



Arbitrator Development Curriculum

The American Arbitration Association's mission statement says, in part, that we are committed to providing "exceptional neutrals" to the users of our dispute resolution services. In this regard, we maintain an Arbitrator Development Curriculum ("the Curriculum") to ensure that the Association's arbitrators are the best in the field of ADR.

The key components of the Curriculum are:

- Training in fundamentals and best practices of the arbitration process
- Updates on arbitration rules, practice, procedures, and law
- An annual continuing education requirement

The training curriculums for members of the Commercial, Labor and ICDR panels vary. Each curriculum has been designed to meet the needs of that specific case load.

- ❖ [Arbitrator Development Path for Commercial Arbitrators \(including Construction and Employment\)](#)
- ❖ [Arbitrator Development Path for Labor Arbitrators](#)
- ❖ [Arbitrator Development Path for ICDR Arbitrators](#)

Arbitrator Development Path for Commercial Arbitrators

Introduction: In order to serve on the AAA's Roster of Commercial Arbitrators, all commercial arbitrators (includes construction and employment) are required to successfully complete a 2-day classroom training program, which includes both pre and post classroom self study sections. A post training section includes an online training component on Award Writing that is required to be completed within the first year of being active on the roster.

The calendar year following the completion of the new arbitrator classroom training, all commercial, construction and employment arbitrators must complete continuing education each year. Listed below are the specific course requirements.

Arbitration Fundamentals & Best Practices for New AAA Arbitrators: The *Arbitration Fundamentals & Best Practices for New AAA Arbitrators* Program is a comprehensive training program that includes a pre-training and post-training component wrapped around a two-day facilitated classroom program designed to develop the central education core for new AAA Arbitrators. The material for this workshop is integrated within all three components and designed to be completed in an ascending order of complexity.

Pre-Workshop Home Study: The material for the pre-training component is primarily resource material intended to be reviewed prior to participating in the two-day classroom program. It is also intended for use as an ongoing learning and reference tool.

In-Person New Arbitrator Training: The two-day in-person training program is facilitated by a team of trainers consisting of an experienced AAA arbitrator and an experienced AAA case management team member. The material is conveyed through the design of a case fact pattern. The case evolves through a series of exercises that includes a video; bringing the fact pattern to life. Issues materialize through the various phases in the life of an arbitration. Topics covered include: *Arbitrator's Role, Authority, and Responsibility; AAA's Case Management System Design and the Arbitration Process; Arbitrator's Ethics, Practice Standards and Disclosures; Preparing for and Conducting a Preliminary Hearing; Managing Issues Involving Self-Represented Parties; Managing Evidentiary Hearing Issues; Managing Panel Dynamics; Preparing for and Writing the Award; and, Managing Post-Hearing Issues.*

Upon successful completion of this in-person program, attendees will receive a **Certificate of Completion** and will be coded active on our roster; thereby making them eligible to be listed on cases calling for their particular expertise and background. This training program will also be added to their AAA Arbitrator Profile.

Post-Workshop Supplemental Reference Materials: There are two final steps that must be completed in order to successfully fulfill the core requirements of the AAA's training for new arbitrators.

- Successfully complete the online course *AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001)*. There is no additional fee for this course.
- Review of the materials and reading of the articles included in the "Supplemental Reference Materials" for new arbitrators located in the training section of the AAA Neutrals eCenter.

Access to the award writing course is included in the *Supplemental Reference Materials* within the Awards Section or directly through the Education Services web site at www.aaau.org.

Arbitrator Continuing Education (ACE) Requirement: The calendar year following the completion of the new arbitrator training, all commercial, construction and employment arbitrators must complete continuing education each year. This requirement can be met by attendance at any one AAA sponsored or co-sponsored program, participation in one live AAA webinar, or completion of any one AAA online course or webinar recording.

Arbitrator Development Path for Labor Arbitrators

Introduction: In order to serve on the AAA's National Roster of Labor Arbitrators, all Labor arbitrators are required to successfully complete the AAA Labor Arbitrator I online introductory training program. Within three calendar years of completion of Labor I, labor arbitrators must complete Labor Arbitrator II. The purpose of the training is to encourage discussion on important and changing topics within the field of Labor arbitration and establish a set of best practices for AAA cases.

Labor Arbitrator I: This is a mandatory AAA online training program. The focus of this course is to provide a comprehensive understanding of how the AAA administers labor arbitrations and how you, as a labor arbitrator, can successfully work within the AAA's administrative framework. The program takes approximately 120 minutes to complete.

Labor Arbitrator II: This is the advanced follow up course to Arbitrator I. This is a one-day in-person, highly interactive, workshop designed to (i) present with a series of challenging problems on an advanced level and, (ii) to reinforce a number of important principles presented in Arbitrator I. The workshop consists of the following major topics: disclosure and ethics, advanced discovery and motion issues, due process and just cause issues, evidence in labor arbitrations, external law and remedies, and post-hearing and post-award issues.

The AAA does not have a continuing education requirement for its Labor arbitrators, but does have an expectation that its arbitrators will be involved in continuing education and training activities designed to enhance their skills and knowledge whether offered through the AAA or other organizations. The AAA will occasionally offer programs, courses, or conferences for its arbitrators and strongly encourages participation whenever such opportunities are available.

Arbitrator Development Path for ICDR Arbitrators

Introduction: In order to serve on the ICDR's Roster, all arbitrators are required to successfully attend and complete the ICDR International Symposia in Advanced Case Management Issues.

ICDR International Symposia in Advanced Case Management Issues: This one day program is designed to assist all arbitrators in further developing best practices in the management of international arbitrations. The program's value is enhanced through discussions regarding cutting edge practices and trends with the world's leading arbitrators.

The ICDR does not have a continuing education requirement for its ICDR Neutrals, but does have an expectation that its Neutrals will be involved in continuing education and training activities designed to enhance their skills and knowledge whether offered through the, ICDR, AAA or other organizations. The ICDR & AAA will occasionally offer programs, courses, or conferences for its arbitrators and strongly encourages participation whenever such opportunities are available.