

Laying the Keel for a Seaworthy Arbitration

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Practice Points

- Develop an “ideal” arbitration provision to use as a template
- Examine the types of disputes that may arise under the contract
- Consider terms that best fit the relationship of the parties, potential disputes, expected costs and enforcement issues
- Anticipate objectionable terms your counter party may request and prepare a response to each

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Rules of the Game



- Substantive law
- Procedural law
- Coordination with litigation including actions for seizure and attachment

Association or Independent Arbitration

- Associations:
 - Industry specific: HMAA or SMA
 - International: London Court of International Arbitration or the Singapore International Arbitration Centre
- Independent arbitrators



Arbitrators

- Number?
- Specialized knowledge or experience?
- Non/lawyer professionals?
- Disclosures?
- Impartial?
- Oath?



Timing

- Selection of arbitrators
- Discovery
- Final hearing
- The award



Also available as part of the eCourse

[2021 David W. Robertson Admiralty and Maritime Law eConference](#)

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