



AMERICAN ARBITRATION ASSOCIATION®

2023 ANNUAL NO-FAULT PANEL REPORT

MINNESOTA

NO-FAULT ARBITRATION

A REPORT TO THE MINNESOTA SUPREME COURT
AND NO-FAULT STANDING COMMITTEE

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EXECUTIVE SUMMARY

Pursuant to Rule 10(a) of the Minnesota Rules of No-Fault Arbitration Procedure (No-Fault Rules), No-Fault Arbitrators are required to recertify on an annual basis. Recertification is a self-certification process.

The 2023 recertification process began on November 15, 2022 and concluded December 31st, 2022. At the commencement of this process, there were 374 arbitrators on the Minnesota No-Fault Arbitrator Panel that were subject to the 2023 recertification

process. At the conclusion of the recertification process, the American Arbitration Association® (AAA®) received 339 completed recertification forms, which was a return rate of 91%.

In addition, the No-Fault Standing Committee approved 5 new arbitrators to serve on the panel.

The following report provides a snapshot of the Minnesota No-Fault Panel as of January 1, 2023, as well as a comparison to the previous years.

PANEL QUALIFICATIONS

Qualifications to serve on the Minnesota No-Fault Panel are governed under Rule 10 of the Minnesota Rules of No-Fault Arbitration Procedure.

2017-2023 PANEL COMPARISON

The total number of no-fault arbitrators continually changes throughout the year, as new arbitrators are added to the panel and others retire or change practice. Therefore, for reporting purposes, the AAA captures the total number of arbitrators each year at the beginning of the annual recertification process.

Please note that this data does not include new arbitrators approved after January 1, 2023.

As of January 1, 2023, there were 339 returning arbitrators and 5 new arbitrators certified to serve on the Minnesota No-Fault Panel.

Table 1: 2017-2023 Comparison of Panel Size

The following table provides a side-by-side comparison of the percentage of arbitrators on the No-Fault Panel that recertified between 2017 and 2023.

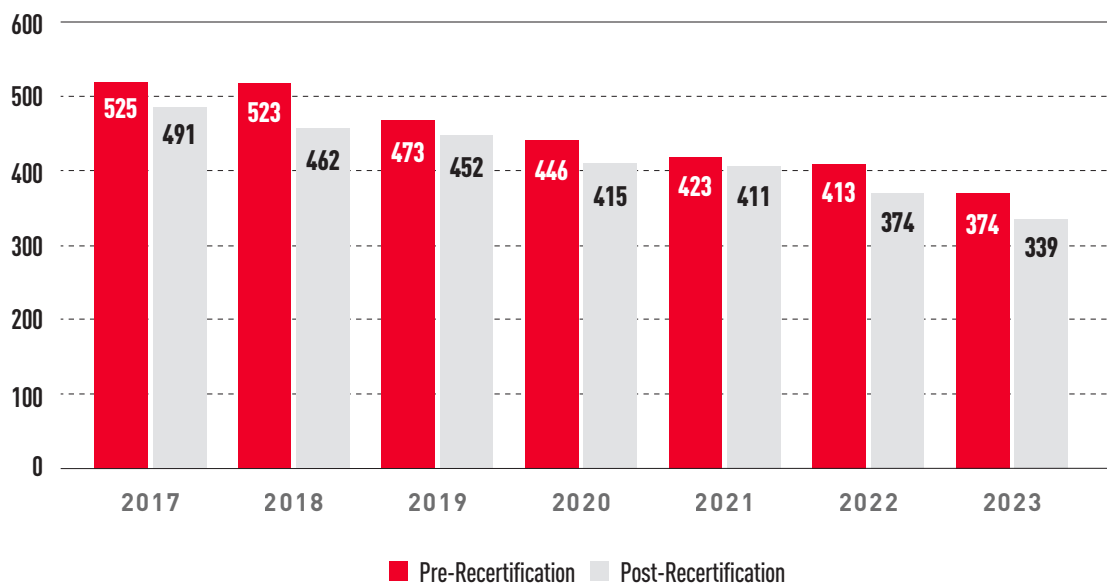
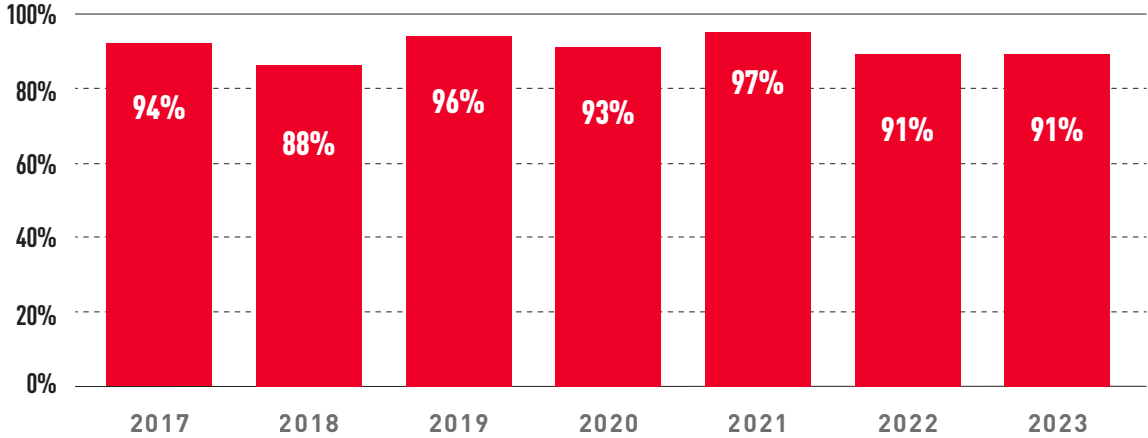


