



Binding Professional Principles

for the members of the Association of German-Speaking Professional Genealogists

For the sake of clarity we would like to stress that in the following text both male and female genders are intended when only the he or she pronoun is used.

In the following, claimed epoch refers to the approximate time period for which the professional genealogist offers his services; claimed area the approximate geographic region for which the professional genealogist offers his services; research realm the claimed epoch and the claimed area; professional genealogist refers to a member of the Association of German-Speaking Professional Genealogists.

1. Personal prerequisites

1.1. Professional genealogists do not have to fulfil any personal prerequisites.

2. Professional prerequisites

2.1. Education, experience and improvement shall grant the ability to professionally handle all cases in the research realm. The skills are to be developed systematically and kept up-to-date.

2.2. German language

Professional genealogists in the German-speaking region must be able to correspond in German and, at least basically, to converse in German. They must be able to understand the wording of the sources common in their research realm.

2.3. Foreign languages

2.3.1. If a professional genealogist publicly offers his services in an area with a language in which he cannot correspond, he has to mention the languages in which correspondence with him is possible. The term "publicly offer" does in this context not include making direct contact with a specific potential client.

2.3.2. The necessity of additional foreign languages depends on the languages used in the sources of the genealogist's research realm.

2.4. Knowledge of Latin

2.4.1. Knowledge of Latin is obligatory, depending on the professional genealogist's research realm and on the sources in this research realm.

2.5. Paleography

2.5.1. The skills in palaeography must suffice to understand an average manuscript from the claimed epoch, and to reproduce it without making errors which are substantial or change the meaning.

2.5.2. It is obligatory to know the printed types of the claimed epoch, in particular the German Fraktur.

2.5.3. It is obligatory to know the Roman and German numbering symbols.

2.5.4. It is obligatory to know the most important reference works for abbreviations.

2.4.5. Professional genealogists may only use those sources which they are able to understand.

2.6. Chronology

It is obligatory to know reference books about chronology.

2.7. Heraldry

Knowledge in heraldry is not necessary.

2.8. Sphragistics (The Study of Seals)

Knowledge in sphragistics is not necessary.

2.9. The Study of Names

2.9.1. It is obligatory to have knowledge about the basics of laws and customs in naming persons, as well as about geographical specialties in the professional genealogist's research realm.

2.9.2 Knowledge of the meaning and etymology of family names and given names is not necessary.

2.10. Diplomatics

Knowledge in diplomatics is obligatory, as far as needed for the claimed epoch.

2.11. Jurisprudence

2.11.1. Legal knowledge is obligatory, as far as is necessary for genealogy; e.g., grades of kinship in civil and ecclesiastical law, legitimations, dispensations for marriage.

2.11.2. The historical institutions and laws, as far as relevant for the claimed region and epoch, should be known in their basics (e.g. fief, Mannrecht, Reichskammergericht, proclamation).

2.11.3. The professional genealogist must be able to use handbooks to determine the meaning of a juridical term unknown to him.

2.12. Genealogy

2.12.1. Knowledge of the genealogic terminology and of genealogic signs is obligatory. This also includes the knowledge of the two basic research directions (ascendency and descendency).

2.12.2. If the professional genealogist corresponds in a foreign language, he should know the basic genealogic terminology and abbreviations in this language.

2.12.3. The professional genealogist must be able to handle the basic problems of genealogic research. This includes the problems of filiation, of identity or mixing up persons; this also includes biological basics like the length of a pregnancy or the fertile life of a woman.

2.12.4. The professional genealogist must be able to grasp a genealogical problem, to name possible ways and sources to solve this problem, and to evaluate them critically. If more than one solution may be possible, he must be able to explain these possibilities.

2.13. Geography

2.13.1 Good geographical knowledge of the claimed region is obligatory. With the help of handbooks, the professional genealogist must be able to identify place names within this area, even if they are slightly misspelled or given in other languages.

2.13.2. With the help of handbooks, he must be able to determine to which administrative, juridical and ecclesiastical units this place belonged. To do so, he must be familiar with the structure and terminology of the administrative, juridical and ecclesiastical units in this area.

2.13.3. The professional genealogist must know the basics of territorial history in the claimed area, and have access to reference works for solving specific problems.

2.14. History

The professional genealogist must know the basics of historical development in his research realm, as well as handbooks for solving specific problems.

2.15. Knowledge of sources

2.15.1. Genealogical sources include anything that might contain information about kinship between individuals. The most important ones are the records of persons, i.e. church records, civil records and family registers or when applicable their regional or historical equivalent.

