

Latest Neutral Corner from FINRA's Office of Dispute Resolution Hits the Electronic Newstand. Its Lead Article Discusses the NAMC, But It Also Features Tips on Scheduling Hearings

FINRA's Office of Dispute Resolution ("ODR") has once again posted the latest issue of its newsletter for arbitrators and mediators, [The Neutral Corner](#) ("TNC") and, as usual, it covers a number of different subjects, including the NAMC, the Portal, arbitrator training and disclosure, mediation, and tips on scheduling hearings.

The feature article, "An Introduction to FINRA's National Arbitration and Mediation Committee," is co-authored by the two members of its Executive Committee, Public Chair [Steven B. Caruso](#) of Maddox Hargett & Caruso, P.C. and Industry Representative [Darya Geetter](#) of LPL Financial.

Inside the NAMC

The article discusses the composition, role and subcommittee structure of the Committee (or NAMC). "The NAMC," it explains, "is an advisory committee of leading practitioners that provides recommendations regarding the development and maintenance of an equitable and efficient system of dispute resolution, frequently proposing and considering new arbitration rules and procedures and "providing guidance to FINRA ... for the recruitment, qualification, training and evaluation of arbitrators and mediators." FINRA prepares "a meeting agenda for the NAMC meeting and memos that analyze emerging issues." For their part, the co-authors assure us, "NAMC members ... provide insight into the strengths and weaknesses" of rule proposals "and the impact the changes might have on the parties and the dispute resolution process.... The discussions are robust but cordial. Everyone's goal is to enhance the FINRA arbitration program and promote fairness to all participants. No constituent is favored."

How to Schedule Expeditious Hearings

The second largest amount of space in this 18-page issue of the *TNC* is devoted to explaining how arbitrators may schedule hearings within nine months of the initial prehearing conference (IPHC), as FINRA encourages them to do in order to expedite resolution of the claims. The first rule is that, if the parties agree on hearing dates, the arbitrators should accept them, even if they begin more than nine months later. However, when the parties disagree, arbitrators should push for hearings within nine months. Tips for achieving that end include: forcing parties or their counsel to specify when and why they have conflicting commitments; suggest that busy litigators ask colleagues to fill in for them; schedule hearings on non-consecutive days, evenings and weekends; and schedule backup dates for subsequent rescheduling.

Other Features

The issue also includes information on such subjects as [case statistics](#), the [demographic survey](#), upcoming events, rule filings, the recently released paper on “[FINRA Perspectives on Customer Recovery](#),” mediation news (including a decrease in new mediations, discontinuance of the mediator annual fee and a telephonic mediation program for small claims), how to enroll for direct deposit of arbitrator honoraria and expense reimbursement, arbitrator training resources, and the importance of completing the Oath of Arbitrator and Disclosure Checklist promptly and completely upon assignment to each case. The left-hand column of three consecutive pages is devoted to the online Portal. After listing its many uses, this section answers questions about how to know if a neutral is in the correct side of the Portal (look for a Profile Update tab at the far end of the top header; if it is not there, one is in the party side) and what to do if one cannot remember one’s password (there is a procedure for resetting it).

(ed: As we have said many times before, the TNC is a wonderful resource, not only for arbitrators and mediators, but for parties as well. Past issues may be found at <http://www.finra.org/arbitration-and-mediation/previous-editions-neutral-corner>.) (SAC Ref. No. 2018-14-01)

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