

FOR IMMEDIATE RELEASE

May 21, 2015

**The Delaware Supreme Court and the Delaware Court of Chancery issue amended rules
Related to the Delaware Arbitration Act**

To implement aspects of the recently-enacted Delaware Rapid Arbitration Act, (“DRAA”), the Delaware Supreme Court and the Court of Chancery have amended their rules effective June 1, 2015.

The DRAA, 10 Del. C. § 5801 et seq., established a confidential arbitration process for sophisticated business entities that seek to resolve their disputes in a timely and cost-effective way if both sides are willing to limit traditional litigation process protections – such as extensive discovery and full appellate review.

The Supreme Court has amended Supreme Court Rules 6, 7, 9, and 32. Rule 6 has been amended to include the time for an appeal or cross-appeal of a final award under the DRAA. Rule 7 has been amended to include the procedures for an appeal of a final award under the DRAA. Supreme Court Rule 9 has been amended to clarify the record on appeal of a final award under the DRAA. Rule 32 has been amended to include the procedure for a stay or injunction pending appeal of a final award under the DRAA.

Court of Chancery Rules 96-98 also have been amended. Rule 96 establishes the process for commencing a summary proceeding to appoint an arbitrator under the DRAA in certain circumstances, such as when the parties cannot agree on an arbitrator. Rule 97 governs proceedings under the DRAA to enforce subpoenas, determine an arbitrator’s fees and enter judgment after arbitration. Rule 98 was removed in its entirety and is reserved for future use.

The Supreme Court and Court of Chancery amendments are available on the Rules of the Delaware State Courts website, <http://courts.delaware.gov/rules>.

For more information, please contact:
William S. Montgomery, Supreme Court Administrator
(302) 577-8742
William.Montgomery@state.de.us
Karlis Johnson, Chancery Court Administrator
(302) 255-0550
Karlis.Johnson@state.de.us