2.15.2. As biographical information is necessary to connect individuals, genealogical research also means the analysis of biographical sources. Depending on the specific project and to a varying extent, genealogical research therefore also includes biographical information about the individuals (see 4.2.1).

2.15.3. The professional genealogist must be familiar with the basic sources for his research realm.

2.15.4. Most especially, he must know when civil registration was established, as well as the approximate time span covered by the church records.

2.15.5. He must know about the genealogical relevance and the extent of information given in the entries in these registers, depending on the time period in question.

2.15.6. The professional genealogist must, if necessary with the help of handbooks, be able to determine the institution holding the sources named in 2.15.1, as far as this is possible.

2.15.7. The professional genealogist must have basic knowledge of further sources, of their character and usability, most especially when vital records are missing, incomplete or uninformative. Here, too, he must have basic knowledge where these records are stored.

2.15.8. The professional genealogist must know source editions and historical publications, as long as they are standard research texts for his research realm.

2.16. Computers

Knowledge in the realm of computers is necessary only insofar as the professional genealogist uses computers as an auxiliary means.

2.17. Specialties

If the professional genealogist offers research on special topics (migration research, nobility, religious minorities), he must have special knowledge of these topics.

3. Professional practice prerequisites

3.1. The appearance in public, most especially the professional genealogist's advertising, may not be misleading, incorrect or exaggerated.

3.1.1. The brand or name, under which the professional genealogist appears in public, may not be misleading or exaggerated.

3.1.2. The professional genealogist may not state, in written or oral form, anything that is known to be incorrect or unprovable.

3.1.3. The professional genealogist may advertise publicly only for those research realms for which he fulfils the prerequisites according to no. 2 of these rules of conduct.

3.2. The professional genealogist must maintain his office in a regular manner. He is not obliged to have a specific commercial education.

3.2.1. If the client asks so, the professional genealogist may use an advance deposit for private or commercial purposes only if the pertaining work already has been done or is in the process of being fulfilled.

3.2.2. If any personal or financial interests affect the genealogist's impartiality to a client, the client has to be informed about this.

3.3. Professional genealogists are not obliged to provide rooms in order for clients to visit their office.

3.4. If the professional genealogist does not own minimal genealogical publications in his own library, he may not charge the client with the time and costs necessary for consulting these publications elsewhere, but only the time for the consultation itself.

3.5. The professional genealogist keeps the copyright for his research reports.

3.5.1. The professional genealogist may use research results, for which he has been paid by a client, for himself or for third parties only as far as this use is covered by the agreement with the original client.

3.5.2. If no agreement has been made, the professional genealogist may in any case use these results for further research or for building up his own files.

3.5.3. After a client's death, the professional genealogist may use the research results freely and without limits, unless otherwise arranged with the client.

4. Research methods

4.1. The professional genealogist chooses his research methods and the sources, according to his education and experience and to the best of his knowledge. Given this he must also achieve his aim as exactly and as quickly as possible.

4.2. The goal or aim of the research should be defined in the order.

4.2.1. If the order is for general research for ancestors or descendants of a person, without specifying the research aims, the professional genealogist must first of all try to determine the persons' vital dates (birth/christening, marriage[s], death/burial), as far as this is possible.

4.2.1.1. It is irresponsible to limit research to one or the other of these categories.

4.2.1.2. Although research for further details of the persons' biographies is also important, the professional genealogist should first of all concentrate on the basic vital dates.

4.3. In the case of unusual findings, discrepancies between different sources or in the case of hypotheses, the professional genealogist has to analyse the sources according to the methods developed by historians, to determine the credibility of the various statements and of the sources upon which the statements are based.

4.4. The relationship between a child and its parents (filiation) is the basic element of genealogy. Errors in biographical information, including vital dates, are less serious than errors regarding this relationship, because any and all further research will be erroneous if this crucial connection is false. For this reason, the professional genealogist has to pay special attention to this relationship.

4.4.1. If more than one person has to be considered for identification, all options have to be examined with due diligence.

4.5. The professional genealogist is obliged to handle the sources carefully in regards to their material and condition.

4.5.1. He observes the rules of conduct of the archives and libraries in question. If such rules do not exist, the following principles are to be observed:

4.5.2. He may not steal, damage, manipulate the sources or use them as desk pads.

4.5.3. He may not take them away temporarily to use them.

4.5.4. He may add handwritten notes only with pencil and only with the explicit agreement of the owner or the archive.

4.5.5. He may only make photocopies of the sources if no damage to the documents is likely to result.

5. Research report

5.1. Unless agreed otherwise the research report should be delivered in typewritten or computer printout form.

5.1.1. The client may not insist upon the compilation of the report by electronic means.

5.1.2. The report language depends on the language of correspondence agreed upon (see no. 7). Terms that can be translated easily shall be translated. As far as terms are concerned that are difficult to translate or which are special terms of legal history or of local history, they shall, when appearing the first time in the report, be sufficiently explained or paraphrased. Subsequently, either the German term or a foreign-language equivalent may be used.