Table 2: 2017-2023 Retention Percentage



NEW ARBITRATORS

Applications to serve on the No-Fault Panel are submitted to the No-Fault Standing Committee for review and approval by the Committee on a quarterly basis. Upon approval, applicants are permitted to serve as no-fault arbitrators on a conditional basis pending the approval of the Minnesota Supreme Court. Applicants approved by the Committee are provided to the Court for approval on an annual basis.

The chart below illustrates the number of new arbitrators approved by the Minnesota Supreme Court in 2016 through 2022.

Table 3: 2016-2022 New Arbitrators

Year	Number of New Arbitrators
2016	24
2017	15
2018	21
2019	17
2020	9
2021	7
2022	5

So far in 2023, the No-Fault Standing Committee has conditionally approved 7 new arbitrators to serve on the Minnesota No-Fault Panel.

RECERTIFICATION REQUIREMENTS

Rule 10 of the No-Fault Rules requires that arbitrators recertify each year, confirming at the time of recertification that they continue to meet the qualifications to serve on the Panel.

There are three different qualification types under which an arbitrator may recertify. These qualification types are as follows:

Table 4: Arbitrator Qualification Types

Type	Rule	Requirements
Active	10(a)	At least one-quarter, based on a five (5) year average, of attorney's practice is with auto insurance claims
Inactive	10(a)	An attorney not actively representing clients and who maintains an ADR practice where one-quarter, based on a five (5) year average, of the practice is with motor vehicle claims or no-fault matters
Retired or Change of Practice	10(c)	An arbitrator who has been certified and has met the requirements of 10(a) for the past five years but becomes ineligible under 10(a) due to retirement ¹ or change of practice, the arbitrator may continue to seek certification for up to five years from the date of practice change.

In addition, Rule 10 requires that all arbitrators complete at least three CLE hours on no-fault issues during their reporting period.

¹ On November 26, 2019, the Minnesota Supreme Court amended Rule 10(c) to remove the five year limitation on service for those who retire from their law practice, as long as they continue to meet all other qualifications under Rule 10(c). The amended rule became effective on February 1, 2020.

RULE 10(A) “ACTIVE”: ATTORNEY REPRESENTING CLIENTS IN AUTO INSURANCE CLAIMS

The AAA received 290 recertification forms in which arbitrators certified as “Active” attorneys under Rule 10. Pursuant to Rule 10(a), No-Fault Arbitrators who actively represent clients must maintain a legal practice of at least one third in auto insurance claims.

