

STATE OF MINNESOTA

IN SUPREME COURT

C6-74-45550

**ORDER ESTABLISHING DEADLINE FOR SUBMITTING COMMENTS ON
PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE FOR NO-
FAULT ARBITRATION**


The Standing Committee for Administration on No-Fault Arbitration has recommended an amendment to Rule 7 of the Rules of Procedure for No-Fault Arbitration. The amendment seeks to clarify the committee's policies and procedures for handling complaints of arbitrator misconduct; and

This court will consider the proposed amendment without a hearing after soliciting and reviewing comments on the proposal;

IT IS HEREBY ORDERED that any individual wishing to provide statements in support or opposition to the proposed amendment shall submit twelve copies in writing addressed to Frederick K. Grittner, Clerk of the Appellate Courts, 25 Constitution Avenue, St. Paul, Minnesota 55155, no later than Wednesday, September 13, 2000. A copy of the committee's proposed amendment is annexed to this order.

Dated: July 11, 2000

BY THE COURT:



Alan C. Page
Associate Justice

OFFICE OF
APPELLATE COURTS

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FILED

7. Arbitrator Conduct Complaints

A complaint regarding the arbitrator conduct at a hearing will be handled as follows:

1. Upon receipt of a complaint about arbitrator conduct during an arbitration, all relevant correspondence will be referred to one of the members of the Arbitrator Conduct Subcommittee. The AAA shall inform the parties that the arbitrator's award itself may be challenged only in accordance with Rule 38 of the Minnesota No-Fault Arbitration Rules.
2. Such complaints will be rotated on an equitable basis among the members of the sSubcommittee subject to any conflicts of interest ~~than~~ that an individual sSubcommittee member might raise with respect to a particular investigation.
3. The investigating sSubcommittee member ~~may~~ shall then contact the arbitrator in question, the complainant and opposing counsel (or pro se claimant), verify that ~~he or she~~ they have received all relevant correspondence, and solicit ~~his or her~~ their responses, ~~be it~~ whether written or oral.
4. The investigator ~~should~~ shall then assemble this material and make a written recommendation to the sSubcommittee. The recommendation may include, but shall not necessarily be limited to, no action, written reprimand, suspension, or removal from the panel of arbitrators.
5. The sSubcommittee will then issue a written recommendation to the full Standing Committee which will ~~then~~ consider ~~that~~ the recommendation at a regularly scheduled quarterly meeting. In the event the recommendation is for suspension or removal of the arbitrator, the arbitrator shall, prior to a vote on the recommendation, be afforded an opportunity for a hearing before the Standing Committee.