgment of conviction.
 - a. Upon receipt of a judgment of a felony conviction, the Center shall immediately suspend all registration and refer the matter to the Alabama Supreme Court Commission on Dispute Resolution (Commission).
 - b. Upon receipt of a judgment of a misdemeanor conviction, the Center shall refer the matter to the Commission for appropriate action.
 - c. If the Center becomes aware of a conviction prior to the required notification, it shall suspend registration in the case of a felony, and refer the matter to the Commission for appropriate action.