

PROTOCOLS FOR THE CCA MEMBERSHIP COMMITTEE

I. PURPOSE

The College of Commercial Arbitrators (CCA), established in 2001, celebrates and advocates excellence in the field of commercial arbitration – in the US and internationally. As the world’s most prestigious commercial arbitration professional organization, CCA both defines and promotes the highest standards of arbitrator ethics, standards of conduct, and best practices in commercial arbitration.

CCA is an invitation-only organization that provides meaningful contribution to the profession, the public, the legal sector and to the businesses that implement commercial arbitration as a means of dispute resolution.

The Fellows of CCA are the elite within the profession. They have the professional training, judgment and years of experience to undertake the most complex and difficult commercial arbitration assignments.

These protocols are designed to provide guidance to the Membership and Recruitment Committees as they evaluate nominees for CCA membership.

The CCA Bylaws provide that “a nominee must have substantial experience, and have demonstrated the highest standards of integrity, professionalism and competence, as an arbitrator in the field of commercial arbitration.”

The CCA is committed to developing an inclusive fellowship that fully reflects the diversity and dynamism of commercial arbitrators by recruiting from the large pool of qualified candidates from demographics currently underrepresented in the CCA. The Recruitment Committee shall identify and engage with such potential candidates, and present their nomination submission materials to the Membership Committee for consideration.

These Protocols establish standards and procedures to ensure that the work of the CCA Membership Committee and the Recruitment Committee, and the decisions of the Executive Committee, and ultimately, the Board of Directors with respect to nominees, fully effectuate the intent of the Bylaws and advance the CCA’s mission.

II. STANDARDS

In considering a nominee’s application for membership, the Membership Committee shall consider whether the nominee meets the following standards:

1. Substantial Experience. The Membership Committee shall consider the nominee’s substantial experience as determined by weighing the factors articulated below in the section on “Procedures.”

2. Reputation. The Membership Committee shall consider the nominee's reputation for neutrality and excellence in the commercial arbitration community.
3. Commitment to the CCA. The Membership Committee shall consider whether there is evidence to suggest that the nominee is committed to being active in the CCA and making contributions to its stated purpose and goals, as opposed to joining in order to obtain a credential.
4. Collegiality. The Membership Committee shall consider whether the nominee has a reputation for collegiality on panels and in organizational work.
5. Commitment to Inclusivity. The Membership Committee shall consider the nominee's record of working with, supporting, and/or cultivating arbitrators and other colleagues from demographics underrepresented in the CCA.

III. PROCEDURES

When considering whether a nominee possesses “substantial experience . . . in the field of commercial arbitration, the Membership Committee shall consider, and document, each of the factors listed below.

The nominee shall be considered holistically in making the determination of whether he/she has “substantial experience.” As an example, a nominee may have rendered 100 awards, none of which can be considered arising from complex disputes. In that instance, less weight should be placed on the number of awards and more on whether the underlying disputes can be considered complex. As another example, a younger applicant may have relatively few years serving as an arbitrator but extensive experience as an advocate in commercial arbitration. In that instance, the Membership Committee might assign more weight to the years as an advocate, and specifically examine the complexity of the matters the nominee engaged in as an advocate.

The factors to be considered by the Membership Committee include the following:

- total years sitting as a commercial arbitrator;
- the degree to which the nominee is considered a thought leader in the field of commercial arbitration;
- the number of reasoned awards for which the nominee is a principal drafter;
- the complexity of the cases underlying the nominee's cited awards;
- service as the chair of a panel;
- the nominee's standing and reputation in his or her jurisdiction and field;
- commitment to and promotion of the arbitration field as evidenced by committee, organization, Bar activity, or publications and presentations, all relating to arbitration;
- the ability, and commitment, of the candidate to contribute and make the necessary time commitment to the CCA;
- prior experience in academia, as an advocate, or as a judge;
- evidence of the nominee's commitment to similar organizations as an indicator of what the College may expect;

- the percentage of time the nominee spends as a commercial arbitrator; and
- the quality of the nominating letters and the extent of their personal knowledge of the nominee and details of that knowledge that bear on these factors.

The Membership Committee shall also consider whether nominees – and the slate which the Committee presents to the Executive Committee and ultimately the Board – advance the CCA’s core commitment to diversity and inclusiveness. That commitment can be advanced by increasing the number of qualified nominees from demographics historically underrepresented in the CCA.

The Membership Committee may consider other relevant factors that may be suggested by the nominee’s nomination submission materials.

The Membership Committee shall also speak to the nominators and seconders of each candidate for membership to ascertain the depth of his/her knowledge of and support for the candidate.

Each nominator must communicate with the Fellows whom the nominee has listed as having sat on a panel with to determine that Fellow’s experience with the nominee and whether the Fellow would support the nominee joining the College. The nominator must submit a summation of each of his/her conversations with those Fellows to the Membership Committee.

The Membership Committee may also speak with other Fellows known to have experience with the nominee to ascertain whether those Fellows would support the nominee joining the College.