Online Decision Entry Process

Arbitration Forums, Inc. (AF) supports our member arbitrators by providing training resources that help them write quality decisions. This guide navigates the online decision entry process and provides example entries for each field.

You need an AF user ID and password to enter decisions online. If you have forgotten your password, go to AF’s Web site (www.arbfile.org), click Forgot Password, enter your email address or user ID, and follow the prompts to receive a new case-sensitive password.

After you log in, click Member Access, then Decision Management, and then Enter a Decision.

Enter the information that appears on the screen as described below.
1. General Information

**Date Heard:** Enter the date that you heard the case using MM/DD/YYYY format. The default is the current date; change if needed. You can use the calendar icon to select the date.

**Arbitrator 1:** Your name will automatically populate based on your user ID and password. For three-person panels, click **Arbitrator 2**, type the arbitrator’s last name, click **Filter**, and then select the correct name from the available list. Repeat for Arbitrator 3.

2. Case Information

This information is pre-filled.

3. Additional Case Information

Affirmative Pleadings, Administrative Requests, and Disputed Damages are shown in this area, if applicable.

4. Affirmative Defense Findings

If an Affirmative Defense has been asserted, you will note your finding by selecting “Yes” if the Affirmative Defense is granted (i.e., it is valid and/or applicable) or “No” if it is not granted. You will also type in your rationale or explanation for your finding. Why was the Affirmative Defense upheld or denied? If the Affirmative Defense is upheld, you will be finished entering the decision, as arbitration lacks jurisdiction over the matter and the docket will be withdrawn. If the Affirmative Defense is denied, you will continue to enter your decision.
5. Deferment Findings

If a deferment has been requested or the request challenged, you will note your finding on the deferment request by selecting “Yes” if the deferment is granted or “No” if it is not. You will also type your rationale or explanation for your finding. Why was the deferment request granted or not? If the deferment is granted, you will be finished entering the decision, and the case will be deferred for one year from the date of filing. If the deferment is denied, you will continue to enter your decision.

6. Hearing Representation

Click each box that applies for each party.
Click Application or Response if there is an application or response filed.
Click Contentions if there are contentions present.
Click All Listed Evidence Received to affirm you reviewed all submitted evidence.
Click Personal Appearance if someone made an appearance. If an appearance was made, you will be prompted to enter the person’s name and role (Attorney, Company Representative, Insured, Expert, or Witness). To enter this information, click Add a Representative, enter his or her first and last name, and select his or her role. Repeat if multiple appearances were made.
Click No Answer if a Respondent did not respond to the arbitration filing.
7. Decision

**Summary of Dispute:** Enter the nature of the dispute (i.e., liability dispute, damages dispute) and summarize the position of each party.

**Liability Decision:** Enter the percentage of liability proven against the Respondent and provide a statement outlining the applicable negligence act(s) or duty(ies) breached. Include the Applicant’s negligence when comparative negligence applies.

**Damages Decision:** Select the appropriate damage decision (All Damages or Reduced Damages), and outline your decision regarding the damages dispute. If All Damages is selected, the Damages Proven field will be prefilled using the Total Company Paid Damages. If Reduced Damages is selected, you must enter the amount of damages proven and give specific reasons why damages were reduced and the amount of reduction. The Reduced Damages amount should not reflect prior payments, policy limits, liability assessed, or barred recovery due to negligence laws. Please show your math.

**What evidence caused you to render this decision and why?**

Provide an explanation of the influential evidence item(s) – what it contained and/or how it factored into the decision. Be concise, specific, and avoid general statements.
8. Award

**State negligence law applied:** This is pre-filled based on the loss location and is used to pre-calculate the award.

**Override automatic award calculation:** Check to alter the automatic award calculations, which are based on the percent of liability proven, damages proven, and the state negligence law. If checked, you must enter the explanation of the override with any math calculations included. If not checked, the automatic award calculation applies. The override will not affect entries for Legal Fees Awarded and Credit for Prior Payments. This can be used to adjust the award to policy limits or a pro-rata share if Applicant has agreed to accept.

**Payments Accepted by Applicant:** This is pre-filled if the Applicant entered any prior payment(s) from a Respondent, so the award, if given, can be credited with this amount. The amount will also pre-fill in the **Credit for Prior Payments** field when there is only one Respondent named. If there are multiple Respondents, the arbitrator will determine any proper credit for prior payments.

The **Damages Award Against**, **Insured-Paid Deductible Award Against**, **Legal Fees Awarded**, **Credit for Prior Payments**, and **Total Award Against** fields are pre-filled based on the percent of liability proven, damages proven, and the state negligence law applied. To manually change the automatic calculations, see “override automatic award calculation” above.

**Credit for Prior Payments:** If the Applicant has not listed a payment accepted by the Applicant, but the Respondent has **proven** a prior payment was made to the Applicant (proof of payment cashed/honored), enter the amount to be credited against the award. The hearing document will display Prior Payments Made to the Applicant, if applicable. Do not use the Damages Proven field to reduce an award for credit for prior payments. If the prior payment amount admitted/accepted differs between the Applicant and Respondent, you will need to determine what was proven to give proper credit. No credit should be given for out-of-pocket payments made to an insured except for a partial or full deductible payment.

After you enter all the information and double check your entries and spelling, click **Submit**. For three-person panels, the second and third panelist must enter their respective passwords before clicking **Submit**.