



## Summary of Proposed Revisions to Consumer Arbitration Rules

In 2024, the AAA embarked on a project to revise our Consumer Arbitration Rules, with an eye toward modernizing and clarifying these rules. The AAA is committed to maintaining fairness, efficiency, and transparency in our arbitration processes, and to that end the Rules amendments were drafted with the following principles in mind:

**Transparency:** Provide clear information about the rules and the responsibilities of all parties.

**Fairness:** Adhere to the standards reflected in the Consumer Due Process Protocol, and promote neutrality in arbitrator selection.

**Efficiency and Accessibility:** Streamline arbitration processes to reduce time and costs.

**Ethics and Conduct:** Incorporate guidelines for the conduct expected of parties and their representatives

Although AAA did not revise every rule, we edited many with these goals in mind. Additionally, we repositioned some rules to create a more logical and uniform flow within the rules set.

- Increased threshold for documents-only disputes from \$25,000 to \$50,000. *(Rule 1)*
- Increased time period for automatic stay for a party seeking judicial intervention from 30 to 90 days. *(Rule 2)*
- Multiple claims filed by the same party arising out of the same contract can now be administratively consolidated by the AAA into one case. Multiple claims filed by the same party arising out of different contracts may be treated as an individual case. *(Rule 4)*
- Specified procedures for determining which agreement applies when that issue is in dispute. *(Rule 5)*
- Clarified procedure for claims disputed to be within the jurisdiction of small claims court. *(Rule 9)*
- Clarified the circumstances under which the AAA may decline or cease administration of a case. *(Rule 10)*
- Added mediation rule. *(Rule 11)*
- Clarified procedures for registering a consumer clause and specified procedure for un-registered clauses when a case is filed. *(Rule 12)*
- Where a consumer case starts as a three-arbitrator panel but a vacancy occurs, specified that case may be heard by remaining arbitrators unless otherwise agreed to by the parties. *(Rule 18)*
- Reworked exchange of information rule to emphasize arbitrator's authority to grant necessary information exchange as required for a party to fairly present its claims and defenses. *(Rule 20)*
- Specified that hearings will be held virtually unless an in-person hearing is necessary for a fundamentally fair process. *(Rule 22)*
- Specified procedures for counsel to withdraw. *(Rule 24)*
- Revised arbitrator's authority for allowing written and dispositive motions. *(Rule 31)*
- Specified authority of arbitrator to subpoena witnesses and documents. *(Rule 32)*
- Provided for a 7-day period after the final date for submission of documents or the final day of hearing for the arbitrator to decide whether hearings can be closed. *(Rule 37)*
- Specified that the AAA may initiate administrative communications with individual parties. *(Rule 41)*



- Added new rule regarding confidentiality. (*Rule 42*)
- Added new rule regarding majority decisions for three-arbitrator panels. (*Rule 43*)
- Added authority for arbitrators to modify or clarify an award on their own initiative. (*Rule 49*)
- Clarified deposit procedures. (*Rule 55*)
- Specified that the AAA may decline to administer future matters involving a business that fails to pay fees. (*Rule 56*)
- Added new rule to provide arbitrators authority to issue sanctions. (*Rule 57*)
- Added new rule specifying appeals procedure for consumer cases. (*Rule 58*)