

STATE OF MINNESOTA

IN SUPREME COURT

C6-74-45550

ORDER FOR HEARING TO CONSIDER PROPOSED
AMENDMENT TO THE RULES OF PROCEDURE
FOR NO-FAULT ARBITRATION

IT IS HEREBY ORDERED that a hearing be had before this Court in Courtroom 300 of the Minnesota Supreme Court, Minnesota Judicial Center, on July 15, 1993 at 9:00 a.m., to consider the recommendation of the Standing Committee for Administration of No-Fault Arbitration to amend the Rules of Procedure for No-Fault Arbitration. A copy of the proposed amendments to Rules 5(c), 32 and 39 is annexed to this order.

IT IS FURTHER ORDERED that:

1. All persons, including members of the Bench and Bar, desiring to present written statements concerning the subject matter of this hearing, but who do not wish to make an oral presentation at the hearing, shall file 12 copies of such statement with Frederick Grittner, Clerk of the Appellate Courts, 245 Judicial Center, 25 Constitution Avenue, St. Paul, Minnesota 55155, on or before July 12, 1993 and
2. All persons desiring to make an oral presentation at the hearing shall file 12 copies of the material to be so presented with the aforesaid Clerk together with 12 copies of a request to make an oral presentation. Such statements and requests shall be filed on or before July 12, 1993.

Dated: May 17, 1993

BY THE COURT:

OFFICE OF
APPELLATE COURTS

MAY 18 1993

FILED



A.M. Keith
Chief Justice

Proposed Rule Changes

The Standing Committee has recommended the following changes to the Rules of Procedure for No-Fault Arbitration:

Rule 5 (c): In all cases the respondent shall also advise the claimant that information on arbitration procedures may be obtained from the AAA, giving the AAA's current address. On request, the AAA will provide a claimant with a petition form for initiating arbitration together with a copy of these rules. Arbitration is commenced by the filing of the signed, executed form, together with the required filing fee, with the AAA. If the claimant asserts a claim against more than one insurer, claimant shall so designate upon the arbitration petition. In the event that a respondent claims or asserts that another insurer bears some or all of the responsibility for the claim, respondent shall file a petition identifying the insurer and setting forth the amount of the claim which it claims is the responsibility of another insurer. Regardless of the number of respondents identified on the claim petition, the claim is subject to the jurisdictional limits set forth in Rule 6.

Rule 32: The arbitrator may grant any remedy or relief that the arbitrator deems just and equitable consistent with the Minnesota No-Fault Act. The arbitrator may, in the award, include arbitration fees, expenses, rescheduling fees and compensation as provided in sections 39, 40, 41 and 42 in favor of any party and, in the event that any administrative fees or expenses are due the AAA, in favor of the AAA, except that the arbitrator must award interest when required by M.S.A. 65B.54. The arbitrator may not, in the award, include attorneys fees for either party.

Rule 39: The initial fee is due and payable at the time of filing and shall be paid as follows: By the CLAIMANT-\$60.00, by the RESPONDENT-\$180.00. In the event that there is more than one respondent in an action, each respondent shall pay the \$180.00 fee.

The AAA may, in the event of extreme hardship on the part of any party, defer or reduce the administrative fee.