

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(e) and 8 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 this date, Rules 5(e) and 8 are amended as follows:

5. Initiation of Arbitration

(e) **Itemization of claim.** At the time of filing the arbitration from or within 30 days after, the claimant shall file an itemization of benefits claimed and supporting documentation. Medical and replacement services claims must detail the name of providers, dates of services claimed, and total amounts owing. Income loss claims must detail employers, rates of pay, dates of loss, method of calculation, and total amounts owing.

8. Selection of Arbitrator and Challenge Procedure

The AAA shall send simultaneously to each party to the dispute an identical list of four names of persons chosen from the panel. Each party to the dispute shall have seven business days from the mailing date in which to cross out a maximum of one name objected to, number the remaining names in order of preference, and return the list to the AAA. In the event of multiparty arbitration, the AAA may increase the number of potential arbitrators and divide the strikes so as to afford an equal number of strikes to each adverse interest. A party to an arbitration may advise the AAA of any reason why an arbitrator should withdraw or be disqualified from serving prior to exercising strikes. An objection to a potential arbitrator shall

be determined initially by the AAA, subject to appeal to the standing committee. If a party does not return the list within the time specified, all persons named therein shall be deemed acceptable.

One of the persons who have been approved on both lists shall be invited by the AAA to serve in accordance with the designated order of the mutual preference. Any objection to an arbitrator based on the arbitrator's post-appointment disclosure must be made within seven business days from the mailing date of the arbitrator disclosure form. Failure to object to the appointed arbitrator based upon the post-appointment disclosure within seven business days constitutes waiver of any objections based on the post-appointment disclosure. If an acceptable arbitrator is unable to act, or for any reason the appointment cannot be made from the submitted list, the AAA shall have the power to make the appointment from among other members of the panel without the submission of additional lists. If any arbitrator should resign, be disqualified or unable to perform the duties of the office, the AAA shall appoint another arbitrator from the no-fault panel to the case.

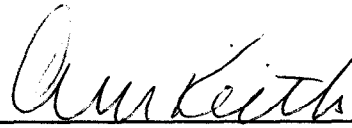
DATED: May 19, 1997

BY THE COURT:

OFFICE OF
APPELLATE COURTS

MAY 20 1997

FILED



A.M. Keith
Chief Justice