



Qualification Criteria and Responsibilities for Members of the AAA® Roster of Arbitrators

The American Arbitration Association® (AAA) is committed to providing neutrals in whom parties can have the utmost confidence. Our Roster consists of individuals with whom the AAA has a strong and positive relationship, driven primarily by caseload demands and user preferences. This document sets out the qualification criteria for candidates to the AAA's Roster of Arbitrators and roster members' on-going responsibilities.

The AAA Panels of Arbitrators listed below are as examples of the diverse caseloads AAA administers and are not an exhaustive list of AAA's arbitrator panels.

Qualification Criteria

1. Professional Experience

A. Attorneys: Generally, 10-15 years of legal practice.

While not an exhaustive list, the following caseload-specific panels require that a substantial portion (typically 30-50%) of a roster candidate's practice be focused on the relevant field, in addition to the candidate's meeting the minimum threshold of years of experience.*

- **Cannabis:** Minimum of 10 years of legal practice and focus on cannabis law constituting (a) at least 30% of overall legal practice or (b) having served as an arbitrator, mediator, or judge specifically handling disputes involving the cannabis industry.
- **Construction:** Minimum of 10 years of legal practice with at least 50% of practice for the past 10 years devoted to the practice of construction law.
- **Consumer:** Minimum of 10 years of legal practice with at least 30% of practice within the past 10 years devoted to consumer-related matters.
- **Employment:** Minimum of 10 years of experience in employment law with 50% of practice devoted to this field; retired judges or academics teaching employment law.
- **Energy:** Attorney with a minimum of 10 years in legal practice with at least 30% of practice for the past 10 years devoted to the practice of Energy Law. Includes: In-house and Outside Counsel with major energy trade associations and organizations.
- **Franchise:** Minimum of 10 years of experience with (a) at least 30% of practice within the past 10 years devoted to the practice of franchise law or (b) having acted as an arbitrator in a minimum of 10 franchise cases throughout one's career or at least three franchise cases within the last five years.
- **Healthcare:** Minimum of 10 years of experience with at least 30% of practice for the past 10 years devoted to practicing healthcare law (includes in-house and outside counsel with major healthcare trade associations, hospitals, health plans, and health systems).
- **Pension/ERISA** (MEPPA, Employee Benefit, and Trustee Deadlock Panels): Minimum of 10 years of experience in



pension/ERISA law with 50% percent of practice devoted to this field

- **Sports:** Minimum of 10 years of experience with at least 30% of practice for the past 10 years devoted to practicing sports law.

B. Judges: Minimum of 10 years as state court or federal court judge.

C. Industry Professionals: Generally, 10-15 years of industry-related experience.

- **Construction:** Minimum of 10 years of experience as a construction professional (demonstrating progressive project responsibilities and performance) or 10 years of construction experience as a business executive with at least seven years in senior-level positions of a construction industry company, firm or organization.
- **Energy:** Minimum of 10 years of executive-level business experience with at least 7 years spent in one of more senior-level positions of an energy industry company, firm, or organization.
- **Healthcare:** Minimum of 10 years of healthcare industry experience with at least seven years in senior-level positions of a healthcare industry company, firm, or organization. Includes: physicians, nurses, allied health professionals, CEOs, CFOs, and consultants.
- **Sports:** Minimum of 10 years of experience in representing or providing ADR services for sports governing bodies and entities (i.e., teams, conferences, organizations, or associations), athletes or coaches involving eligibility or participation issues, or 10 years of executive-level business experience, including business executive experience with at least seven years in one or more senior-level positions of a sports industry-related company, firm, association or organization.

2. Education and Licensing

Educational degree(s) and professional license(s) appropriate to the candidate's field of expertise.

3. Professional Recognition

Honors, awards, and citations demonstrating leadership in the relevant field.

4. ADR Experience and Training

Training or experience in arbitration, mediation, or other forms of dispute resolution.

5. Professional Affiliations

Membership in relevant business, trade, or professional associations.

6. Additional Qualifications

Other relevant experience or accomplishments (e.g., published articles, speaking engagements). Knowledge of cybersecurity and relevant technology risks and benefits.



Responsibilities

1. Neutrality

- Freedom from bias and prejudice.
- Commitment to impartiality and objectivity.
- Ability to evaluate and apply legal, business, or trade principles.

2. Judicial Capacity

- Appropriate temperament—unbiased, patient, professional.
- Dispute resolution skills—ability to manage the arbitration process, including the hearing.
- Proven ability to conduct a thorough and impartial evaluation of testimony and other evidence.

3. Reputation

- Held in the highest regard by peers for integrity, fairness, and good judgment.
- Dedicated to upholding the AAA/ABA Code of Ethics for Arbitrators in Commercial Disputes.

4. Commitment to the ADR Process

- Willingness to devote the necessary time and effort when selected to serve in accordance with the parties' and the case's needs.
- Commitment to efficiency, economy, and a just resolution.
- Support for AAA efforts, policies, and practices that best serve the field of ADR.
- Willingness to complete any required AAA initial and ongoing training.

The AAA has sole discretion over the composition of its Roster of Arbitrators and the industry-specific panels, including arbitrator selection and retention decisions. To meet caseload needs, the AAA may waive any of the above minimum criteria. Continuation on the AAA Roster overall or a specific Industry Panel is subject to routine review based on service needs and the arbitrator's qualifications and performance. Acceptance to the AAA Roster or appointment to cases does not make any Roster member an employee, agent, or independent contractor of the AAA. Costs and obligations associated with being a member of the AAA Roster include an annual panel fee and continuing education requirements.

* Certain specialty panels may have different experience requirements. For more information, contact Panel Resources and Development at eCenter@adr.org.



AAA® Panel of Mediators Qualification Criteria

“Who will be my mediator?” This is the single most important question parties ask once they have agreed to mediate. Qualified mediators are the heart of the mediation process and the AAA is committed to offering a Panel of Mediators in which parties can have the utmost confidence. For this reason, we have established the following *minimum* qualification criteria applicants must meet in order to be considered for acceptance to the AAA’s Panel of Mediators.

General Experience

A minimum of 10 years of *senior-level* experience in business, industry or a profession.

Education

Educational degree(s) and/or professional license(s) appropriate to applicant’s field of expertise.

Mediator Training and Experience

Applicants must meet **BOTH** of the following *minimum* requirements:

- A. *Training:* Applicant must be able to document – by either a certificate of completion or a letter from the training organization—the completion of at least 24 total hours of training in mediation process skills encompassing the following topics: conflict theory, negotiation, dynamics of the mediation process, issues identification, generating options, caucusing, managing party interaction, ethics, impasse strategies, philosophies of mediation and mediator styles, role of the mediator, and simulated mediation role-plays providing performance-based evaluation.
- B. *Experience:* Applicant must be able to document* **ONE** of the following:
 - (i) Has served as a mediator on at least five mediation cases, in the applicant’s primary field of expertise, filed privately or through a court system over the last three calendar years. OR
 - (ii) Has served informally in the role of a mediator on at least four different occasions over the last two calendar years (documentation required*). “Informal” mediations are defined as those that are privately arranged but not conducted under the auspices of an ADR provider or assigned through a court mediation program. Examples of informal mediations would be situations such as resolving disputes among business partners, employees or industry colleagues in the normal course of business.

Membership in at least one business, trade or professional association.

* Due to the confidential nature of mediation, the only documentation the AAA requires is the contact information (name and telephone number) of the advocates who appeared before the applicant in the mediations. In cases of self-represented parties an applicant may use the party’s contact information only if the party has waived any applicable provision of confidentiality.