

Prerequisites to Serve as an Arbitrator

Introduction

An arbitrator is a neutral third party appointed to resolve disputes outside of traditional court systems. Arbitration is widely used in commercial, labor, construction, and international disputes. Serving as an arbitrator requires a combination of education, experience, skills, and ethical standards.

Educational Background

While there is no single mandatory degree required to become an arbitrator, most professionals possess:

- A bachelor's degree in law, business, finance, or a related field
- Advanced degrees such as a Juris Doctor (JD), Master of Laws (LLM), or MBA are often preferred
- Specialized coursework or training in dispute resolution or arbitration

Professional Experience

Relevant professional experience is critical. Common backgrounds include:

- Legal practice (attorneys, judges, legal consultants)
- Industry expertise (e.g., construction, finance, engineering)
- Human resources or labor relations
- Prior experience in mediation or dispute resolution

Typically, arbitrators are expected to have several years—often 10 or more—of professional experience in their field.

Training and Certification

Although not always legally required, training and certification enhance credibility:

- Completion of arbitration training programs offered by recognized institutions
- Certification from professional bodies (e.g., arbitration associations)
- Continuing education to stay updated on laws and arbitration practices

Key Skills and Competencies

Successful arbitrators demonstrate the following skills:

- Strong analytical and critical thinking abilities
- Excellent communication and listening skills
- Impartiality and sound judgment
- Ability to manage hearings and evaluate evidence
- Conflict resolution and negotiation skills

Legal Knowledge

A solid understanding of relevant laws and procedures is essential, especially for legal disputes:

- Knowledge of arbitration laws and rules
- Familiarity with contract law and procedural fairness
- Understanding of industry-specific regulations (if applicable)

Ethical Standards

Arbitrators must adhere to strict ethical guidelines:

- Maintain neutrality and avoid conflicts of interest
- Ensure confidentiality of proceedings
- Act with integrity and professionalism
- Disclose any potential bias or prior relationships

Licensing Requirements

Licensing requirements vary by jurisdiction:

- Some regions do not require a formal license
- Others may require registration with a professional body or court
- Panel membership (e.g., arbitration rosters) is often necessary to receive appointments

Professional Memberships

Joining professional organizations can improve opportunities and credibility:

- Membership in arbitration and mediation associations
- Inclusion in arbitration panels or rosters
- Networking and professional development opportunities

Conclusion

Becoming an arbitrator requires a blend of education, professional experience, specialized training, and strong ethical standards. While the path may vary depending on jurisdiction and area of specialization, individuals who develop the necessary expertise and reputation can build a successful career in arbitration.