

Joseph T. Moriarty

Mediator & Arbitrator

Hearing Policies & Protocols

Scheduling hearings/mediation. Upon receiving notice of appointment the Arbitrator shall offer the parties dates for hearing consistent with their request and subject to the Arbitrator's availability. The Arbitrator will hold dates open for 10 business days and thereafter release them to other parties if no selection is made.

Prehearing conferences. For arbitration hearings, prehearing conferences will be scheduled at least 10 days before the confirmed date of hearing to address any pre-hearing issues. The prehearing conference will be conducted via Zoom.

Hearing Location: Hearings and mediation sessions can be conducted in person or, upon agreement of the parties, remotely via Zoom or other video conferencing. The Arbitrator can conduct Zoom hearings and create and monitor rooms on Zoom.

Remote hearings. The Arbitrator has adopted policies recommended by the National Academy of Arbitrators for remote hearings. Please refer to the remote hearing guidelines policy linked below.

Recording, reporting, and transcription. The parties will decide whether there is a verbatim transcript of the hearing. If one is created, the Arbitrator requires the original. The Arbitrator may record hearings via audio and/or video recording for his use.

Oral argument or briefing. Whether the parties submit oral arguments or written post-hearing briefs will generally be up to the parties, though the Arbitrator may request briefing on particular issues if he finds it helpful for his decision-making. Any authorities cited during oral argument or in written briefs must be provided to the arbitrator. All post-hearing briefs must be submitted electronically.

Opinions and awards. The arbitrator will issue his opinion and award no later than 30 days after the close of the record. The close of record occurs after all arguments have been made, whether it is oral or in writing, and includes receipt of authorities.

Publication. The Arbitrator may publish any issued opinion and award on his website or submit them for publication to other legal publishers. Parties' names will be redacted. Parties will be offered an opportunity to object in writing within 10 days of issuance of the opinion and award.

Records. All materials related to the mediation or arbitration, including notes, agreements, transcripts, exhibits, audio, and video recordings will be destroyed by the arbitrator within 90 days of issuance of the opinion and award or any supplemental award or conclusion of the mediation.