Meeting the Neutrals
Discussion Questions |

Types of Arbitrations/Metrics
- Do you specialize in any particular subject-matter area?
- Describe the complexity of the matters you have arbitrated (e.g., novel/complex issues, multiple claims/counterclaims, multiple parties, motions, damages/attorney fees)?
- On average, how long would you say it takes for your awards to be issued from the time the hearing closes?
- Do you typically charge for cancellation?
- Are you a member of any arbitration panels?

Conduct of the Pre-Hearing Phase
- What are some of your pre-hearing practices that you believe support efficient case management?
- Do you insist that any part of a matter must be in person?
- Do you have standard procedural orders that you issue prior to the hearing? Is there anything unique that you include in your orders and that you would like to share?
- What are your views as to the role of document disclosure in the arbitral process? Do you have a standard approach to handling disclosure disputes?
- Do you favor motion practice? How so or not so?
- What do you consider when determining whether to allow a dispositive motion?
- In rendering an award, do you believe that the Arbitrator should have access to entire CBA, even if the Parties have not argued certain provisions?

Conduct of the Hearing
- How much control over the process should be allocated as between the parties or the arbitrator? Do you view the arbitration process as party-controlled or arbitrator-controlled, or something else entirely?
- What do you see as the role of the arbitrator when one party wishes to proceed virtually and the other does not, and the CBA is silent as to virtual hearings?
- How do you handle difficult parties?
- What is your approach to the presentation of evidence (expert evidence)?
- Do you think that arbitrators should be active (asking questions during proceedings) or passive (leaving examination and questioning to the Parties and their counsel)?
- What is your approach to understanding an issue that you are having difficulty comprehending?
- What do you perceive as the advantages or drawbacks of proceeding virtually?
- What is your view on post-hearing briefs?
- What do you think are keys to ensuring an efficient and fair arbitration process?