

ARBITRATION PROCEDURES CHECKLIST - PHASE I

(Commencement to Appointment of Arbitrator)

- Step 1 Receive submission material from client including:
- A. Demand for Arbitration
 - B. Proof of Service on Respondent
 - C. CMF (See Arbitration Fee Schedule) from all parties
 - D. Proof of JAMS authority to administer contract (optional if parties agree to JAMS):
 - (1) pre-dispute written agreement
 - (2) post-dispute written agreement/stip
 - (3) Court Order
 - (4) Oral Agreement (obtain signed stip)
- OTE: Review Demand to determine if Claimant elects for JAMS Optional Expedited Procedures (see FAQ list on Portal for further instructions in the event Claimant requests procedures)**
- OTE: Consumer and Employment cases must be screened by:**
- **Melissa Ornstil for the orthwest**
 - **Sheri Eisner for the Southwest**
 - **Liz Carter for the East/Central**
- OTE: Class Action cases must be screened by Kim Taylor or Jay Welsh**
- OTE: See Supplemental Checklist for Tripartite Arbitrations**
- Step 2 Open Worksheet and Bill CMF
Note any paid CMF. Bill remaining CMFs. Fill out Summary Note.
A. Obtain names of all parties, attorneys, firms & enter in JAMSware.
(Request service list)
B. Follow Data Entry Standards
- Step 3 Notify client of any missing items
Send Welcome letter or "Request for Missing Items" letter
- OTE: DO NOT commence Arbitration until receipt of CMF from all parties.**
- Step 4 Determine which Rules apply:
A. Check contract, court order or stipulation
B. Ask parties to agree if necessary
- Step 5 Commence Arbitration - Send:
____ Commencement letter
____ JAMS Administrative Policies (include Fee Agreement for high risk clients)
____ Neutrals Arbitration Fee Schedule
____ Resumes and Rules (at own discretion)
____ Minimum Standards for Employment and Consumer cases
____ Invoice for preliminary arbitration conference call
- Step 6 Administer the strike process, if appropriate. Recall all deadlines.
Check contract to determine if special rules/procedures apply

ARBITRATION PROCEDURES CHECKLIST - PHASE II

(Appointment of Arbitrator to Closing of Case)

- Step 7 Appoint Arbitrator
Send "Notice of Appointment" letter (send out the same day as completed Arbitrator disclosures)
_____ Notice of Appointment Letter
_____ Arbitrator's Fee Schedule
_____ Invoice for preliminary arbitration conference call (if not yet sent out)
- Step 8 Disclosures - Prepare the following for the selected Arbitrator:
(1) Disclosure Checklist (filled out and signed by Arbitrator)
(2) MKT016A and MKT016C Reports
(3) Demand for Arbitration and relevant pleadings
(4) Contract or Agreement to Arbitrate
(5) Rules (Optional; Rules are viewable online)
- Once completed by the Arbitrator, send only the MKT 16A and MKT 16C and:
(1) Cover memo
(2) Arbitrator Disclosures Checklist
(3) If a consumer case, Supplemental Arbitrator Disclosure Checklist and MKT016CA (CA only)
(4) If a Kaiser case, see section N of Manual
* In CA, must send disclosures within 10 calendar days of appointment
* Best Practice: send Disclosures with the Notice of Appointment
- OTE: Continuing duty to disclose new information & subsequent employment applies from Appointment until submission of arbitration. If notified of a potential conflict, work with Arbitrator regarding supplemental disclosures.**
- OTE: An Arbitrator's Oath is required in some states. The Oath should be completed at this stage of the process.**
- Step 9 Schedule Pre-Arbitration Conference Call (only schedule if prelim retainer is collected)
A. Advise Arbitrator of call
 (If possible, attend call to discuss fees & pre-arb mediation)
B. Provide Arbitrator with file, including:
 (1) Pleadings
 (2) Preliminary Hearing Checklist
 (3) Proposed Scheduling Order
- Step 10 Schedule Hearing
Bill a retainer and hearing time (review balance of remaining prelim retainer)
Send "Notice of Hearing" letter with invoices
Set recalls for all deadlines (i.e. payment and cancellation)
- Step 11 Award
A. Track award due date
B. Obtain all outstanding fees
C. Serve award with Proof of Service
D. Update case card in Status tab

Step 12 Close File

Send copy of award to local NAC Rep

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