

Question and Answers about Consumer Arbitration as Administered by the
American Arbitration Association

What is the American Arbitration Association and what role does it play?

The American Arbitration Association (AAA) is a not-for-profit, public service organization committed to the resolution of disputes through the use of arbitration, mediation and other voluntary procedures. As an administrative agency, the AAA processes a case from filing to closing, appointing arbitrators, setting hearings, transmitting documents and scheduling conference calls. The goal is to keep cases moving in a fair and impartial process until completion.

Can I go through arbitration without an attorney?

Arbitration is less formal than going to court, and you may represent yourself. However, you should keep in mind that arbitration is a legal proceeding that results in an award that is generally final and binding. Because your legal rights are involved, you may choose to consult with and be represented by an attorney. All parties to an arbitration proceeding, whether a business or an individual, have the same option whether or not to be represented by an attorney. Because of the AAA's neutral and impartial role in the arbitration process, the AAA and its employees cannot recommend or provide attorney to parties in arbitration. If you do not have an attorney and wish to be represented by an attorney in arbitration, you may want to contact your local bar association or another legal service organization for a referral.

Does AAA help me present my claim?

No. The AAA's Case Manager will be your main contact throughout the case. The Case Manager cannot assist you in the presentation of your claim. You should also not rely on the arbitrator to assist you in presenting your case. The Case Manager will answer your questions about certain procedures relating to the arbitration process, and will distribute information to you, but Case Managers do not provide legal advice or legal assistance.

Who are the arbitrators?

AAA arbitrators are independent, impartial decision-makers chosen for their knowledge, case experience, integrity, and dispute resolution skills. Their conduct is guided by the Code of Ethics for Arbitrators in Commercial Disputes, prepared by a Joint Committee of the American Arbitration Association and the American Bar Association. All AAA arbitrators are required to attend periodic arbitrator training programs.

How do I know the arbitrator is neutral and impartial?

All arbitrators before they accept appointment to a case are responsible for completing a check for any past or present relationships with either party, potential witnesses or the parties' Representatives or attorneys. If the arbitrator has any such relationships, all of the parties will be provided that information. After the parties are given that information, they are given the opportunity to comment on whether that individual should remain as the arbitrator in light of the disclosure. Arbitrators also sign an oath on each case stating that they will abide by the Code of Ethics for Arbitrators in Commercial Disputes.

Can I settle with the business prior to the arbitration hearing?

Yes, you may. You may settle your dispute with the business at any time before the arbitrator issues the award. If you have settled, or believe you are close to settling your dispute with the business, notify your Case Manager. If you do settle your case and withdraw your arbitration demand; the AAA will close its case file.

How quickly after the hearing (or desk Arbitration process) do I get the arbitrator's decision?

Once the arbitrator closes the hearing, which takes place after he or she determines that all of the information needed to make the decision has been received, the arbitrator will make their decision within 14 days.

Disclaimer: The American Arbitration Association (AAA) provides the materials contained in the guide for informational purposes only. Most of the information presented here is specific to the procedures of the AAA, although it may serve as a useful tool for arbitration processes generally. The content of this guide contains general information and may not reflect current legal developments.