



CPR Releases Revised Administered Arbitration Rules

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The 2019 Administered Rules adopt CPR's award winning signature Screened Selection Process as the default mechanism for Arbitrator selection, while providing a host of other options for which the parties may contract

Other key updates include new "Young Lawyer" Rule; provisions for a single arbitrator for cases not exceeding \$3 million; enhanced opportunities for mediation during the arbitration; express procedural guidance on early disposition; and the inclusion of cyber security issues among the issue to be discussed at the initial pre-hearing conference

New York – The International Institute for Conflict Prevention and Resolution (CPR), a global non-profit organization that advances dispute prevention and resolution practices and provides high quality solutions, announced that its revised Rules for Administered Arbitration and Rules for Administered Arbitration of International Disputes will become effective March 1, 2019 and will be formally unveiled at CPR's Annual Meeting, February 28-March 2 in Washington, D.C.

After providing administered a la carte services for decades, in 2013 CPR promulgated its first formal set of administered arbitration rules to provide parties with a comprehensive, fully administered process if they so choose.

Key provisions of this 2019 Administered Rules update include:

- The adoption of CPR's signature Screened Selection Process as the default mechanism for Arbitrator selection, while providing other more traditional options for which the parties may contract (see Rule 5)
- Provisions for a single arbitrator for cases not exceeding \$3 million unless the parties provide otherwise or CPR decides that the case's complexity requires a three-person tribunal (Rule 5)
- In furtherance of its diversity and inclusion efforts, CPR has added a Young Lawyer Rule, which encourages lead counsel to permit more junior lawyers with significantly less arbitration experience than lead counsel to examine witnesses at the hearing and present argument (Rule 12)
- In recognition of the importance of encouraging settlement during the course of arbitral proceedings, 2019 Rules supplement, the parties and the tribunal's ability to suggest mediation at any time with a provision authorizing CPR to reach out to the parties during the arbitration to invite mediation (Rule 21)

- The revised Rules provide enhanced procedural clarity regarding arbitrators' authority to dispose of issues early in the arbitration, consistent with CPR's Guidelines on Early Disposition (Rule 12)
- In recognition of the importance of cyber security in arbitration, which CPR has championed along with ICCA and the New York City Bar Association through the Working Group on Cybersecurity in International Arbitration, the 2019 Rules suggest consideration be given to cyber security issues in the initial pre-hearing conference (Rule 9)

For parties that may prefer not to have the full panoply of administered services, the non-administered rules, as updated in 2018, continue to provide that option. Parties using the non-administered rules can choose any of the individual services a la carte.

“CPR’s focus on innovation, efficiency and diversity is reflected in these new rules, and we are excited to be advancing the development of best practices in ADR,” said CPR President & CEO, Noah Hanft.

“CPR’s Administered Arbitration Rules benefitted tremendously from CPR’s decades of expertise in providing a wide range of sophisticated dispute resolution services and options,” said Helena Tavares Erickson, SVP of Dispute Resolution Services. “This 2019 revision takes an already insightful, efficient set of rules to the next, even more modern, level.”

“Almost from the moment of their adoption, companies began incorporating CPR’s Administered Rules into contracts, and we are seeing a rapid growth in CPR administered cases,” said Co-Chair of the Administered Rules Revision Committee, John Buckley of Williams & Connolly LLP. “This is a testament to the skill and depth of CPR’s staff in effectively managing these cases and ensuring customer satisfaction. It also demonstrates that parties find CPR’s rules to be particularly conducive to the efficient, expeditious, and fair resolution of disputes.”

CPR would like to thank those instrumental in the 2019 Administered Rules revision, including Committee Chairs, **John J. Buckley, Jr.** of Williams & Connolly LLP and **Dana C. MacGrath** of Sidley Austin LLP, with particular assistance from **Bernardo Cremades** of B. Cremades y Asociados; **William G. Horton** of William G. Horton Professional Corporation; **Sherman Kahn**, Mauriel Kapouytian Woods LLP; **Richard L. Mattiaccio** of Allegaert Berger & Vogel LLP; **Peter J. Pettibone** of Hogan Lovells; **Mauro Rubino-Sammartano** of LawFed BRSA; and **Maxim H. Waldbaum** of Rimon, P.C.

About CPR

Established in 1977, CPR is an independent nonprofit organization that helps global businesses prevent and resolve commercial disputes effectively and efficiently.

- **CPR Dispute Resolution** is an ADR provider offering quality, efficiency and integrity via innovative and practical arbitration rules, mediation and other dispute resolution services and procedures—as well as arbitrators, mediators and other neutrals, worldwide.
- The **CPR Institute**, the world’s leading ADR think tank, positions CPR uniquely as a thought leader, driving a global dispute resolution culture and utilizing its powerful committee structure to develop cutting edge tools, training and resources. These efforts are powered by the collective innovation of CPR’s membership—comprising top corporations and law firms, academic and public institutions, and leading mediators and arbitrators around the world.

Each element of this unique organization informs and enriches the whole, for the benefit of our members and users.