

# ASCA STANDARDS OF PROFESSIONAL PRACTICE

MAY 2011

## **FOREWORD**

ASCA Members agree to abide by the Standards of Professional Practice as a condition of membership in the American Society of Consulting Arborists. The Standards of Professional Practice provide guidance for members to govern their professional conduct.

ASCA does not warrant that individual members will adhere to these Standards of Professional Practice in any instance, nor does ASCA hold itself out as having a responsibility to govern or review the business practices of members or the quality of related work, services, or goods provided by members.

## **DEFINITIONS**

**Arboricultural.** Pertaining to the awareness, care, evaluation, identification, growing, maintenance, management, planting, selection, and treatment of trees and other woody plants.

**Arboricultural Consultant.** An individual engaged in Arboricultural Consulting, also known as a Consulting Arborist.

**Arboricultural Consulting.** The profession which involves the application of technical knowledge, analytical skills and professional judgment to arboricultural-related facts and circumstances.

**ASCA.** The American Society of Consulting Arborists.

**ASCA's A Consultant's Guide to Writing Effective Reports.** A book written and initially published by ASCA in 2004, including subsequent editions or revisions thereof.

**Consulting Arborist.** An individual engaged in Arboricultural Consulting, also known as an Arboricultural Consultant. .

**Continuing Education Requirements.** Continuing, periodic education required to maintain eligibility for membership in ASCA, as set forth in the ASCA Bylaws.

## 1. Ethical Principles.

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**1.1 Competence.** Members shall strive to perform Arboricultural Consulting services with competence.

**A. Improvement.** Members should continuously and assiduously strive to improve their qualifications and proficiency as Consulting Arborists.

**B. Minimum Continuing Education.** Members shall satisfy ASCA's Continuing Education Requirements.

**C. Practice Areas.** Members shall strive to attain and maintain competence in the particular areas in which they practice. This may involve study and experience beyond that required for admission to ASCA or to satisfy ASCA's Continuing Education Requirements.

**D. Roles.** Members shall strive to attain and maintain competence in the particular roles in which they practice. This may involve study and experience beyond that required for admission to ASCA or to satisfy ASCA's Continuing Education Requirements.

**E. Assignments.** Members shall undertake only those assignments that are reasonably within the member's range of technical competence, unless the member obtains competent assistance and so advises the client.

**1.2 Due Care.** Members shall strive to perform Arboricultural Consulting services with due care. Due care varies with each assignment, but may be generally defined as the level of care that would be required of a reasonably prudent professional under the same or similar circumstances.

**1.3 Impartiality.** Members shall strive to perform Arboricultural Consulting services with impartiality whenever they hold themselves out to be acting as disinterested, impartial and unbiased third parties. Members need not act with impartiality when acting in the role of an advocate. Members acting as advocates are not relieved of the duties of independence and objectivity.

**1.4 Independence.** Members shall strive to perform Arboricultural Consulting services with actual and apparent independence and shall avoid actual and apparent conflicts of interest unless disclosed to and waived by clients.

**A. Actual Independence.** Members shall remain free of any actual influences on their ability to be objective when reaching conclusions, rendering opinions and providing recommendations.

**B. Independence in Appearance.** Members shall be mindful of apparent or potential influences on their objectivity and shall exercise careful professional judgment in determining whether to disclose such influences and affirm their objectivity or to decline an assignment.

**1.5 Integrity.** Members shall strive to provide Arboricultural Consulting services with integrity, that is, with fairness and honesty.

**1.6 Objectivity.** Members shall strive to provide Arboricultural Consulting services with objectivity, that is, without bias or prejudice and based upon facts and reasonably informed assumptions.

## **2. General Practice Standards.**

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### **2.1 Assignments.**

**A. Definition of Each Assignment.** Members shall communicate clearly with clients and employers to define each assignment. The definition of the assignment should identify factors which include:

**i)** the issue(s) to be resolved, and/or the problem(s) to be solved, and/or the question(s) to be answered;

**ii)** the agreed upon level of thoroughness;

**iii)** the scope of investigation or other work necessary to complete the assignment in a manner which is adequate and appropriate;

**iv)** the type(s) of results (such as conclusions, explanations, observations, opinions, recommendations or specifications) desired;

**v)** the agreed upon scope and limitations of any report and the intended purpose(s) and use(s) of any such report; and

**vi)** the manner and/or amount of compensation to be provided to the member, provided that such compensation is lawful and clearly stated.

