



AIA Best Practices: The AIA Code of Ethics and ethical practice

An introduction

Excerpted and adapted from The Architect's Handbook of Professional Practice, 15th edition

Summary

Members of the American Institute of Architects lead the way through the highest standards of professionalism, integrity, and competence. The [Code of Ethics and Professional Conduct](#) is both guide and measurement of those practices.

Architecture as a practice is based on a moral foundation of professionalism, with responsibilities to the general public, our respective clients, to the profession itself, our colleagues, and to the shared environment that surrounds all of us. For members of the American Institute of Architects (AIA), the concise language of the Code of Ethics and Professional Conduct is both guide and measuring stick for professional behavior.

History of the AIA Code of Ethics

In 1909, the AIA first adopted a formal set of rules governing the conduct of architects. The rules were published as “A Circular of Advice Relative to Principles of Professional Practice and the Canons of Ethics.” According to the National Council of Architectural Registration Boards (NCARB), only four states (Illinois, New Jersey, California, and Colorado) had by that time adopted laws regulating the practice of architecture. As a result, the AIA’s rules served to set standards for practice in much of the country. The AIA periodically revised its ethical code in mostly limited ways during the ensuing 60 years.

Limitations imposed by antitrust law

State governments and their agencies enjoy various powers and privileges that do not extend to other types of organizations or to individuals. As a result, both the scope of professional rules adopted by the AIA and the manner of their enforcement by the AIA necessarily differ from what registration boards may do.

Antitrust law imposes significant restrictions on what conduct the AIA can mandate or prohibit in a code of ethics for its members. Although antitrust law is complex, its general purpose is to foster economic competition. One way that antitrust law accomplishes this goal is to prevent competitors in a given market from acting together to unreasonably restrain competition. Because the members of the AIA are competitors of each other, AIA activities cannot be carried out with the purpose or effect of reducing competition in ways that courts have found to be unreasonable, that is, without having an offsetting precompetitive effect.

Prior provisions no longer in the code

Some subjects were covered in pre-1980 versions of the AIA's code of ethics but are no longer, mostly as a result of restrictions imposed by antitrust law. Prominent in a list of such subjects is any restriction pertaining to fees or compensation for services. In a 1978 appeal by the National Society of Professional Engineers, the U.S. Supreme Court specifically held that a professional association's ethical code may not prohibit competitive bidding—despite the argument that such a regulation would further public health, welfare, and safety.

The absence of ethical provisions regarding fees has a broader effect than just competitive bidding or minimum fee amounts, however. There is no ethical restriction on providing free services whether or not part of marketing; providing services at no charge is, of course, simply charging a fee of zero. Similarly, there are no ethical restrictions specifically pertaining to design competitions, which amount to providing services for no fee or a very small fee.

Other subjects no longer prohibited by the AIA code of ethics include:

- **Supplanting or replacing another architect on a project.** Historically, it was considered unprofessional to have any business contact with another architect's client. The AIA code of ethics does not prohibit such conduct.
- **Advertising.** The AIA's code does not prohibit advertising of professional services. The code does contain provisions that could be violated in the context of advertising, however, such as making false statements or failing to properly credit other participants in a project.
- **Contracting to do construction.** The 1909 code prohibited engaging in any of the "building trades" or guaranteeing any estimate. These restrictions, which are incompatible with design-build, disappeared by the 1970s.

Structure of the code

The Code is arranged in three tiers of statements: Canons, Ethical Standards, and Rules of Conduct.

- **Canons** are broad principles of conduct. The code of ethics primarily addresses responsibilities that architects and other AIA members have to others. Except for Canon I, General Obligations, the canons reflect the categories of those to whom duties are owed: the public, clients, the architectural and related professions, colleagues (as individuals), and the environment.
- **Ethical Standards** are more specific goals toward which members should aspire in professional performance and behavior.
- **Rules of Conduct** are mandatory. Violation of a Rule of Conduct is grounds for disciplinary action by the Institute. Rules of Conduct, in some instances, implement more than one Canon or Ethical Standard. Commentary is provided for some of the Rules of Conduct. That commentary is meant to clarify or elaborate the intent of the rule. The commentary is not part of the code, however. Enforcement is determined by application of the Rules of Conduct alone. The commentary is

intended to assist those who are seeking to conform their conduct to the code as well as those who are charged with its enforcement.

