



In the Matter of the Arbitration of _____ :

_____ ,

Petitioner,

-against-

_____ ,

Respondent.

NEUTRAL ARBITRATOR
QUESTIONNAIRE

You have been identified as a potential neutral panel arbitrator in the above-captioned arbitration. To assist the parties in evaluating the qualifications of persons nominated to serve in this arbitration, to identify any potential conflict of interest, and to ensure that you qualify as a neutral panel arbitrator with respect to the parties and counsel, please supply the following information and return the completed questionnaire to the executive director of ARIAS•U.S. within 14 days of receipt.

Counsel Names/Address for Petitioner

Counsel Names/Address for Respondent

- 1. Name: _____
- Company: _____
- Address: _____
- Telephone: _____
- Cell Phone: _____
- E-mail address: _____
- Home address: _____
- Home Telephone: _____

2. EMPLOYMENT HISTORY

Please attach a current résumé or CV containing your current and past employment, including the length of employment at each job and your primary responsibilities. If you believe the ARIAS•U.S. web page provides this same detail, please check here and use your discretion as to whether you want to also include your résumé.

1. FEE SCHEDULE

Hourly rate: \$ _____

Travel or other requirements: _____

Do you require a non-refundable retainer? _____ If yes, what is the retainer fee?

Do you charge a cancellation fee? _____ If yes, please state the terms:

If you have any additional fee requirements and/or prefer to submit your fee schedule, please attach the requirements or fee schedule.

2. INSURANCE ARBITRATION EXPERIENCE

A. Have you previously participated as a party-appointed arbitrator in connection with an insurance dispute between an insurance company and an entity other than a reinsurer?

Yes No

If yes, please state the number of times you have served as a party-appointed arbitrator.

B. Have you previously participated as an umpire in connection with an insurance dispute between an insurance company and an entity other than a reinsurer?

Yes No

If yes, please state the number of times you have served as an umpire.

C. If yes to A or B, how many such matters concluded with a final award from the panel?

3.

REINSURANCE ARBITRATION EXPERIENCE

A. Have you previously participated as a party-appointed arbitrator in connection with an insurance dispute between an insurance company and a reinsurer?

Yes No

If yes, please state the number of times you have served as a party-appointed arbitrator.

B. Have you previously participated as an umpire in connection with a reinsurance dispute between an insurance company and a reinsurer?

Yes No

If yes, please state the number of times you have served as an umpire.

C. If yes to A or B, how many such matters concluded with a final award from the panel?

4.

SUBJECT MATTER OF THIS ARBITRATION

This arbitration involves: **[insert a neutral description of the dispute between the parties that includes the (re)insurance contract name, the years of the (re)insurance contract(s) at issue, the parties to the contract, and the claims and/or issues involved].**

A. Have you ever been involved in an insurance or reinsurance transaction or dispute involving any of the specific claims, policies, and/or reinsurance contracts at issue in this matter as described in the paragraph above?

Yes No

If yes, please explain: _____

B. Please disclose any articles you have authored or co-authored that may relate to and/or address the issue(s) in this dispute.

C. Have you previously provided expert testimony related to any of the issues described above?

Yes No

If yes, please explain.

D. Might these facts or circumstances prevent you from rendering an unbiased decision in this arbitration?

Yes No

If yes, please explain.

5. COMMUNICATIONS WITH THE PARTIES AND PARTIES' COUNSEL

Have you had any communications with the parties or their counsel regarding this matter, including but not limited to communications about your qualifications for and/or the possibility of your service as a neutral arbitrator herein?

Yes No

If yes, please explain.

6. COMPLIANCE WITH NEUTRAL ARBITRATION PANEL CRITERIA

For purposes of paragraphs 8-10, the following definitions are applicable:

“Served” as an arbitrator, umpire, expert, consultant or attorney is defined as commencing at the time of retention; and

“Party” is defined as (a) the named party and its parents, subsidiaries, and affiliates whose insurance and reinsurance disputes, as applicable, are managed by the same group of individuals that manage the party’s insurance or reinsurance disputes, and (b) a non-affiliated entity (including that entity’s agent) that manages the named party’s claims at issue in the arbitration. [Insert an appendix listing (i) all the entities that qualify as parents, subsidiaries, and affiliates of the named parties that are managed by the same group of individuals that manage the named parties’ disputes, and (ii) non-affiliated entities (including that entity’s agent) that manage the named party’s claims at issue in the arbitration.]

