



# AAA-ICDR® Guidance on Arbitrators' Use of AI Tools — March 2025

AI technology powers useful tools for lawyers and arbitrators. AI tools can summarize and draft documents, check facts, and verify citations, allowing arbitrators to focus on delivering fair and informed decisions.

The AAA-ICDR encourages arbitrators to embrace this technology while adhering to their professional obligations under the **Code of Ethics for Arbitrators in Commercial Disputes** and the **Code of Professional Responsibility for Arbitrators of Labor-Management Disputes** to ensure fairness, integrity, and confidentiality.

## Considerations when Using AI Tools

### 1. Accuracy and Reliability of Information:

- AI tools provide valuable assistance but occasionally generate incomplete or inaccurate information. Arbitrators should apply their expertise to critically evaluate and verify outputs and to ensure that information aligns with the standards of accuracy and reliability required in arbitration.
- When using AI tools, arbitrators should cross-reference outputs against primary sources to ensure accuracy.

### 2. Maintaining Fairness and Due Process:

- **Canon I** of the Code of Ethics<sup>1</sup> requires that arbitrators ensure their use of AI tools enhances the arbitration process while maintaining the principles of fairness and due process. The thoughtful use of many tools can streamline workflows without compromising fairness.
- By understanding the utility and limitations of AI tools, arbitrators can make informed decisions about how best to incorporate them into their practice.

### 3. Independent Decision-Making:

- **Canon V** requires arbitrators to retain complete control over decision-making. Arbitrators should use AI tools that support—not replace—the arbitrator's judgment and expertise.
- When using AI tools for legal research or evidence analysis, arbitrators should ensure their decisions reflect their independent evaluation and reasoning.

### 4. Transparency with Parties:

- Arbitrators should disclose their use of generative AI tools when such use materially impacts the arbitration process or the reasoning underlying their decisions.

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<sup>1</sup>The cited canons are from the Code of Ethics for Arbitrators in Commercial Disputes. The Code of Professional Responsibility for Arbitrators of Labor-Management has similar provisions.



## Confidentiality and Data Protection

### 1. Safeguarding Confidential Information:

- Arbitrators must ensure their use of AI tools complies with their confidentiality obligations under Canon VI and applicable arbitration rules. Arbitrators should always use secure tools and platforms to handle sensitive case information.
- Arbitrators should not put confidential information, such as party names or case specifics, into tools that do not guarantee data protection.

### 2. Selecting the Right AI Tools:

- By choosing AI tools with robust data security and confidentiality measures, arbitrators can confidently integrate these technologies into their workflows.

## Competence and Professionalism

Arbitrators are encouraged to stay informed about AI advancements and their practical applications. Many AI tools are intuitive and accessible, enabling easy incorporation into a practice. Developing proficiency with AI tools reflects an arbitrator's commitment to professionalism and continuous improvement.

## Conclusion

AI tools can empower arbitrators to work more efficiently and effectively, allowing them to focus on delivering fair and well-reasoned decisions. No technology is a replacement for an arbitrator's expertise; it may be an enhancement, enabling greater precision and efficiency. By integrating AI tools thoughtfully and carefully, arbitrators can harness the tools' full potential while maintaining the highest standards of professionalism and ethics.