

Arbitration and Mediation Bibliography

Statutes

Federal

Title 9, U.S.C.A. Arbitration.

Chapter 1. General Provision—Federal Arbitration Act.

Chapter 2. Convention on the Recognition and Enforcement of Foreign Arbitral Awards. (AAA has list of signatories and statements made during each Ratification.)

Chapter 3. Inter-American Convention on International Commercial Arbitration. (AAA has list of signatories and statements made during each Ratification.)

State of Tennessee

Tenn. Code Ann. §§ 29-5-101 to 29-5-119. General arbitration provisions. Some parts date to 1858. However, Acts 1983, ch. 462 § 24. provided that all laws or parts of laws which are inconsistent with the Uniform Arbitration Act, compiled in part 3 of this chapter, are repealed.

Tenn. Code Ann. §§ 29-5-201 to 29-5-220 is Cotton Arbitration.

Tenn. Code Ann. §§ 29-5-301 to 29-5-320 is the Tennessee Uniform Arbitration Act.

Mediation is referenced to some extent in each of the following Statutes pertaining to Divorce, Parenting Plans, etc.:

Tenn. Code Ann. § 36-4-103—Irreconcilable Differences--Procedures;

Tenn. Code Ann. § 36-4-130—Mediation—Confidentiality of Information and Documents;

Tenn. Code Ann. § 36-4-131—Mediation—Waiver or Extension—Domestic Abuse;

Tenn. Code Ann. § 36-6-107—Mediation in Cases Involving Domestic Abuse;

Tenn. Code Ann. § 36-6-305—Mediation in Cases Involving Domestic Abuse;

Tenn. Code Ann. § 36-6-402—Part Definitions;

Tenn. Code Ann. § 36-6-404—Requirements and Procedures for Determining Permanent Parenting Plans;

Tenn. Code Ann. § 36-6-409—Procedures and Restrictions Applicable in Dispute Resolution;

Tenn. Code Ann. § 36-6-413--Funding

Rules and Regulations

Federal

Rule 23, Federal Rules of Civil Procedure: Class Actions.

Court Appeals, 6th Cir. Rule 33: Appeal conferences-Mediation.

U.S.D.C. Eastern Dist. Tn. L.R. 16.3: Alternative Dispute Resolution.

U.S.D.C. Eastern Dist. Tn. L.R. 16.4: Court Annexed Mediation.

U.S.D.C. Eastern Dist. Tn. L.R. 16.5: Arbitration.

U.S.D.C. Eastern Dist. Tn. L.R. 68.3: Judicially-Hosted Settlement Conferences.

U.S.D.C. Middle Dist. Tn. L.R. 16.02: ADR: Statement of Authority and Purpose.

U.S.D.C. Middle Dist. Tn. L.R. 16.03: ADR: Definitions, Procedures and Administration.

U.S.D.C. Middle Dist. Tn. L.R. 16.04: ADR: Judicially Conducted Settlement
Conferences.

U.S.D.C. Middle Dist. Tn. L.R. 16.05: ADR: Mediation.

U.S.D.C. Middle Dist. Tn. L.R. 16.06: Early Neutral Evaluation.

U.S.D.C. Middle Dist. Tn. L.R. 16.07: Nonbinding Arbitration.

U.S.D.C. Middle Dist. Tn. L.R. 16.08: ADR: Confidentiality and Restrictions on Use of
Information.

U.S.D.C. Western Dist. Tn. L.R. 16.1: Pretrial Conferences: Alternative Dispute
Resolution.

State of Tennessee

Tennessee S.C. Rule 31: Alternative Dispute Resolution.

Note: An Amendment was proposed on August 25, 2009.

Tennessee S.C. Rule 37: Workers' Compensation Appellate Mediation.

Cases

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Arthur Anderson LLP v. Carlisle, ___ U.S. ___, 129 S. Ct. 1896, 173 L.Ed. 2d 832 (2009).

Buckeye Check Cashing, Inc. v. Cardegna, 546 U.S. 440, 126 S.Ct. 1204, 163 L.Ed.2d 1038 (2006).

Green Tree Financial Corp. v. Bazzle, 539 U.S. 444, 123 S.Ct. 2402, 156 L.Ed.2d 414 (2003).

Hall Street Associates, L.L.C. v. Mattel, Inc. ___ U.S. ___, 128 S. Ct. 1396, 170 L.Ed. 2d 254 (2008).

Howsam v. Dean Witter Reynolds, Inc. 537 U.S. 79, 123 S. Ct. 588, 154 L.Ed 2d 491 (2002).

Mastrobuono v. Shearson-Lehman Hutton, Inc., 514 U.S. 52, 115 S.Ct. 1212, 131 L.Ed. 2d 76 (1995).

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