

## ARBITRATION AWARD FORMS

### OVERVIEW

Arbitration award forms provide a template for arbitrators to complete at the end of a hearing. The form standardizes the information the court receives and the format in which the information is presented. This reduces misunderstandings and miscommunications.

The best forms ask for precise information and keep the work needed to complete them to a minimum while also offering the necessary flexibility to deal with issues and case characteristics that occasionally differ from the norm.

### GOOD EXAMPLES

#### **Award of Arbitrator – Los Angeles County Superior Court, California**

This is a nicely structured report of award by a single volunteer arbitrator. Precise instructions and intelligent formatting make it easily followed and easily completed. Unlike other reports of award, it also includes space to enter whether a request for trial de novo has been filed or to enter the award as a judgment if no request for trial de novo is received within 30 days.

Courts using this as a model may want to include a space for arbitrators to allocate negligence. This form slips in a well-framed question about how many volunteer hours, including travel, were expended on the case. A court adapting the form might want to ask additional questions to gather more information about the case if it is not collected elsewhere – such as type of case – but it is important to keep those questions brief, focused and to a minimum.

#### **Arbitration Award ([Comparative](#) and [no comparative](#) negligence) – Hawaii**

Each of these is simple and easy to understand. They set out the type of damages awarded and what costs are paid by whom.

Courts adapting these forms for their own use may want to consider creating a single form in which both determination and allocation of negligence could be indicated.

#### **Binding Arbitration Award – Michigan**

This is an example of a report of award for binding arbitration that concisely lays out all the necessary information. It provides a simple manner for allowing the arbitrator to lay out the reasoning behind the award. It also asks for the type of case in a succinct way.

ARBITRATOR NAME, ADDRESS, TELEPHONE, FAX AND E-MAIL:	STATE BAR NUMBER	<i>Reserved for Clerk's File Stamp</i>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>AWARD OF ARBITRATOR</b>		CASE NUMBER:

**INSTRUCTIONS TO ARBITRATOR:** *In order that this Award may be entered as Judgment, all information must be clear, complete and accurate. Please specify: the full names of all parties (as they appear on the complaint) in the body of the Award; for whom and against whom the award is rendered; precise dollar amounts for all money awards; and a disposition as to each party named on the complaint and any cross-complaint(s).*

The undersigned Arbitrator, appointed pursuant to Section 1141.10, Code of Civil Procedure and Rule 3.815, California Rules of Court, having been duly sworn, and having heard the above cause on (date) \_\_\_\_\_, and considered the evidence, awards as follows:

IN FAVOR OF: (Show FULL names)	AND AGAINST: (Show FULL names)
1.	
2.	
3.	
4.	

  

MONEY AWARD FOR ABOVE PARTIES	PRINCIPAL	INTEREST	ATTORNEY FEES	COSTS	TOTAL
1.	\$	\$	\$	\$	\$
2.	\$	\$	\$	\$	\$
3.	\$	\$	\$	\$	\$
4.	\$	\$	\$	\$	\$

Pages attached for additional parties: \_\_\_\_\_ Total volunteer hours (including travel time): \_\_\_\_\_

Dated:

..... (TYPE OR PRINT NAME) \_\_\_\_\_ (SIGNATURE OF ARBITRATOR)

**IMPORTANT!**  
 PURSUANT TO CALIFORNIA RULES OF COURT, RULE 3.826, THIS AWARD WILL BECOME A JUDGMENT THIRTY (30) DAYS AFTER ITS FILING IF NO PARTY HAS FILED A REQUEST FOR TRIAL (DE NOVO) WITH PROOF OF SERVICE.

**SATISFACTION OF JUDGMENT MUST BE FILED WITH THE CLERK OF THE COURT WHEN PAID IN FULL.**

JOHN A. CLARKE, Executive Officer/Clerk

Trial de Novo filed by:  
 Plaintiff  Defendant  Other: \_\_\_\_\_ on: \_\_\_\_\_

30 days having passed and no Request for Trial de Novo filed,  
**AWARD ENTERED AS JUDGMENT ON:** \_\_\_\_\_

By: \_\_\_\_\_  
 Deputy Clerk

(See reverse for Proof of Service by Mail)

**AWARD OF ARBITRATOR**

Short Title	Case Number
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**PROOF OF SERVICE BY MAIL**

1. I am over the age of 18 and not a party to this action. I am a resident of or employed in the county where the mailing occurred. My residence or business address is:
  
2. I served a true and correct copy of this Award of Arbitrator on all interested parties by enclosing it in an envelope and:
  - a.  **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
  - b.  **placing** the envelope for collection and mailing on the date and the place shown in items 4 and 5 following our ordinary business practices. I am readily familiar with this business's practices for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with the postage fully prepaid.
  
