

_____ County

In The General Court Of Justice
 District Superior Court Division

Name And Address Of Plaintiff(s)

ARBITRATION

VERSUS

NOTICE OF CASE SELECTION FOR ARBITRATION

Name And Address Of Defendant(s)

G.S. 7A-37.1; Rules 1, 2, 3, Court-Ordered Arbitration

TAKE NOTICE that this case has been assigned to arbitration pursuant to G.S. 7A-37.1 and the Rules For Court-Ordered Arbitration.

Further notice will be given of the date, time and place of the hearing which will be scheduled by the person named below in accordance with Rule 8 of the Rules.

Date

Signature

Trial Court Administrator's Staff
 District Court Judge's Staff

ARBITRATION

The Court automatically assigns to arbitration all civil cases involving claims for monetary relief not exceeding \$15,000, with several classes of cases specifically excepted in the rules, including: domestic cases, class actions, special proceedings, wills and estates, summary ejectments, and condemnation actions.

The Court selects and maintains a list of qualified arbitrators who are experienced trial attorneys. The Court will appoint an arbitrator chosen at random from the Court's list unless the parties file a stipulation as to their choice of an arbitrator. The stipulation must be filed within twenty (20) days of the filing of the last responsive pleading or the docketing of an appeal from the magistrate's judgment. A copy of the list of eligible arbitrators is available upon request.

All parties in this civil action shall be present at the hearing in person or through counsel. Parties may appear pro se as permitted by law. **Corporations must be represented by an attorney.** See *Lexis-Nexis v. Travishan Corp.*, 155 N.C. App. 205, 573 S.E.2d 547 (2002). The parties may agree in writing to rely on stipulations and/or statements rather than live testimony of witnesses.

The time allocated for the **entire** hearing is one hour [Rule 3(n)]. Traditional rules of evidence and procedure will not apply, but shall be considered as a guide toward full and fair development of the facts. The arbitrator will render a decision within three (3) days after the hearing. The award is **not** binding. Any party dissatisfied with the outcome can reject the award and have a trial *de novo*. The award rejection and demand for a *trial de novo* must be filed with the Court within thirty (30) days after the service of the arbitrator's award. The rejecting party must also pay a fee equivalent to the arbitrator's compensation (\$100). This fee will be returned **only** if there is a trial in which, in the judge's opinion, the demanding party's position is improved over the arbitrator's award [Rule 5(b)]. Cases still pending after the 30-day rejection period in which no demand for trial *de novo* is filed will have the award of the arbitrator entered by the Court as its judgment, which is not appealable.