The following graph illustrates a breakdown of the type of clientele arbitrators who have recertified under Rule 10(a) “Active” primarily represent in their legal practice. Primary practice is determined by a 51% majority.

Rule 10(a) “Active” Demographics

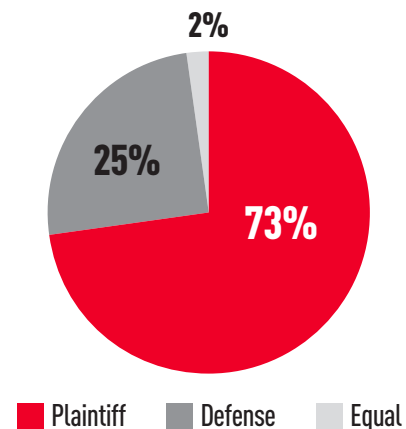
The data below reflects responses from arbitrators during the 2023 recertification process.

Plaintiff Practice: The AAA received 211 forms from arbitrators who reported that the majority of their practice consisted of 51% or more in plaintiff work.

Defense Practice: The AAA received 74 forms from arbitrators who reported that the majority of their practice consisted of 51% or more in defense work.

Equal Practice: The AAA received five recertification forms from arbitrators who reported an equal plaintiff and defense legal practice.

Table 5: 2023 Breakdown of Rule 10(a) “Active” Arbitrators

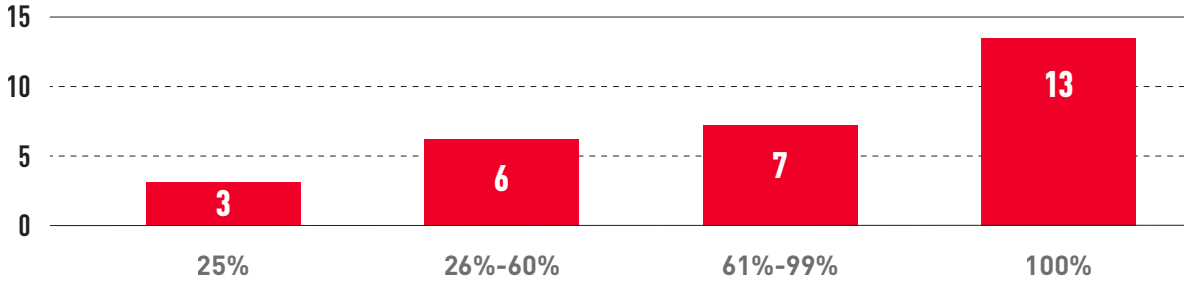


RULE 10(A) “INACTIVE”: ATTORNEY NOT REPRESENTING CLIENTS

The AAA received 29 recertification forms in which arbitrators certified as an “Inactive” attorney, but who maintain an ADR practice.

The following graph demonstrates what percentage of their ADR practice is dedicated to motor vehicle claims and/or no-fault matters.

Table 6: 2023 Breakdown of Rule 10(a) “Inactive” Arbitrators



RULE 10(C): CHANGE OF PRACTICE OR RETIRED ATTORNEY OR JUDGE

The AAA received 25 recertification forms in which arbitrators certified under Section 3 of the recertification form. An arbitrator may recertify under this section if their practice has changed and they no longer qualify under Rule 10(a) or if they have retired from their legal practice.

