



FOLLOWING THE RULES FOR

Young Professionals

An Overview of IRWA's Code of Conduct

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Starting a new career can be intimidating. Is the career you chose what you expected? Do you like your profession as much as you thought you would? When will you feel like you are competent in your field? But one question you may not be thinking about as you venture into the realm of being a right of way agent (RWA) is: are you violating any ethical codes of the profession? Better yet, do you know the ethical rules you are expected to follow?



As an RWA negotiating and purchasing land rights on behalf of public entities, utilities, etc., it is essential to comply with the rules expected of you so that your project is not delayed, and your client receives the land rights they need. IRWA has a specific set of rules that members are bound to follow. There are 10 sections of ethical rules for RWAs and members of IRWA. Within each section are subsections outlining each rule. This article will provide young professionals, or professionals just needing a refresher, with a brief overview of some of the Code of Conduct sections.

Professional Conduct. RWAs cannot act fraudulently or in a misleading manner, including but not limited to, allowing the use of misleading information. This also includes misrepresenting your qualifications and understanding of the laws involved in the profession. If you are unsure of an answer to the question asked of you, let the person know that you are unsure, but that you will seek more information and provide them with an accurate answer. This can also build trustworthiness by showing the other person that you are going to provide the correct information they are seeking instead of trying to “save face” and pretend that you know everything.

Advertising and Promotional Practices.

Be cautious when advertising your services to clients. Due to the nature of the projects RWAs work on, information obtained during each project may be confidential until the completion of the project. Even though you may be finished on a project, the project itself may not be finished. Advertisements that include specific information of a project that is not fully completed may lead to the disclosure of confidential information your client expected you to keep private. Additionally, similar to your professional conduct, be aware that the information you advertise is not misleading.

Confidentiality. As stated above, discussions of projects that are not completed may lead to the inadvertent disclosure of confidential information. Just because your services on a project are complete does not mean the project as a whole is finished. Discussions of such information, in public or private, may harm your client and/or employer. Plus, you may lose your employer's trust and confidence in your abilities on future projects. It is also important to be aware of privileged information that can only be disclosed in very select instances. As you may already know, when working with public agencies, statements you make may become part of a public record that is available for public review. Keep this in mind when discussing current and past projects that may have confidential and/or privileged information.

Reasonable Fees. There are strict rules as to how an RWA may charge for services. Fortunately, IRWA provides factors to consider when pricing out your services. For example, time and effort required and spent on a project, and the difficulty and importance of the matter are common considerations in fee setting. Another factor not always considered is the nature and length of the relationship you or your employer has with the client. Even if your employer sets your service fee, it can be useful to know the factors used to determine reasonable fees so you can be certain you are complying with these codes. Also be aware of rules surrounding the acceptance of gifts from clients and the necessary disclosures that are required. Please note that your employer may have specific rules regarding the acceptance of gifts, and you should confirm these rules with your employer.

Public Confidence. As a representative of a public agency or utility, RWAs have a high standard of professional conduct. RWAs work with the public on behalf of their employers and are the person the public turns to during negotiations, and often times after a deal has closed. It is vital to maintain an honest and objective composure, making sure to emphasize trust and integrity in all dealings throughout your career.

Compliance with Other Codes of Conduct.

In addition to your RWA certification, you may hold additional licenses related to the industry or your career. It is crucial to know of and adhere to all codes of conduct related to the licenses you hold. Fortunately, various codes of conduct often overlap between professions, which makes compliance simpler. However, do not assume all codes of conduct overlap. If you have specific questions regarding various codes of conduct for different licenses, reach out to the supervising board or association that issued the license for answers. In addition to other codes of conducts for additional licenses, each state, city, municipality and utility company may have additional standards and rules pertaining to their jurisdiction or service. It is important to consult with your employer regarding any specific codes of conduct you are expected to know and follow.

To review the IRWA's Code of Conduct in its entirety, please visit <https://www.irwaonline.org/about-us/code-of-ethics/>. 🌟



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