

GUIDELINES FOR MEMBERSHIP OF THE PANEL OF ARBITRATORS

1 The Panel

- 1.1. Arbitration agreements frequently provide for the President of the Law Society of Ireland to appoint a (sole or presiding) arbitrator where the parties (or co-arbitrators) are unable to agree on the appointment. The Society maintains a panel of arbitrators to assist the President in making such appointments.
- 1.2. Admission to the panel is at the absolute discretion of the Alternative Dispute Resolution Committee (the Committee).
- 1.3. The Committee strives to ensure that membership of the panel is diverse in gender and other respects.
- 1.4. The panel consists mainly of solicitors admitted and practising in Ireland, in recognition of the likelihood that, unless they state otherwise, contracting parties who authorise the President to appoint their arbitrator expect an Irish solicitor. The Committee may admit persons with other professional qualifications to the panel where a need is identified.
- 1.5. The Committee reviews membership of the panel every 5 years. These guidelines take effect for and from the September 2024 review. The next review will be in September 2029.
- 1.6. The Committee may amend these guidelines from time to time.

2 Minimum criteria

- 2.1. Anyone applying for admission to the panel must satisfy the Committee that she or he (a) is a fit and proper person to serve as arbitrator if appointed by the President and (b) has the minimum qualifications and experience set out in paragraph 2.2.
- 2.2. Subject to paragraph 2.3, panel members must have all the following minimum qualifications and experience:
 - (a) A professional qualification (having regard to paragraph 1.4) and at least 10 years' experience in practice in that profession
 - (b) Current membership in good standing of the Law Society of Ireland or other relevant professional body
 - (c) Fellowship of the Chartered Institute of Arbitrators or an equivalent arbitration qualification which includes an award-writing examination
 - (d) At least 5 years of experience of arbitration practice (as arbitrator or otherwise)
 - (e) Have served as arbitrator in at least two arbitrations and rendered (or participated in as a tribunal member in) at least two substantive decisions on contested issues, at least one of which is an award
- 2.3. The Committee may in its absolute discretion waive any of the criteria in paragraph 2.2, in particular if the applicant has exceptional merit.
- 2.4. In these guidelines, the Criteria means the criteria stated in paragraph 2.1 as may be amended by the Committee from time to time.

3 Application procedure

- 3.1. Anyone applying for admission to the panel must complete and sign the application form approved by the Committee and send it to the Secretary of the Committee accompanied by evidence of satisfaction of the Criteria, including all of the following:
- (a) A cover letter outlining the applicant's arbitration experience
 - (b) A curriculum vitae
 - (c) Two references, one from a person of repute in the applicant's profession and the other from another person of repute in arbitration
 - (d) If the applicant is not an Irish solicitor, evidence of membership in good standing of the relevant professional body
 - (e) Evidence of Fellowship of the Chartered Institute of Arbitrators or equivalent arbitration qualification
 - (f) Copies of two awards (or one award and one ruling) as stated at paragraph 2.2(e) above, with the names and identifying details of the parties redacted
 - (g) Confirmation that, should the applicant be admitted to the panel, the panel member's name, profession, contact details, and curriculum vitae may be published on the Society's website.
- 3.2. If the written application appears prima facie satisfactory before admission to the panel the applicant will be invited to an interview with one or more nominees of the Committee to assess whether the applicant has complied with paragraph 2.1.

4 Review

- 4.1. The President will notify the panel members of each quinquennial review and invite them to apply for readmission to the panel.
- 4.2. Panel members who apply for readmission must satisfy the Committee that they:
- (a) continue to satisfy the Criteria
 - (b) continue to be active in arbitration and
 - (c) have completed continuing professional development in arbitration in the preceding year
- in accordance with the requirements of the Committee then in place.
- 4.3. Panel members who do not respond to the President's invitation within the time given will be taken to have indicated that they do not wish to continue on the panel and will be removed. Panel members who fail to satisfy the Committee in accordance with paragraph 4.2 will be removed. The Committee may in its absolute discretion waive any of these provisions.



5 Removal

- 5.1. A member may resign from the panel by notifying the Secretary of the Committee.
- 5.2. The Committee may at any time remove from the panel any member who, in the opinion of the Committee, fails to satisfy the Criteria.

6 No guarantee

Membership of the panel does not guarantee appointment as arbitrator. Members of the panel appointed as arbitrator must make their own arrangement with the parties as to fees and expenses. The Society has no responsibility for the fees or expenses of arbitrators appointed by the President.