

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE DEVELOPMENT)
OF ALTERNATIVES TO TRADITIONAL)
LITIGATION FOR RESOLVING LEGAL)
DISPUTES.)

ADKT NO. 126

FILED

SEP 24 1993

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER RELATING TO THE APPOINTMENT
OF ARBITRATORS

On July 20, 1993, the State Bar of Nevada transmitted to the clerk of this court a list of individuals certified by the state bar as qualified for appointment to the panels of attorney and non-attorney arbitrators in the court annexed arbitration program. See Nevada Arbitration Rule 7.¹ Having reviewed the list of individuals certified as qualified by the

¹ Rule 7 provides:

(A) The State Bar of Nevada shall create and maintain a panel of arbitrators designated by areas of expertise consisting of attorneys licensed to practice in the State of Nevada and a separate panel of arbitrators qualified to engage in professions other than law.

(B) Arbitrators shall have substantial experience in their areas of expertise and shall have engaged in their areas of expertise for a period of at least three (3) years.

(1) No person serving on a panel of arbitrators established pursuant to this rule may use his or her status as an arbitrator for any advertising purpose whatsoever.

(C) Arbitrators shall be required to complete an orientation and training program following their selection to the panel, and shall also attend such other additional training sessions or classes as the State Bar may require. The orientation and training program must specifically include training in techniques to obtain settlement of a case at the earliest opportunity.

(D) Arbitrators shall be sworn or affirmed by the Chief Justice or the Chief Justice's designee to uphold these rules of the program, and the laws of the State of Nevada.

(E) An arbitrator who would be disqualified for any reason that would disqualify a judge under the Nevada Code of Judicial Conduct shall immediately resign or be withdrawn as an arbitrator.

(F) Any issue concerning the disqualification of a person to serve on the panel of arbitrators shall be referred to the State Bar of Nevada for a final determination.

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state bar, however, we perceive a need to clarify the requirements and qualifications for service as an arbitrator in the court annexed program.

First, pursuant to Rule 7(A) and (B), an individual qualified for appointment to the panel of attorney arbitrators must be licensed to practice law in the State of Nevada and must have had at least three years experience as an attorney. An individual who does not meet both of these qualifications may not be certified by the state bar as qualified to serve on the panel of attorney arbitrators.

Second, pursuant to Rule 7(A) and (B), an individual qualified for appointment to the panel of non-attorney arbitrators must have had substantial experience in a profession other than law and must have engaged in that profession for a period of at least three years. An attorney not licensed to practice in the State of Nevada, or who does not have at least three years experience as an attorney, may be certified as qualified to serve on the non-attorney arbitrator panel, but only if that individual has had substantial experience in a profession other than law and has engaged in that profession for a period of at least three years.

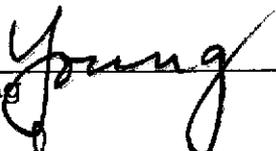
We are concerned that not all of the individuals certified by the state bar as qualified for appointment to the attorney and non-attorney panels possess the above-described qualifications. Accordingly, we hereby direct the Executive Secretary of the State Bar of Nevada to review the resumes and other documents on file at the Office of the State Bar of Nevada to determine if any individuals should be removed from the list of those previously certified as qualified in the prior communication of July 20, 1993. The Executive Secretary shall notify this court of the results of her review within

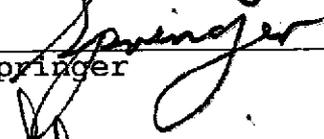
twenty (20) days of the date of this order. Upon receipt of the Executive Secretary's findings, this court shall promptly enter an order appointing the individuals qualified to serve on the panels of arbitrators.

It is so ORDERED.


_____, C.J.
Rose


_____, J.
Steffen


_____, J.
Young


_____, J.
Springer


_____, J.
Shearing

cc: Hon. A. William Maupin
Rosalie Small, Executive Director,
State Bar of Nevada
Larry Hicks, President, State Bar of Nevada
Wesley Ayres, Discovery Commissioner
Thomas Biggar, Discovery Commissioner