



## VIII. THE AWARD

### **Mechanics**

Absent a showing of good cause, the arbitrator shall render his/her decision no later than forty-five days after the matter has been submitted for decision. (IFTA Rule 12.1). The award must be made in writing, signed by the arbitrator and contain the date and place where the award is made. (IFTA Rule 12.1). The arbitrator must also state the findings on which the award is based, unless the parties have agreed that no findings are to be given. (IFTA Rule 12.2). Once decided, the arbitrator shall send the award to IFTA who will then send copies to the parties. (IFTA Rule 12.3). The parties then have thirty days from the date of receipt of the award to request that the arbitrator correct any errors in computation, any clerical or typographical errors, or other similar errors. (IFTA Rule 12.4). Any corrections made by the arbitrator must be made in writing and filed with IFTA and sent back to the parties within thirty days of the request for correction. (IFTA Rule 12.4).

### **Confirmation with a Court**

Any party may file a petition to confirm the arbitrator's award with a court having jurisdiction. (IFTA Rule 12.5). Service of any petition, summons, or other process necessary to obtain confirmation of the arbitrator's award may be accomplished by any procedure authorized by applicable law (i.e. service of the petition to confirm is not done according to the IFTA service rules). (IFTA Rule 12.5).

### **Finality**

The final award is not subject to appeal, but the parties may agree to expanded judicial review of the final award by a court of competent jurisdiction. (IFTA Rule 13.2). However, in no event shall such an appeal be heard by IFTA. (IFTA Rule 13.2). The parties will be responsible to determine whether the governing law of the agreement will allow for such a review. (IFTA Rule 13.2).

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