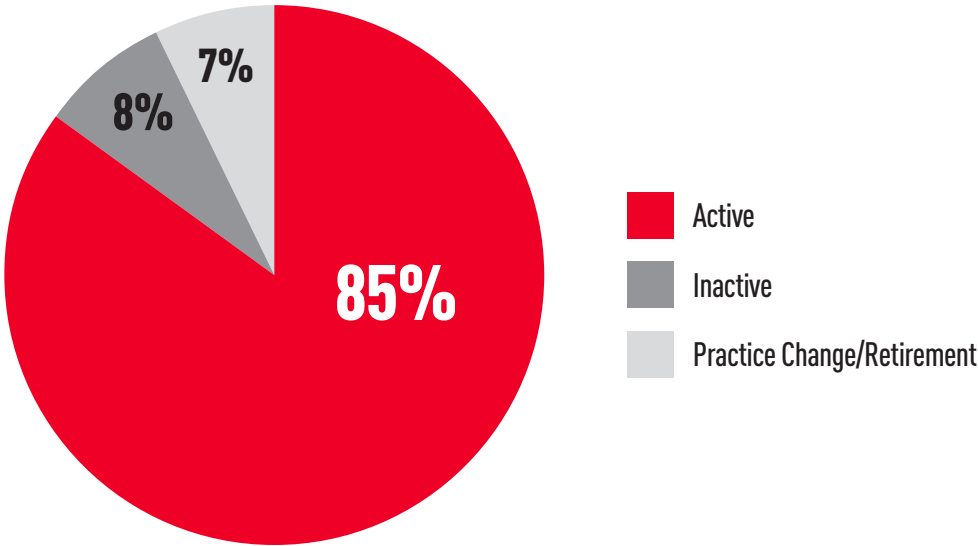
Table 7: 2023 Breakdown between Retirement and Change of Practice

Type of Change	Number of Arbitrators
Change of Practice	12
Retirement	13

2023 PANEL BREAKDOWN

The demographics below provide a snapshot of the panel make-up across all three recertification types.

Table 8: 2023 Panel Breakdown by Qualification Type



Recertification Type	Number of Arbitrators
Active	290
Inactive	29
Practice Change/Retirement	25

PANEL DIVERSITY

The AAA is committed to the growth of diversity, equity and inclusion within the alternative dispute resolution (ADR) field. We believe diverse ideas, backgrounds, and experiences improve decision-making and increase public trust in the process.

As of January 1, 2023, the Minnesota No-Fault Panel was comprised of 70 diverse arbitrators, which is 20% of the Panel. Of those who self-identified as diverse, 59 were women, while 11 men also identified as diverse. Currently, there are 62 arbitrators who have elected not to self-identify.

Table 9: 2018-2023 Panel Diversity Comparison

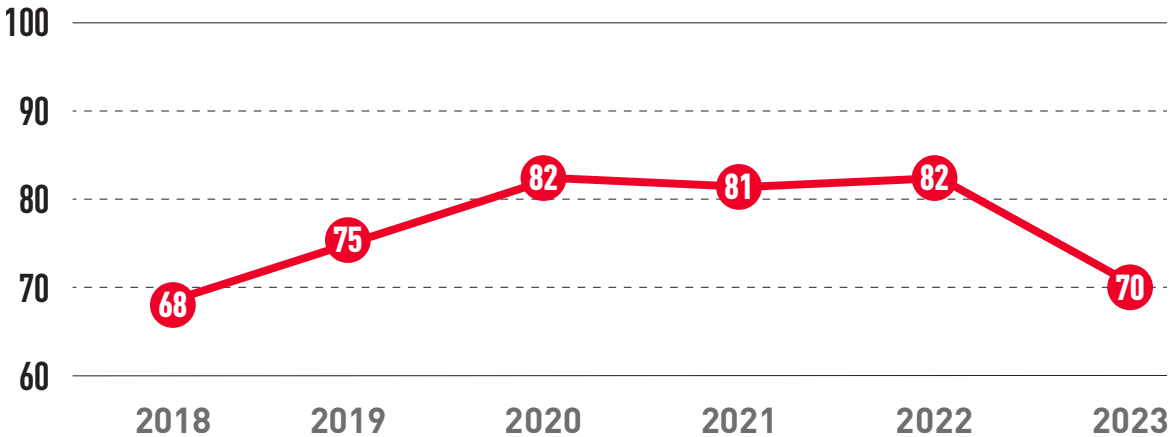
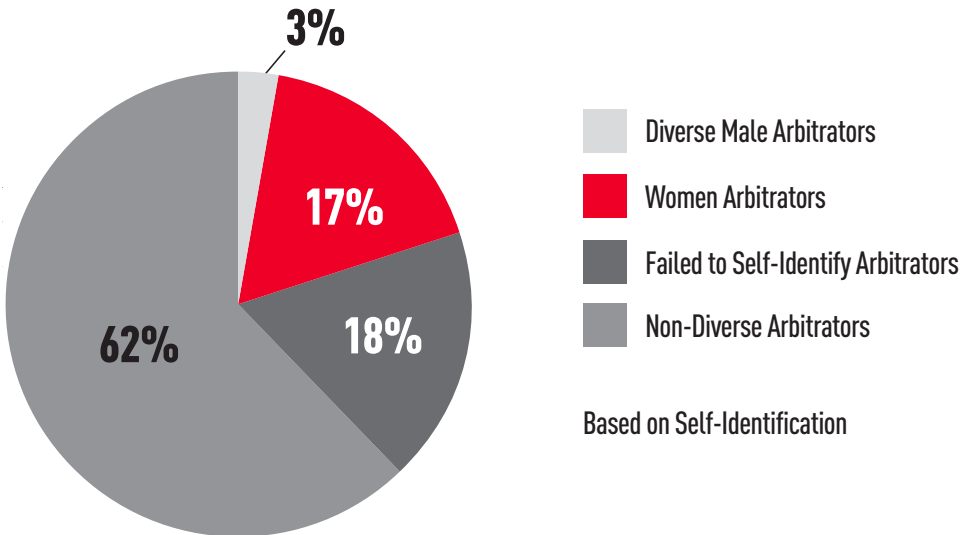