**B. Independent and Objective Character of the Results of Arboricultural Consulting Assignments.** The results of members' Arboricultural Consulting assignments should always be objective, that is, based upon what the member perceives to be relevant facts and reasonable assumptions, and independent of the desires, needs or wishes of the client or employer and of the interests of the member.

**C. Methodology.** Members shall base conclusions, opinions and recommendations on adequate and appropriate methodology (analyses, investigations, tests and other procedures).

**D. Adequate Data.** Members shall base conclusions, opinions and recommendations on adequate data unless such data are not available or cannot reasonably be gathered or made available in the context of the assignment, in which case members shall disclose limitations on the adequacy of data and any resulting limitations on the accuracy or reliability of conclusions, opinions or recommendations.

**E. Verifiable - Justifiable Results.** Results of assignments should generally be verifiable by other professionals using similar methodology. Because

professionals can reach differing results, members shall be prepared to explain and justify their results in the face of divergent opinion.

**F. Record Keeping.** Members shall maintain copies of their written reports and other records of their assignments for five years after the completion of the assignment, two years after the final disposition of a judicial or other dispute resolution proceeding in which the member has provided services, whichever period expires last, or for such longer period as is required by applicable law.

**2.2 Reports and Presentation Standards.** Members shall endeavor to report their conclusions, opinions and recommendations in a manner that makes them clear, unambiguous and usable. Members are encouraged to use *A Consultant's Guide to Writing Effective Reports* as a reference when preparing reports.

**A. Limiting Conditions.** Members shall clearly disclose and explain in their reports any limitations on authority, competence, scope, data, methodology or results, as well as any limitations on the use or application of the report.

**B. Preliminary Reports.** Members shall clearly identify reports which are intended to be preliminary or to present the results of preliminary investigations.

**C. Degrees of Certainty or Reliability.** Members shall not misstate the degree of certainty of an opinion, if any.

**D. Originality and the Work of Others.** Members shall not represent the work of others to be their own, whether by plagiarism, or by failing to obtain permission to use or to cite as a source the work of others.

**E. Professional Responsibility.** Members shall accept professional responsibility for their own work and the conclusions, opinions or recommendations which they report based on that work.

**F. Divergent or Dissenting Opinions.** Members should exercise careful professional judgment to determine whether disclosure of a divergent or dissenting opinion, conclusion or recommendation by a collaborator in an assignment is necessary for a client or employer to make an informed decision.

**2.3 Advertising, Promotion and Solicitation.**

**A. Truthfulness.** Members shall not make any deceptive, false or misleading claim, promise, representation or statement in verbal or written advertising, promotion or solicitation.

**B. Results Offered.** Members shall not guarantee, imply, offer or represent that the results of an assignment can or will be tailored or adjusted to any particular conclusion other than one which represents a member's honest and objective opinion.

**2.4 Confidentiality.** Unless they have been specifically released from this duty by the party to whom it is owed, members shall not reveal information obtained in the conduct of providing Arboricultural Consulting services which they have agreed to maintain in confidence, or which the reasonably prudent member would recognize as likely, if disclosed, to adversely affect the interests of the client or employer.

**A. Extraordinary Exceptions.** Members may reveal such information to the extent they believe necessary:

- i) To prevent an appreciable risk of significant harm to public safety or the property of others which cannot be reasonably prevented in any other manner.
- ii) To establish claims or defenses on behalf of such members.
- iii) To comply with applicable law or court orders.

**B. Specific Roles.** Members acting in appraisal, arbitration/mediation or forensic expert roles should inquire to determine whether they have more stringent duties of confidentiality than those set forth herein. Members acting in specific roles shall fulfill any additional duties of confidentiality imposed upon them.

### **3. Duties to Clients and Employers.**

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**3.1 In General.** In their professional relationships with clients and employers, members have a duty to strive to comply with the Ethical Principles and General Practice Standards set forth herein.

### **4. Duties to ASCA.**

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**4.1 Arboricultural Consulting Profession.** Members shall regard Arboricultural Consulting as an honorable and necessary profession.

**4.2 General Conduct.** Members shall conduct themselves in a manner which enhances the standing of Arboricultural Consulting and ASCA and shall avoid practices and actions which discredit Arboricultural Consulting or ASCA.

**4.3 Specific Conduct.** Members shall strive to provide Arboricultural Consulting services in compliance with these Standards of Professional Practice and shall adhere to the Bylaws of ASCA.

**4.4 Professional Courtesy.** Members should strive to further the interests of ASCA by cooperating in the lawful exchange of information and experiences with other members.

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