

# ARBITRATION

Fall 2012

Room 306

Tuesday/Thursday 1:00-2:20

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## ***Required Materials:***

1. Drahozal, Commercial Arbitration: Cases and Problems (2nd ed. 2006).
2. Drahozal, Documentary Supplement for Commercial Arbitration: Cases and Problems (2<sup>nd</sup> ed. 2006).
3. **Free** 2012 Update for Commercial Arbitration: Cases and Problems. In addition to the above books, there is a 2012 Update for the casebook due to the continual developments in arbitration law! To access the 2012 Update, go to [http://www.lexisnexis.com/lawschool/study/texts/pdf/PUB\\_3126CommercialArbitration.pdf](http://www.lexisnexis.com/lawschool/study/texts/pdf/PUB_3126CommercialArbitration.pdf) . You also can access the Update on TWEN under the Course Materials Forum. *Please note that the assignment listings refer to this as “Up.” and there are places where it replaces casebook pages.*
4. Other **Free** Materials posted on TWEN (as noted below).

## **Assignment for Class 1: pp. 1 to 27 through Prob. 1.3 & Up. 1-4**

Introduction to Commercial Arbitration

§ 1.01 Overview

§ 1.02 A Theory of Private Dispute Resolution

§ 1.03 What is Arbitration?

**\*FOCUS:**

Should we privatize dispute resolution? Why do we value “our day in court”?

Should constitutional due process apply in arbitration and other private tribunals?

What is “arbitration” governed by the FAA and how does it differ from other “ADR”?

Is the term “ADR” useful or meaningful in today’s dispute resolution marketplace?