5.1.3. The client may not insist upon a specific form for the research report, unless this has been agreed upon. The genealogist should, however, keep the client's wishes in mind.

5.2. The professional genealogist may only describe things as factual if this is supported by documents.

5.2.1. The professional genealogist may not knowingly cite sources incorrectly, or characterize questionable sources as reliable ones.

5.2.2. The professional genealogist may not characterize research done by third parties as his own, or implicitly cause this impression. Exceptions are given at no. 5.5.5 and 5.5.6.

5.3. The research report should reproduce those results which are basic for the research objective (see no. 4).

5.3.1. The research report should reproduce the essential contents of the various sources.

5.3.2. What is essential depends on the client's previous knowledge and on whether the topic is important for further research or if it is needed to argue or prove a specific point.

5.3.3. When describing an event, place and date are essential pieces of information.

5.4. The professional genealogist is only obliged to provide documentation in the form of photocopies, photos or document transcripts if this has been agreed upon and as far as this is permissible.

5.5. Sources must be cited.

5.5.1. The sources shall be cited in a way that any skilled genealogist can find them.

5.5.1.1. The citation must give not only the archive as such, but also the archive storing it, as far as these are not identical.

5.5.1.2. The citation must also include the call number and page or folio number of a source, as far as extant. The page or folio number may be left out if the structure of the source makes it evident where to find the entry (chronological or alphabetical order).

5.5.1.3. Printed sources are to be cited according to international bibliographical standard; this includes at least the author's given name and surname, title, place and year of publication, and if necessary volume number, pages, or if relevant, the key-word in the case of a handbook.

5.5.2. If a source was examined partly, but not completely, it is to be mentioned to which extent it was examined.

5.5.3. The source citation may be summarised if the other items under no. 5.5 are observed.

5.5.3.1. For church records, it is usually sufficient to mention the denomination, place and, if there is more than one in a place, the parish, as long as the entry can be found without undue effort. If the entry was found outside the usual order of entries or at an unexpected place, this must be mentioned separately.

5.5.3.2. In addition to the prerequisites given in no. 5.5.3.1. entries for birth/christening, marriage and death/burial may only then be cited without complete source citation, if the professional genealogist himself excerpted it from the respective church book.

5.5.4. If the professional genealogist, partly or completely, lets a third party do the research (e.g. sub-contract, correspondence), the report should mention the sources used by the third party as well as the third party's name.

5.5.5. If the research is done by an office with several partners or employees, the persons involved need not be mentioned.

5.6. The citation of place, date and sources must be so extensive that it can be verified or disproved by a skilled genealogist.

5.6.1. In the case of place names, special attention has to be paid if there is more than one place with that name.

5.6.2. A research report must have a form that enables a skilled genealogist to continue the research without repeating work that already has been done.

5.7. Abbreviations are permissible, but should be explained, if they are not common in the report language.

5.8. If the research leads to questions or different possibilities, the report has to contain the reasoning with all elements of argumentation why just this answer to the question or this option was chosen. The argumentation must contain all clues, arguments and conclusions for as well as against a certain option. A skilled genealogist must be able to follow the argumentation.

5.9. If dates or documents are missing, the report has to mention the possible or probable reasons for their lack.

5.10. In any case, the research report should make clear in which way dates were obtained. It should be clear whether they were obtained in the sources, calculated or estimated.

5.11. The research report may be kept in short or summary form, depending on the client's previous knowledge, or it may refer to earlier reports.

6. Conduct with regard to colleagues

6.1. The professional genealogists keep on good terms with their colleagues.

6.1.1. The professional genealogists maintain professional privacy.

6.1.2. The professional genealogist commits himself not to gain advantage from illegal behaviour or monopolization of basically public sources.

6.2. The professional genealogist fulfils his obligations to his colleagues.

6.3. The client has completely free choice to engage the services of any professional genealogist.

6.3.1. A professional genealogist may not attempt to actively attract the clients of a colleague. Comments, which could be seen as detrimental to the credit or reputation of a colleague, are to be avoided unless they are based on concrete evidence which the maker of the comments must be able to supply. Furthermore, the work of a colleague may only be criticised in the framework of a scientific publication or as part of a scientific debate or if it has become part of the research report, which a professional genealogist is working on. Within this framework the professional genealogist is allowed free reign to evaluate the working methods, education, experience and actual produced work of a colleague, in particular if this evaluation leads the professional genealogist to different result to that which has been proposed by the colleague in question.

