

What Is An Arbitration Decision Called?

A. Judgment B. Agreement C. Award D. Facilitator

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Arbitration is a widely utilized method of alternative dispute resolution (ADR) where parties in a conflict agree to submit their dispute to an impartial third party known as an arbitrator. The arbitrator's role is to evaluate the evidence, interpret the relevant law or contractual provisions, and ultimately render a decision that resolves the dispute. This decision, which is binding on the parties in most cases, is central to the arbitration process. Understanding what this decision is called—whether a judgment, agreement, award, or facilitator—is essential for comprehending the arbitration procedure and its legal implications. In this article, we will delve into the correct terminology for an arbitration decision, explore the distinctions among the options, and clarify the legal significance of each term.

Understanding Arbitration and Its Decision-Making Process

What Is Arbitration?

Arbitration is a private dispute resolution process where disputes arising from commercial contracts, employment, or other legal relationships are settled outside traditional courts. The parties agree, either before or after the dispute arises, to submit their conflict to an arbitrator or a panel of arbitrators. This agreement is often documented through an arbitration clause within a contract or a separate arbitration agreement.

The Role of the Arbitrator

The arbitrator acts as a neutral third party tasked with examining the facts, reviewing evidence, and applying relevant law or contractual terms. The process typically involves hearings, submission of written statements, and the presentation of evidence. The ultimate goal is to reach a definitive ruling that resolves the dispute.

The Outcome of Arbitration

The key output of arbitration is the arbitration decision, which determines the rights and obligations of the parties involved. This decision is often enforceable by law and has the same effect as a court judgment in many jurisdictions.

What Is an Arbitration Decision Called?

Option A: Judgment

The term judgment refers primarily to the formal decision issued by a court after a trial or hearing. In the context of arbitration, a judgment is typically not used to describe the arbitrator's decision. Instead, a judgment is associated with judicial courts rather than arbitration proceedings.

Option B: Agreement

An agreement generally refers to a mutual understanding or contract between parties. While arbitration involves an agreement to settle disputes through arbitration, the arbitration decision itself is not called an agreement. However, the term "arbitration agreement" is used to describe the contractual clause or document that binds parties to resolve future disputes through arbitration.

Option C: Award

The correct and most widely accepted term for an arbitration decision is award. An arbitration award is the formal decision rendered by the arbitrator or arbitration panel after the proceedings. It contains the arbitrator's findings of fact, legal reasoning, and the resolution of the dispute, including any monetary compensation, specific performance, or other remedies.

Option D: Facilitator

A facilitator is a neutral third party who helps parties communicate and negotiate but does not issue binding decisions. This term is more associated with facilitative mediation rather than arbitration. Therefore, it is not used to describe an arbitration decision.

The Correct Term: Arbitration Award

Definition of an Arbitration Award

An arbitration award is a written decision issued by the arbitrator(s) after the conclusion of the arbitration proceedings. It resolves the dispute by determining the rights and obligations of the parties according to the agreed-upon rules, laws, or contractual provisions.

Legal Significance of an Award

Once issued, an arbitration award has significant legal weight:

- **Enforceability:** In many jurisdictions, arbitration awards are binding and can be enforced through courts.
- **Finality:** Awards are often final, with limited grounds for appeal.
- **Res Judicata Effect:** The decision precludes the parties from re-litigating the same dispute in court or arbitration.

Types of Awards

Arbitration awards can be:

1. **Unilateral Award:** Decided solely by the arbitrator based on the evidence and submissions.
2. **Partial Award:** Resolving only some issues or claims, leaving others for further determination.
3. **Final Award:** Concludes all matters in dispute and is binding on all parties.

Form and Content of an Award

An arbitration award typically includes:

- The names of the parties
- The issues in dispute
- The findings of fact
- The legal reasoning
- The decision or relief granted

- The signature of the arbitrator(s)
- The date of issuance

Distinguishing Between the Terms

Judgment vs. Award

While both are binding decisions, judgments are issued by courts, whereas awards are issued by arbitrators. The legal processes differ, but both serve to resolve disputes with enforceable decisions.

Agreement vs. Award

An agreement is a mutual contract that may include an arbitration clause, but an award is the outcome of the arbitration process, not an agreement itself.

Facilitator vs. Arbitrator

A facilitator assists in communication but does not make binding decisions; an arbitrator or arbitrators issue the award, which is binding.

Legal Framework Governing Arbitration Awards

Model Laws and International Treaties

Various international standards and laws govern arbitration awards:

- The UNCITRAL Model Law provides a framework for arbitration and the recognition of awards.
- The New York Convention facilitates the recognition and enforcement of international arbitration awards.

