

## **Rule 7. Qualifications of arbitrators**

(A) Each commissioner shall create and maintain a panel of arbitrators consisting of attorneys licensed to practice law in Nevada and a separate panel of non-attorney arbitrators. An application for appointment to the panel of arbitrators is filed with the admissions director of the State Bar of Nevada on a form approved by the supreme court, together with a \$150 application fee. The state bar shall investigate the applicant's qualifications and fitness to serve as an arbitrator, including, but not limited to, verification of the applicant's educational background, employment history, professional licensure and any related disciplinary proceedings, and criminal history. The state bar may charge applicants for the non-lawyer panel of arbitrators an appropriate fee to cover the expense of its investigation. No later than 90 days from the date of referral, the state bar shall transmit to the supreme court a certificate concerning the applicant's qualifications and fitness, as follows:

(1) Whether the applicant meets the minimum experience requirements of this rule;

(2) Whether the applicant has been subject to disciplinary proceedings involving any license; if so, the nature and result of those proceedings;

(3) Whether the applicant has a criminal history; if so, the details of that history;

(4) Whether the applicant has ever been named as a defendant in any proceeding involving fraud, misappropriation of funds, misrepresentation or breach of fiduciary duty; if so, the nature and resolution of such proceedings; and

(5) Whether the state bar's investigation revealed any other matter pertinent to the applicant's qualifications or fitness; if so, the details of the matter and how it relates to the applicant's potential service as an arbitrator.

(B) Non-attorney arbitrators must: (i) be listed on the roster of approved arbitrators of the American Arbitration Association or a similar, reputable arbitration service, or (ii) have a juris doctorate degree and 8 years of work experience in their areas of expertise. Attorney arbitrators must be licensed to practice law in Nevada and shall have practiced law a minimum of 8 years in any jurisdiction.

(C) Arbitrators shall be required to complete an arbitrator training program in conjunction with their selection to the panel. The program completed must be one offered by the State Bar of Nevada specific to the court annexed arbitration program or, alternatively, a program that is approved for continuing legal education credits in Nevada for the same number of hours as the state bar's program. The court may also require arbitrators to complete additional training sessions or classes.

(D) Arbitrators shall be sworn or affirmed to uphold these rules of the program, and the laws of the State of Nevada by any person authorized to administer the official oath under NRS 281.030(3).

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

(F) Any issue concerning the participation or disqualification of a person on the panel of arbitrators shall be referred to the commissioner for a final determination.