6.3.2. If the client chooses to change from one professional genealogist to another the professional genealogist who was initially engaged may not hinder his successor.

6.3.2.1. If the successor to a project has any questions these must be answered by the predecessor.

6.4. In case of recognisable errors in the work of a colleague, he is to be given the opportunity to explain, correct or defend his work before any further action or evaluation takes place.

6.5. The case of a difference of opinion between professional genealogists is always in the first instance to be decided by a board of judges made up by members of the Association; including cases when the professional genealogists in question have a principal/agent relationship.

7. Conduct with regard to clients

7.1. The privacy of the client is to be respected. Information, which becomes known to the professional genealogist in the course of his research, is to be treated confidentially if it concerns persons living or dead for less than ten years.

7.2. Experience, knowledge and integrity are always to be used to the advantage of the client.

7.3. Letters and enquiries from clients or the curious are always to be answered as long as they: include a stamped addressed envelope, have a pertinence to the profession of genealogist, are serious, understandable and fairly specific in their enquiry.

7.3.1. The first reaction to an enquiry should take place within three months after receipt, not including holiday periods.

7.3.2. The answer to an enquiry should include: availability for specific work, style and form of the research report, a time span for the research, the expected fee for services.

7.3.3. A fee is not to be charged for the answer to an enquiry as described in 7.3.2.

7.4. If a commission is accepted it must be completed in so far as this is realistically and legally possible.

7.4.1. Unless otherwise arranged, the client cannot insist that the work is personally carried out by the agent. The agent can choose employees or commission a third party to work on the order.

7.4.2. In the case of 7.4.1. the legality and the content of the order remain the responsibility of the professional genealogist commissioned by the client.

7.5. If the start of or carrying out of the research is delayed the client must be informed by way of a progress report - at least once a year.

7.6. There is no upper limit to the fee a professional genealogist can charge for his/her work.

7.6.1. The professional genealogist is not restricted to a standard fee for all clients.

7.6.3. The fee agreed between client and professional genealogist is valid up to the point when a new fee is agreed upon.

7.6.3.1. A newly agreed fee seen as valid and accepted if the professional genealogist informs the client of the change with reference to future work and receives no argument within a set deadline.

7.6.3.2. An invoice with higher prices than agreed upon is not valid if the client has not previously been informed of the change.

7.6.4. The client cannot be invoiced at a higher rate than has currently been agreed upon.

7.6.4.1. If a client's order is based on a quotation then a variation of up to 15% more is acceptable.

7.6.4.2. The offer of the professional genealogist has to precisely define whether it concerns a one-off package price or whether it concerns a quotation, in which the end price could vary.

7.7. The professional genealogist can calculate his fees on the basis of time (hourly, daily or weekly rate) or on the basis of result (fee for each person or each piece of data found) or in the case of a specific goal the price can be calculated as a "package".

7.7.1. Once a mode of calculation has been agreed upon it cannot be changed only on the side of the professional genealogist.

7.7.2. When calculating the price on the basis of time the professional genealogist is not guaranteeing success. The contract is based on services rendered, not on a definite result.

7.7.3. In cases of doubt the contract is based on the German definition of a "Dienstvertrag" (payment for services rendered) not a "Werkvertrag" (payment for a specific result or production of a finished object).

7.7.4. If the professional genealogist calculates his price on the basis of time, he may only charge for time truly spent on the project.

7.7.5. Time-based calculations can have different rates for time spent on research, office and administration, writing the research report or travel, but this is not compulsory.

7.8. The client may only be charged for work which concerns the research and which is relevant and fitting to helping the project proceed.

7.8.1. In regards to the question what is to be researched, the client's wishes are predominant, as they are expressed in the order. Here the literal meaning of the works is not critical, but rather what the client according to common sense probably intended.

7.8.2. The professional genealogist can charge for office administration time as well as research time. The administration can cover all areas linked to the research project, such as making the offer, the invoicing, correspondence with the client, and the time needed for studying the specific case.

7.8.3. The professional genealogist may conduct research within the framework of scientific procedure or if it suggests itself within the specific case, even if it is questionable whether this will lead to specific results for the project. However, when questioned he must be able to give sound reasons as to why the research was carried out. Such research should restrict itself to a framework in relation to the order/project as a whole. This is not the case if the overall order is a risk-based project.

