

1 **Rule 14-1105. Selection of the arbitration panel; additional claims.**

2 (a) Designation of panel composition. When the Committee has ~~on file~~ the agreement to
3 arbitrate ~~duly~~ signed by all parties, and the petition and the answer, the chair or his
4 designee ~~shall~~ must designate from the Committee three persons to serve as a panel for
5 the arbitration. Each panel ~~shall~~ must consist of (i) one lawyer licensed to practice law in
6 Utah; (ii) one ~~current or retired~~ state or federal judge, ~~domestic relations commissioner,~~
7 or senior judge; and (iii) one non-lawyer. The chair or his designee, by written notice
8 served personally or by mail to all parties to the arbitration, ~~shall~~ must inform the
9 parties of the names of the designated panel members. The chair ~~shall~~ must designate
10 the lawyer or the judge in each panel as the chair of the panel. The chair or his designee
11 may request the panel chair to designate the non-lawyer member of the panel.

12 (b) Less than ~~\$3,000~~ 10,000 in controversy. Notwithstanding the provisions contained in
13 paragraph (a), the chair or his designee ~~shall~~ must designate from the Committee an
14 arbitration panel consisting of one lawyer in those arbitration proceedings in which the
15 amount in controversy is less than ~~\$3,000~~ 10,000. However, when the amount in
16 controversy is less than \$10,000 but more than \$7,500 the chair or designee must advise
17 the petitioner that he or she may choose and receive a three member panel as set forth
18 in paragraph (a).

19 (c) Assigning file. When the composition of the panel has been determined, the chair
20 ~~shall~~ must assign the file to the member(s) of the arbitration panel.

21 (d) New claims. If new claims not set forth in the petition are raised by a respondent's
22 answer or by other documents in the arbitration, the ~~consent of the~~ petitioner's consent
23 ~~to the panel's consideration of such new claims shall is~~ not ~~be~~ required for the panel to
24 consider the new claims.

25 (e) Conflict of interest. As soon as practical, an arbitrator shall notify the Committee of
26 any conflict of interest with a party to the arbitration as defined by the Utah Rules of

27 Professional Conduct. Upon notification of the conflict, the Committee ~~shall~~must
28 appoint a replacement from the list of approved arbitrators.

29 *Effective May 1, 2021.*