

Rule 8. Selection of Arbitrator and Challenge Procedure

The arbitration organization shall send simultaneously to each party to the dispute an identical list of four names of persons randomly chosen from the panel of arbitrators who have agreed to serve within a 50-mile radius of claimant's residence at the time of the filing of the petition. If the claimant resides outside the state of Minnesota, the list of names shall be chosen from the panel of arbitrators who have agreed to serve within a 50-mile radius of the Minnesota Judicial Center in Ramsey County, Minnesota, where the Minnesota Supreme Court is chambered.

Each party to the dispute shall have seven business days from the date of transmission in which to cross out a maximum of one name objected to, number the remaining names in order of preference, and return the list to the arbitration organization. In the event of multiparty arbitration, the arbitration organization may increase the number of potential arbitrators and divide the strikes so as to afford an equal number of strikes to each adverse interest. If a party does not return the list within the time specified, all persons named therein shall be deemed acceptable.

One of the persons who have been approved on both lists shall be invited by the arbitration organization to serve in accordance with the designated order of the mutual preference. Any objection to an arbitrator based on the arbitrator's post-appointment disclosure must be made within seven business days from the date of transmission of the arbitrator disclosure form. Failure to object to the appointed arbitrator based upon the post-appointment disclosure within seven business days constitutes waiver of any objections based on the post-appointment disclosure, subject to the provisions in Rule 10. An objection to a potential arbitrator shall be determined initially by the arbitration organization, subject to appeal to the Standing Committee.

If an acceptable arbitrator is unable to act, or for any other reason the appointment cannot be made from the submitted list, the arbitration organization shall have the power to make the appointment from among other members of the panel without the submission of additional lists. If any arbitrator should resign, be disqualified or unable to perform the duties of the office, the arbitration organization shall appoint another arbitrator from the no-fault panel to the case.

(Amended effective May 19, 1997; amended effective September 7, 1999; amended effective August 5, 2003; amended effective March 1, 2016; amended effective December 30, 2022.)

Standing Committee Comments (2015)

The change in language is consistent with the trend of facilitating electronic communications.