Table 10: 2023 Panel Breakdown by Diverse Arbitrators

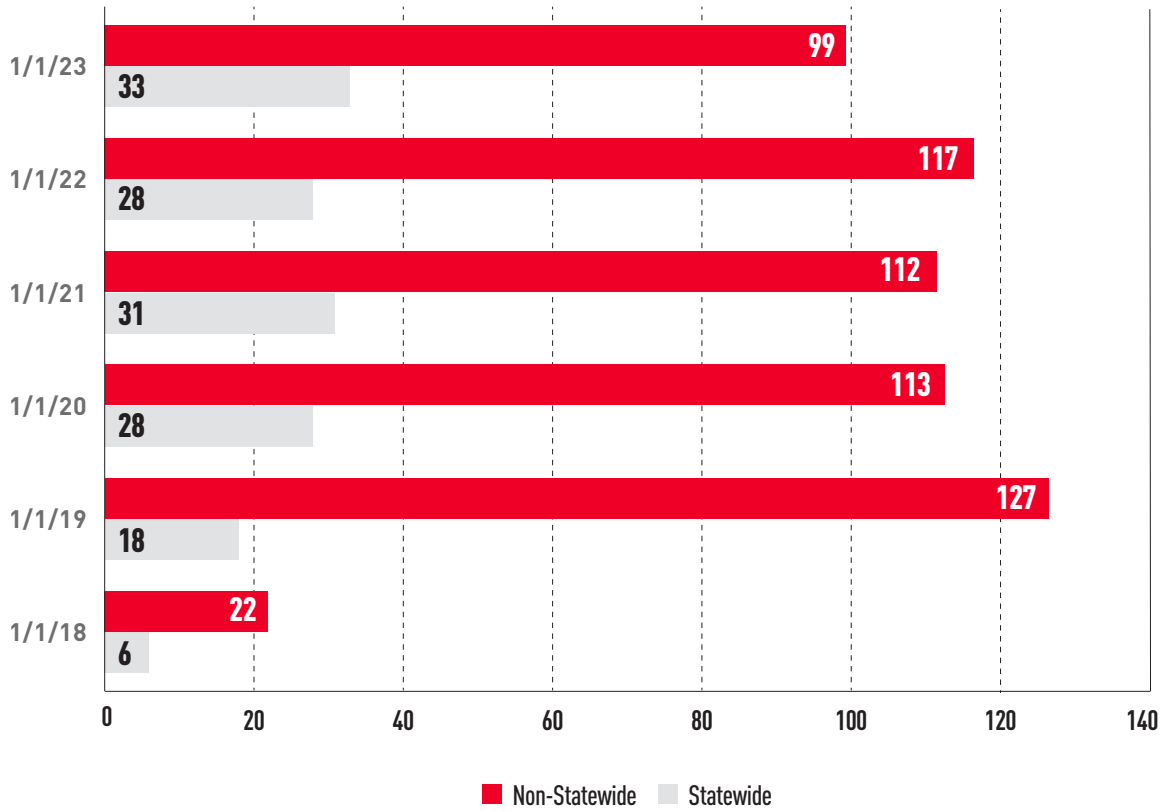


TRAVELING ARBITRATORS

A Traveling Arbitrator is an arbitrator who has volunteered to serve on cases in areas outside of where the arbitrator may live or work. The purpose of a traveling arbitrator is to ensure a no-fault arbitrator is accessible to hear claims throughout the entire State of Minnesota. It also serves to expand outstate pools in order to promote a greater choice of arbitrators for parties.

Currently, there are 132 arbitrators who have volunteered to serve as traveling arbitrators. Of those, 33 have volunteered to serve statewide. In all, **38% of arbitrators on the No-Fault Panel volunteer to travel.**

Table 11: 2018-2023 Comparison of Traveling Arbitrators



OUTSTATE ARBITRATORS

An Outstate Arbitrator is defined as an arbitrator whose office is located outside of the seven county metro, which includes the following counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

