

Amendments to the Delaware Supreme Court Rules and the Court of Chancery Rules Related to the Delaware Rapid Arbitration Act

To implement aspects of the recently-enacted Delaware Rapid Arbitration Act, 10 *Del. C.* § 5801 *et seq.* (“DRAA”), the Delaware Supreme Court and the Court of Chancery have amended their rules. These amendments are effective June 1, 2015.

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. 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](#).