

Life Balance Acupuncture Clinic

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Information about an arbitration agreement

What is arbitration?

Arbitration is a procedure, much like a trial but less formal. Instead of a decision being made by a judge or jury, an arbitrator hears the evidence and makes a decision. Like a judge, an arbitrator makes rulings on motions, decides the order in which witnesses appear and the testimony they give, and may impose penalties on a party who disobeys the arbitrator's orders. Like a jury, an arbitrator, after hearing the evidence, decides which side wins and which side loses and what the result will be.

Some contracts, including some real estate, consumer and employment contracts, require that the parties arbitrate their disputes before — or instead of — taking their case to court. Some people choose to arbitrate rather than go to court because they can agree they want a quicker decision with less expense. Sometimes arbitration is required by the courts when someone files a case.

Who is an arbitrator?

In the state court system, an arbitrator is a lawyer who has been admitted to practice for at least five years. The arbitrator is either chosen by the parties and their attorneys or selected by a judge or court clerk.

How does arbitration work?

Arbitration is a way to keep the cost of lawsuits down and shorten the time it takes for a case to get resolved. The arbitrator decides when motions and hearings are set. Generally, the case will have a hearing within 7 weeks from the day the arbitrator is chosen. Before the hearing, each side must give the arbitrator a list of the witnesses who will testify at the arbitration hearing and a description of any evidence that will be presented.

An arbitration hearing is more informal than a court proceeding, but the arbitrator is required to have witnesses swear that their testimony is true and allow the parties or their lawyers to ask questions and introduce evidence. The arbitrator may ask questions of the witnesses or require that the parties or their lawyers submit other evidence after the hearing. An arbitrator may also delay or continue a hearing to give each side a chance to get its entire case presented. Because the rules of evidence are less strict in arbitration than in a trial, the parties may be able to save the cost of paying witnesses, such as doctors and other experts, by submitting their written reports instead. Despite the relative informality of arbitration, parties should prepare their cases fully, just as they would for trial. An arbitrator should issue a decision within 20 days after the hearing is finished.

Can an arbitrator decision be appealed?

In voluntary arbitration, the parties must agree in advance about all the arbitration rules and procedures. This includes when and how parties can appeal an arbitrator's decision. Often, the parties have a contract that includes these terms.

arbitrator decided. In voluntary arbitration, the parties agree on what rules will govern the arbitration, usually by contract. Parties often choose to adopt the rules of national or international organizations, like the [American Arbitration Association](#), [United States Arbitration and Mediation](#), or [JAMS](#).

What is an arbitration agreement?

By signing an arbitration agreement the patient and the health care provider agree to arbitrate disputes.