The following table provides a side-by-side comparison of the number of outstate arbitrators from 2018 through 2023.

As of January 1, 2023, there were 53 arbitrators that recertified from Outstate Minnesota, which makes up 15% of the overall Panel.

Table 12: 2018-2023 Comparison of Outstate Arbitrators

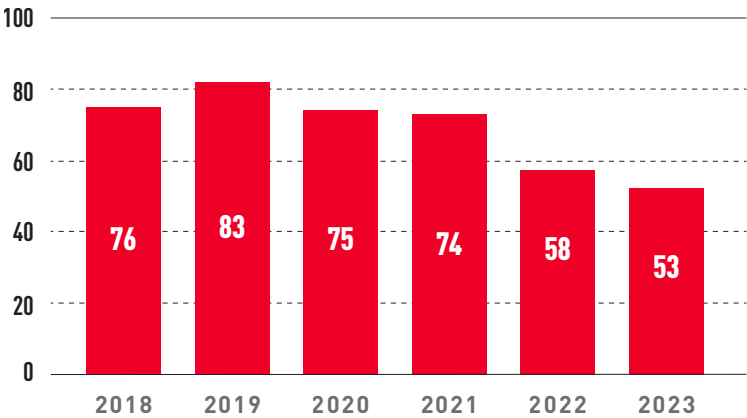
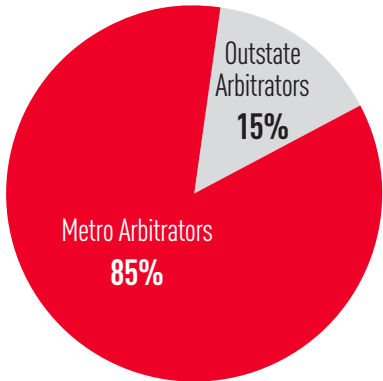


Table 13: 2023 Breakdown of Outstate vs. Metro Arbitrators



LOCATION OF ARBITRATORS

Arbitrators on the Minnesota No-Fault Panel are spread out among 70 cities.

The following charts identify where the highest concentration of arbitrators are located:

Table 14: 2023 Top Twin Cities Metro Locations

Twin Cities Metro	Number of Arbitrators
Minneapolis	104
St. Paul	31
Minnetonka	13
Roseville	13
Eagan	10

Table 15: 2023 Top Outstate Locations

Outstate	Number of Arbitrators
St. Cloud	9
Rochester	9
Mankato	7
Duluth	4

CONTACT US

Please feel free to contact us if you have any questions.

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