7.8.4. In the case of research which is to be carried out again or additionally because the former research contained errors a difference is seen between:

7.8.4.1. If the error has been made by the client or if the error has been made by, indeed, the professional genealogist but is based on incomplete, delayed or false information or documents provided by the client, the professional genealogist can charge the client for the extra work necessary to correct the error.

7.8.4.2. If the error has been made through gross negligence on the part of the professional genealogist, the client cannot be charged for repeated or new research above and beyond the

point where the error was made. Gross negligence is here also meant to include incompetent knowledge of sources.

7.8.4.3. If the error is on the part of the professional genealogist after he/she has thoroughly checked the relevant sources and has proceeded on established scientific research principles, if the error, in fact, could have been made by another specialist, then charging the client for additional or re-research is permitted. The professional genealogist should however offer a price reduction of his/her own choosing, depending upon how grave the error was. It is particularly recommended that the client and professional genealogist reach an agreement. The client is in a better position to accept the further charges when the professional genealogist can offer a detailed and valid explanation of how the error was made.

7.8.4.4. If the error is based on a false identification or other false conclusion then the same applies as stated in 7.8.4.3., i.e. if the false identification or false conclusion occurs within a scientifically correct methodology and the professional genealogist can offer a valid explanation why in this instance he/she made this conclusion and not another. This explanation must fall within the standards of correct methodological practice.

7.8.4.5. If an error can only be corrected on the base of consulting newly discovered sources that were not consulted earlier and these newly discovered sources were truly previously unknown to the experts then the professional genealogist can charge the client for his/her efforts in researching the newly discovered sources.

7.8.4.6. If the professional genealogist can prove that the work was indeed carried out then the onus is on the client to prove an error has been made if the client does not wish to pay for the part of the work he/she believes to contain an error. There are no strict rules as to how the carrying out of research is to be proved as in general research is not meant to leave a trail. It is sufficient to appear in visitor lists, in so far as the archives involved have such lists, to keep order forms for archives and to keep an accurate record of the dates research was done and the sources used.

7.9. The client can insist on a detailed invoice (time, itemised costs) from the professional genealogist. The professional genealogist is however not obliged to deliver an itemised invoice if its not insisted upon, but may send an invoice stating the final sum.

7.10. The professional genealogist is not obliged to receive the client personally (c.f. point 3.3. above).

7.11. Disagreements

7.11.1. In the case of a disagreement between the client and the professional genealogist, the professional genealogist should get in touch with the arbitration board in the first instance.

7.11.2. The Association recommends that their members always refer to the internal arbitration board in the first instance for matters of disagreement between client and professional genealogist. In so far as this is done the arbitration board is always the court of first instance.

7.11.3. The professional genealogist is obliged in cases of disagreement to disclose all relevant information to the arbitration board. When it is requested he/she should also allow access to all records.

8. Area of Validity

8.1. These professional rules of conduct are binding for all members of the Association of German-Speaking Professional Genealogists.

8.1.1. When applying for membership of the Association of German-Speaking Professional Genealogists all new members recognize explicitly that they are bound by the professional rules of conduct.

8.1.2. For members of the Association of German-Speaking Professional Genealogists who are employed by a third party the rules of conduct stated in points 3. and 7. are only binding in so far as they do not affect the member's commitments to the third party (the employer). In the case of a conflict of interests the party named "client" in the professional rules of conduct point 7. is the third party (employer), not the employer's client. The remaining points are binding.

8.1.3. The professional rules of conduct stated in point 6. are only valid between members of the Association of German-Speaking Professional Genealogists. Any person who is not a member of the Association of German-Speaking Professional Genealogists cannot insist upon these rules of conduct being adhered to by a member of the Association of German-Speaking Professional Genealogists.

8.1.4. In general the Association itself as well as individual members and clients of members can insist upon the members of the Association of German-Speaking Professional Genealogists adhering to the professional rules of conduct. The client may also insist upon the adherence to the rules of conduct if they were not made part of the contract between the member and the client, unless mentioned explicitly.

8.1.5. The first instance for all disagreements for which some one wishes to invoke the adherence to these rules of conduct is the arbitrary board of the Association of German-Speaking Professional Genealogists.

8.2. These professional rules of conduct are valid until the Association of German-Speaking Professional Genealogists determines new ones and then only with votes of at least two thirds of those present at a general meeting, when all members have previously been informed, in writing and in good time, of the proposed changes.

These binding professional rules of conduct were adopted by the Association of German-Speaking Professional Genealogists on the occasion of the general meeting on 18 September 1993