The Six Canons of the AIA Code of Ethics include:

Canon I: General Obligations

Members should maintain and advance their knowledge of the art and science of architecture, respect the body of architectural accomplishment, contribute to its growth, thoughtfully consider the social and environmental impact of their professional activities, and exercise learned and uncompromised professional judgment.

Canon II: Obligations to the Public

Members should embrace the spirit and letter of the law governing their professional affairs and should promote and serve the public interest in their personal and professional activities.

Canon III: Obligations to the Client

Members should serve their clients competently and in a professional manner, and should exercise unprejudiced and unbiased judgment when performing all professional services.

Canon IV: Obligations to the Profession

Members should uphold the integrity and dignity of the profession.

Canon V: Obligations to Colleagues

Members should respect the rights and acknowledge the professional aspirations and contributions of their colleagues.

Canon VI: Obligations to the Environment

Members should promote sustainable design and development principles in their professional activities.

National Ethics Council

The bylaws of the AIA establish the processes under which the ethical code is adopted, amended, and enforced. The bylaws provide for the establishment of a National Ethics Council, which has the authority to interpret the Code of Ethics. Individual members, officers, directors, employees, and officers and staff of state and local components of the AIA do not have this authority.

The National Ethics Council is the body charged by the bylaws to enforce ethical matters in the practice of architecture, in accordance with current, published editions of the Code of Ethics and Rules of Procedure. It does so through the process of complaint and response, measuring ethical behavior as defined by the Code. The Council also considers proposed changes to the Code for adoption by the Board of Directors or membership of the Institute, and may itself propose revisions.

Composition of and Appointments to the Council

As established by the AIA's bylaws, the National Ethics Council consists of up to 12 architect members of the Institute, appointed by the Board of Directors to staggered three-year terms. Typically, the Council operates with seven members, each of whom generally is reappointed to a second three-year term. Individual terms are staggered to enhance institutional memory since Council members are not permitted to serve more than two consecutive three-year terms.

Promulgation of the Code of Ethics

The [National Ethics Council's page on the AIA website](#) contains the current Code of Ethics, supporting documentation, and all necessary forms. In addition to violation notices published upon the conclusion of a case, decisions of the Council are also published in redacted form, that is, with names, places, and other identifying information removed.

Changes in the code of ethics and complaint process

How the Code Itself Is Modified

The AIA's bylaws provide two means for amending the Code of Ethics. The Institute's Board of Directors is empowered to adopt amendments at any time. In addition, the members as a whole, through a vote of their delegates at an annual meeting, may adopt amendments. Typically, amendments have been made by the Board.

How the Rules of Procedure Are Modified

The National Ethics Council is given authority by the AIA's bylaws to adopt the rules under which it operates, subject to specific requirements set by the bylaws themselves. The rules under which appeals are taken are established by the bylaws and the Board of Directors.

The AIA collects and disseminates Best Practices as a service to AIA members without endorsement or recommendation. Appropriate use of the information provided is the responsibility of the reader.

About AIA Best Practices

AIA Best Practices is a collection of relevant, experience-based knowledge and expert advice on firm management, project delivery, contracts and more, aligned with the *Architect's Handbook of Professional Practice, 15th edition*. See the full AIA Best Practices collection at aia.org/aia-best-practices.

This article corresponds to:

Architect's Handbook of Professional Practice, 15th edition Unit 1 – The Profession
Chapter 01 – Ethics, and Professional Practice
Section 01 – AIA Code of Ethics and Professional Conduct Overview