- A. Are you a current member in good standing of ARIAS•U.S.?
 Yes No
- B. Are you currently certified as an ARIAS•U.S. Arbitrator?
 Yes No
- C. Are you a current or former officer or executive of an insurance or reinsurance company?
 Yes No
- D. Have you served as a party-appointed arbitrator during the past five (5) years for either party in more than 10% of your total appointments as a party-appointed arbitrator during that period?
 Yes No
- E. Have you served as a party-appointed arbitrator during the past five (5) years where, in more than 10% of your total appointments as a party-appointed arbitrator during that period, either party's law firm or the lawyers identified above acted as counsel?
 Yes No
- F. Have you served as an umpire or neutral arbitrator during the past five (5) years for either party in more than 20% of your total appointments as umpire or neutral arbitrator during that period?
 Yes No
- G. Have you served as an umpire or neutral arbitrator during the past five (5) years where, in more than 20% of your total appointments as umpire and neutral arbitrator during that period, either party's law firm or the lawyers identified above acted as counsel?
 Yes No
- H. Have you served as an expert or consultant during the past five (5) years for either party in more than 50% of your total appointments as an expert or consultant during that period?
 Yes No

I. Have you served as an expert or consultant during the past five (5) years where, in more than 50% of your total appointments as an expert and consultant during that period, either party's law firm or the lawyers identified above acted as counsel?

Yes No

J. Have you served as counsel during the past (5) years for either party in more than 10% of your total appointments as counsel during that period?

Yes No

K. Have you been employed by either party within the last five (5) years?

Yes No

7. POTENTIAL CONFLICTS

A. Please identify the number of pending and past appointments from the past five years as a party-appointed arbitrator, umpire, expert witness, consultant, mock/shadow panelist, and/or external counsel that also involved one or more of the parties, or the parties' counsel:

Participants in the Current Arbitration	# and Ways in which You Participated in Other Pending and Past Proceeding(s) Involving any Party/Counsel in the Current Arbitration							
	As a Party Arbitrator		As the umpire or a neutral		As an expert witness, consultant or mock/shadow panelist for any party		As External Counsel	
	# Pending	# Past	# Pending	# Past	# Pending	# Past	# Pending	# Past
(Petitioner)								
(Respondent)								
(Pet. 's Attorney of Record)								
(Pet. 's Law Firm)								
(Resp. 's Attorney of Record)								
(Resp. 's Law Firm)								

B. Do any companies with which you are presently affiliated have an ongoing business relationship with any of the parties?

Yes No

If yes, please explain:

C. Do you or any immediate family members have a financial interest in the result of this arbitration?

Yes No

If yes, please explain:

D. Have you, or has an entity with which you are or were affiliated (or were affiliated during the past five years and only with respect to the period of your affiliation), ever retained either party's counsel or their respective law firms as an attorney, arbitrator, umpire, expert witness, or consultant?

Yes No

If yes, describe the retention and disclose the type of service and the approximate date(s) so engaged. _____

Apart from participating in industry conferences and other industry functions, please briefly disclose to the best of your knowledge any **business, professional, or social relationships** that you have had with any individuals you understand to now be or have been employed by or professionally affiliated with the parties, their counsel, and/or their law firms in this matter. These relationships are defined as follows:

Professional Relationship: a relationship in which one person, individually or acting on behalf of a corporate entity, requests and is granted professional assistance from a qualified source, including relationships that exist with attorneys, vendors, actuaries, consultants, and claim adjusters.

Business Relationship: a relationship procured for the purpose of economically or professionally benefiting one or both parties, whether individually or acting on behalf of a corporate entity or any entity within which you are affiliated, and which extends beyond three months.

Social Relationship: a recurring interaction, apart from a professional or business relationship, procured by the parties for the purposes of camaraderie and/or a shared interest in sports, arts, culture, religion, government, or philanthropy.

8. OTHER CONSIDERATIONS

At this time, do you believe you will have time for a (one week/two week/three week – choose one) hearing between (complete date by counsel – “9-15 months from now”)? Yes No

If no, please explain: _____

Are you aware of any other facts or circumstances that might create an appearance of partiality on your part or impair your ability to serve in the above-captioned arbitration (please see the ARIAS•U.S. Code of Conduct)?

Yes No

If yes, please explain: _____

D. If you are selected:

a) Do you agree to act consistently in accordance with the ARIAS•U.S. Code of Conduct?

Yes No

b) Do you agree to refuse to accept appointments as an expert, consultant, counsel or non-neutral arbitrator on behalf of or against either of the parties and the parties' counsel prior to the final disposition of the above-captioned arbitration and comply with the ARIAS•U.S. – Neutral Panel Rules for the Resolution of U.S. Insurance and Reinsurance Disputes?

Yes No

ATTESTATION

The foregoing statements are true, accurate, and complete to the best of my knowledge and belief.

Signature: _____

Date: _____

Exhibit – List subsidiaries, affiliates, parent companies, and entities managing the named parties' claims at issue in the arbitration, if needed.