

Rule 1302 List of Arbitrators. Appointment to Board. Oath.

(1) Eligibility to Serve as Arbitrators.

Only persons actively engaged in the practice of law in Crawford County shall be eligible to serve as arbitrators. For purposes of this rule, persons “actively engaged in the practice of law” are persons who regularly maintain a law office in Crawford County for the practice of law. That shall include part-time assistant public defenders and part-time assistant district attorneys. Excluded are the chief public defender, the district attorney, and full time assistant public defenders and full-time assistant district attorneys. Only persons admitted to the practice of law for at least five (5) years are eligible to serve as chair of the Board.

(2) List of Arbitrators.

The Court Administrator shall, on or before January 1 of each year, compile a list of persons eligible to serve as arbitrators and a list of persons eligible to serve as chair of Boards of Arbitrator.

(3) Selection of Board.

A party wishing to have an arbitration hearing shall file a Praeceptum for Arbitration with the Prothonotary and simultaneously serve a copy on the Court Administrator. A Praeceptum for Arbitration shall contain a certificate of service indicating service upon all other parties and the date of service.

The Court Administrator shall select the first three (3) available attorneys in alphabetical order from the list maintained by the Court Administrator. The first member named who is eligible to be chair shall be chair of the board; ~~or~~

(4) Notification of Appointment and Objections.

The Prothonotary shall file the appointment of the Board of Arbitrators and shall deliver a copy thereof to the chair and to each party or their counsel of record. Attorneys must sign their qualifications within five (5) business days after their appointment. The Prothonotary shall approach the President Judge if attorneys have not signed their qualification within said period of time. Any party may object to the composition of the Board of Arbitration at this point only for good cause shown. The filing of such objections shall operate as a stay of proceedings. The party filing such objections shall serve a copy thereof upon all other parties or their counsel and shall give notice of intention to present the objections to Motions Court. Failure to file such objections within five (5) days of delivery of notice of the appointment shall operate as a waiver thereof.

(5) Companion Cases.

The Court Administrator shall appoint the same Board to serve as arbitrator in any companion case.

(6) Vacancies on Board—Prior to Hearing.

An attorney appointed to the Board of Arbitrators who desires to be excused must file a motion with the Prothonotary, with a copy to the Court Administrator, at least ten (10) days prior to the date of the arbitration hearing and must set forth adequate reasons in support of said motion. Upon approval of the motion by the Court, the Court Administrator shall make an appointment to fill that vacancy. Should a member of the Board fall to attend the hearing, a member of the Board shall notify the Court Administrator who shall immediately vacate that appointment and make an appointment to fill that vacancy.

(7) Post-Hearing Vacancies.

Should a vacancy on the Board of Arbitration occur after hearing but before an award is signed by all arbitrators, or should a member of the board fall or refuse to perform his/ her duties, the award shall be signed and filed by the remaining members of the Board. If they are unable to agree, they shall notify the Court Administrator who shall appoint a third member. Thereafter, the arbitrators may in their discretion schedule a rehearing for the new Board, which shall thereafter file an award.