3. The envelopes were addressed as follows:  
*(If additional space is needed, attach a separate list.)*

4. Date of mailing:
  
5. Place of mailing (*city and state*):
  
6. I declare under penalty of perjury under the laws of the State of California that the foregoing, including any attachment, is true and correct.

Dated:

.....  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE)

<b>STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE</b>	<b>BINDING ARBITRATION AWARD PAGE 1 OF 3</b>	<b>CASE NO.</b>
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Court address Court telephone no.

Plaintiff name(s), address(es), and telephone no(s).	<b>v</b>	Defendant name(s), address(es), and telephone no(s).
Plaintiff attorney, bar no., address, and telephone no.		Defendant attorney, bar no., address, and telephone no.

Probate      In the matter of \_\_\_\_\_

**Basis for Binding Arbitration**

**For:** \_\_\_\_\_

**Against:** \_\_\_\_\_

- Statutory based on contract
- Stipulation on court referral; MCR 2.410, MCR 5.143
- Other (specify) \_\_\_\_\_

- After Hearing       Consent       Hearing Transcript made and used

**ORDER OF AWARD**

Damages        \$ \_\_\_\_\_  
Interest        \$ \_\_\_\_\_  
Costs            \$ \_\_\_\_\_  
Other (specify) \$ \_\_\_\_\_  
Award            \$ \_\_\_\_\_

This judgment will earn interest at applicable statutory rates.

Other relief, terms, or conditions:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Nature of Claim Arbitrated**

- Statutory (specify) \_\_\_\_\_
- Employment
- Commercial
- Contract
- Personal injury - Tort
- Personal injury - Other (specify) \_\_\_\_\_
- Other (specify) \_\_\_\_\_

**NOTE:** Awards based on statutory employment claims must be supported (complete and attach pages 2 and 3).

- A note or other written evidence of indebtedness has been filed with the clerk for cancellation.
- Approved as to form, notice of entry waived.

Award date \_\_\_\_\_ Arbitrator \_\_\_\_\_ Bar no. \_\_\_\_\_

The award has been entered and will be final unless within 21 days after entry and delivery of the award a motion to vacate, modify, or correct the award is filed.

**CERTIFICATE OF MAILING**

I certify that on this date a copy of this award was served on the other parties/attorneys by ordinary mail at the addresses stated above.

Date \_\_\_\_\_ Signature \_\_\_\_\_

<b>STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE</b>	<b>BINDING ARBITRATION AWARD PAGE 2 OF 3</b>	<b>CASE NO.</b>
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Court address Court telephone no.

Plaintiff name(s), address(es), and telephone no(s).	<b>v</b>	Defendant name(s), address(es), and telephone no(s).
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Probate      In the matter of \_\_\_\_\_

**Material Findings of Fact:** (attach additional pages if necessary)

**Material Conclusions of Law:** (attach additional pages if necessary)

**Basis for Specific Relief Granted:** (attach additional pages if necessary)

**Other Comments or Information:** (attach additional pages if necessary)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Arbitrator Bar no.

<b>STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE</b>	<b>BINDING ARBITRATION AWARD PAGE 3 OF 3</b>	<b>CASE NO.</b>
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Court address \_\_\_\_\_ Court telephone no. \_\_\_\_\_

Plaintiff name(s), address(es), and telephone no(s).	<b>v</b>	Defendant name(s), address(es), and telephone no(s).
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Probate      In the matter of \_\_\_\_\_

**Witnesses:** (attach additional pages if necessary)

Name	Address	Called by	Fact/Expert	Date
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**Exhibits:** (attach additional pages if necessary)

Offered by	Marked as	Description	Admitted: Yes/No
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\_\_\_\_\_  
Date

\_\_\_\_\_  
Arbitrator

\_\_\_\_\_  
Bar no.