

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 10, 17 and 40 of the Rules of Procedure for No-Fault Arbitration, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED that effective December 1, 1995, Rules 10, 17, and 40 are amended as follows:

Rule 10. Qualification of Arbitrator and Disclosure Procedure

Every member of the panel shall be a licensed attorney at law of this state or a retired attorney or judge in good standing. No person shall serve as an arbitrator in any arbitration in which he or she has a financial or personal conflict of interest, whether actual or potential. Under procedures established by the standing committee and immediately following appointment to the panel, each member shall be required to disclose any circumstances likely to create a presumption or possibility of bias or conflict which may disqualify the person as a potential arbitrator. Each member shall supplement the disclosures as circumstances require.

Rule 17. Stenographic Record

Any party desiring a stenographic record shall make arrangements directly with a stenographer and shall notify the other party of these arrangements at least 24 hours in advance of the hearing. The requesting party or parties shall pay the cost of the record. If the transcript is agreed by the parties to be, or determined by the arbitrator to be, the official record of the proceeding, it must be made available to the arbitrator and to the other parties for inspection, at a dated, time, and place determined by the arbitrator.

Rule 40. Arbitrator's Fees

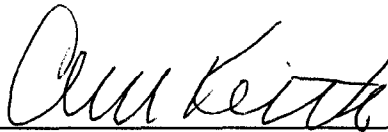
(a) An arbitrator shall be compensated for services and for any use of office facilities in the amount of \$300.00 per case.

(b) ~~If a claim is settled prior to the day of the AAA is notified of a settlement at any time up to 24 hours prior to the scheduled hearing, but after the appointment of the arbitrator, the arbitrator's fee shall not exceed~~ be the sum of \$50.00. If a claim is settled on the day of the AAA is notified of settlement of a claim 24 hours or less prior to the scheduled hearing, the arbitrator's fee shall be \$150300.00.

~~These fees shall be paid as directed by the arbitrator. The fee shall be assessed equally to the parties, unless the parties agree otherwise. However, once a hearing is commenced, assessment of the fee shall be as directed by the arbitrator.~~

DATED: September 25, 1995

BY THE COURT:



A.M. Keith
Chief Justice

OFFICE OF
APPELLATE COURTS

SEP 26 1995

FILED