



WHY YOUR STATE SHOULD ADOPT THE REVISED UNIFORM ARBITRATION ACT

The Uniform Law Commission promulgated the Revised Uniform Arbitration Act (RUAA) in 2000 to update its original Uniform Arbitration Act (UAA). The original Act has become law in 49 jurisdictions since its creation in the 1950s, but revisions are necessary to address the growth in arbitration. The RUAA meets modern arbitration needs by offering the following:

- ***Provisional Remedies.*** Before an arbitrator is selected, a court may order provisional remedies to protect the effectiveness of the arbitration. After an arbitrator is selected, the arbitrator has this express power.
- ***Consolidation.*** An arbitrator may consolidate separate, but related, arbitration proceedings.
- ***A Default Act.*** The RUAA expressly becomes a default act, allowing many of its provisions to be waived or varied by contract. However, certain necessary provisions may not be waived or varied in order to protect the parties.
- ***Arbitrator Disclosure.*** Before accepting appointment as an arbitrator, one must disclose any known facts that could affect his or her impartiality, such as financial or personal interests in the outcome. Non-disclosure may be a ground for vacating an arbitration award.
- ***Immunity of the Arbitrator.*** Arbitrators have express immunity from civil liability, just as a judge acting in his or her judicial capacity would be immune.
- ***Express Authority of Arbitrators During Arbitration Proceedings.*** The RUAA contains a number of provisions intended to place arbitrators on the same level as judges. Such provisions include giving an arbitrator the express authority to make summary dispositions of claims or issues, to use discovery processes as necessary, and to otherwise conduct proceedings as appropriate to ensure they are fair and expeditious.
- ***Punitive Damages/Other Relief.*** Arbitrators are expressly authorized to award punitive damages or other exemplary relief when appropriate. Also, attorney's fees may be awarded accordingly.

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