

STATE OF MINNESOTA

IN SUPREME COURT

C6-74-45550

AMENDMENTS TO THE RULES OF PROCEDURE
FOR NO-FAULT INSURANCE

ORDER

WHEREAS, the Standing Committee for Administration of No-Fault Arbitration has recommended amendments to Rules 5(c), 32 and 39 of the Rules of Procedure for No-Fault Arbitration, and

WHEREAS, the Supreme Court held a hearing on the proposed amendments on July 15, 1993, and

WHEREAS, the Supreme Court has reviewed the recommendations and is fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that effective this date, Rules 5(c), 32 and 39 are amended as follows:

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.

DATED: August 31, 1993

BY THE COURT:



A.M. Keith
Chief Justice

OFFICE OF
APPELLATE COURTS

SEP 1 1993

FILED