

Frequently Asked Questions about the CSLB Arbitration Program

Q. How was my Arbitrator assigned? Is he/she qualified to hear my case?

A. AMCC offers a panel of highly skilled, experienced and ethically responsible Arbitrators. Each of the CSLB Arbitrators has extensive experience in the trades and standards of care in the Construction Industry. AMCC's panel consists of industry experts, architects, engineers and attorneys. Each Arbitrator is technically competent and procedurally sophisticated in arbitration theory and practice.

Q. Do I need an Attorney for the Arbitration hearing?

A. The choice to hire legal representation is at your sole discretion. Arbitrators are skilled in conducting hearings either with the individual parties representing themselves or with Counsel present. If you hire an attorney, please provide AMCC with a letter of representation. Attorney fees are not subject to Award in this forum pursuant to Business & Professions Code §7085.3.

Q. Why was this location assigned for my hearing?

A. Hearing location is determined on a case by case basis. Our goal is to arrange for a location mutually convenient to both parties. All hearings are held in commercial office space with appropriate conference rooms. Often times, hearings are held at state office buildings. Hearings are NOT held at job sites.

Q. Should I mail my evidence to the AMCC and opposing party in advance or can I bring documents to the hearing?

A. All documents supporting your case should be brought directly to the hearing. Please remember to bring all items in triplicate: one copy for the Arbitrator, one for the opposing party, and one (originals) for yourself. If you wish to present your materials prior to the hearing, you may mail your materials to AMCC for receipt at least 14 days in advance of the hearing date. You must also send a copy of all documents to the opposing party at the same time.

Q. How should I fill out my arbitration worksheet? What is this worksheet used for?

A. Please provide as much information on this form as possible; however the exclusion of data does not preclude it from being presented as evidence. The worksheet is for informational purposes only and is provided to the Arbitrator prior to the hearing.

Q. Can my attorney or I subpoena documents and/or witnesses in the CSLB Arbitration process?

A. No. Documents and/or witnesses can be requested directly from the opposing party, but not subpoenaed, as there is no jurisdiction conferred on AMCC to order discovery.

Q. I cannot make the date assigned for the hearing. How do I request a continuance?

A. The Arbitration should be treated similar to a court date and scheduled on your calendar with top priority. Continuances are limited and will only be granted for good cause if requested in timely fashion. In order to request a continuance, you must fill out a Request for Continuance form available at www.AMCCenter.com. Please submit this form via fax or e-mail as soon as possible for full consideration. **Note:** Submittal of a Request for Continuance DOES NOT guarantee that a continuance will be granted. If a continuance is granted, both parties will be notified. If a continuance is denied, the requesting party will be promptly notified.

Q. If I have an Industry Expert and want him to attend the hearing, what do I do?

A. It is your responsibility to arrange for all witnesses to attend the hearing as scheduled, which includes the Industry Expert. **Note:** Continuances are not typically granted for CSLB Industry or other Experts that are unable to attend. The parties can utilize the written report submitted by the Expert.

Q. What happens if I choose not to attend the hearing? Will a default judgment be made against me?

A. Failure to attend the scheduled hearing does not automatically result in a default judgment. If one or both parties fail to attend the hearing, the Arbitrator will proceed with the hearing assuming that both parties have received ample notice of the hearing date, time and location. The Arbitrator will consider all written testimony and documentation submitted by the parties as well as any verbal testimony offered at the hearing.

Q. When will I know what the Arbitrator has decided?

A. Business and Professions Code §7085.5(q) provides for thirty (30) days from close of the hearing to render an Award, though the average time for receipt of an Award is less. The Award will be sent via certified mail.

