

**13 NCAC 04B .0202 EX-PARTE HEARINGS**

(a) In determining whether to conduct an ex-parte hearing, an arbitrator must consider relevant legal, contractual, and other pertinent circumstances.

(b) An arbitrator must be certain, before proceeding ex-parte, that the party refusing or failing to attend the hearing has been given ample notice of the time, place, and purpose of the hearing and adequate opportunity to register objections.

*History Note:* Authority G.S. 95-36.3;  
Eff. February 1, 1976;  
Readopted Eff. September 30, 1977;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2018.