HIGHLIGHTS

The Kaiser Permanente arbitration system has been challenged once again—this time by the California Health Care Council. In its suit, the Council alleges that Kaiser Permanente’s binding arbitration program violates California law by requiring plan members to arbitrate all claims while allowing Kaiser Permanente to go to court. (Story at page 127.)

A bill on arbitration has been introduced in the Georgia state legislature. The proposed legislation is entitled The 2003 Fairness in Arbitration Act. It provides additional grounds for the stay of arbitral proceedings and for the vacatur of awards, including manifest disregard of the law. (Story at page 127.)

Chief Judge Robert M. Bell of the Maryland Court of Appeals has received the D’Alemberte/Raven Award from the ABA Section on Dispute Resolution. (Story at page 128.)

Robert Ackerman, a WAMR Editor for Domestic Mediation, provides an extensive description and evaluation of the September 11 Victim Compensation Fund. Professor Ackerman addresses the current operation of the fund and its prospects for the future. (The Commentary section begins at page 135.)

The Perspectives section contains the second and final part of Lisa Brener’s article on Costs and Value of Arbitration. Ms. Brener provides a comprehensive review and assessment of the case law, including Green Tree, Cole v. Burns International Security Services, Shankle, Rosenberg, Koveleskie, Arakawa, and Williams. She also investigates the practices of the ICC in terms of costs. The topic of costs is instrumental to the continuing development of arbitration law. Ms. Brener’s study not only is timely, but it is also insightful and rigorous. (The Perspectives section begins on page 142.)

Finally, Kimberly Koko, WAMR’s Senior Editor, supplies some valuable bibliographic references. (The Bibliography begins on page 141.)

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