Recognition and Enforcement

Most jurisdictions have laws that recognize arbitration awards as equivalent to court judgments, allowing parties to seek enforcement through local

courts. Challenges to awards are limited and typically revolve around procedural irregularities or violations of public policy.

Setting Aside or Annulment

Parties can sometimes request the setting aside or annulment of an award if certain grounds are met, such as corruption, bias, or exceeding authority.

Conclusion

The correct answer to the question, "What Is An Arbitration Decision Called?", is C. Award. An arbitration award is the formal, binding decision issued by an arbitrator or arbitration panel after the conclusion of proceedings. It embodies the resolution of the dispute, carries legal weight similar to a court judgment, and is enforceable in many jurisdictions. Understanding the terminology is crucial for parties involved in arbitration to navigate the process effectively, comprehend their rights, and ensure proper legal remedies are available. While the terms judgment, agreement, and facilitator are related to dispute resolution, they do not accurately describe an arbitration decision; the precise term remains award.

In summary:

- An arbitration decision is called an award.
- It is a binding, enforceable decision resolving the dispute.
- The award includes findings of fact, legal reasoning, and relief granted.
- It differs from judgments, agreements, and facilitators in purpose and function, with award being the technical and legal term for the arbitration outcome.

Frequently Asked Questions

What is an arbitration decision commonly called?

Award

In arbitration, what term is used to describe the final decision made by the arbitrator?

Award

Which of the following is the correct term for an arbitration ruling: Judgment, Agreement, Award, or Facilitator?

Award

What is the formal term for the decision issued by an arbitrator?

Award

In legal arbitration, what do we call the decision that resolves the dispute?

Award

Which option best describes the outcome of an arbitration process?

Award

What is the term used for the arbitrator's final ruling in a dispute?

Award

When an arbitration concludes, the decision is typically called a:

Award

Is the term 'Judgment' more appropriate than 'Award' for an arbitration decision?

No, 'Award' is the correct term for an arbitration decision.

Which term is not related to an arbitration decision: Judgment, Agreement, Award, Facilitator?

Facilitator

Additional Resources

What Is An Arbitration Decision Called? A. Judgment B. Agreement C. Award D. Facilitator

When navigating the complex world of dispute resolution, understanding the terminology is crucial. One key term that often arises during arbitration proceedings is the arbitration decision. This decision, which ultimately resolves the dispute between parties, is commonly known by a specific name that carries legal significance. The question, "What is an arbitration decision called?", is fundamental for legal practitioners, businesses, and individuals involved in arbitration. The correct answer, in most contexts, is "Award". However, to fully grasp why, it's essential to explore the definitions, distinctions, and implications of each option presented: Judgment, Agreement, Award, and Facilitator.

Understanding Arbitration and Its Terminology

Arbitration is a form of alternative dispute resolution (ADR) where parties agree to submit their dispute to one or more arbitrators, whose decision is usually binding. Unlike court litigation, arbitration is a private process governed by the terms of the arbitration agreement and specific rules, often leading to a final resolution known as an arbitration award.

The language used in arbitration can sometimes be confusing, especially for those unfamiliar with legal jargon. Clarifying what the decision is called helps in understanding the process and the legal consequences that follow.

The Correct Term: "Award"

What Is an Arbitration Award?

An arbitration award is the formal decision made by the arbitrator(s) after considering the evidence, arguments, and applicable law. It is the document or declaration that finally resolves the dispute between the parties.

Key features of an arbitration award include:

- It is binding on all parties involved unless the arbitration agreement specifies otherwise or the award is successfully challenged.
- It is enforceable in courts of law, often with limited grounds for appeal.
- It details the arbitrator's findings, conclusions, and the resolution (e.g., monetary compensation, specific performance, or other remedies).

Types of Arbitration Awards

There are generally two main types of awards:

- Final Award: Concludes the dispute entirely and is intended to be the definitive decision.
- Interim or Partial Award: Addresses specific issues within the broader dispute but does not resolve all matters.

The Legal Significance of an Award

Once issued, an arbitration award carries the weight of a court judgment in most jurisdictions, meaning:

- It can be enforced through court processes.
- It may be subject to limited judicial review, primarily on grounds such as arbitrator bias, procedural unfairness, or exceeding authority.

Exploring Other Options

While "Award" is the correct term, it's instructive to understand why the other options—Judgment, Agreement, and Facilitator—are less appropriate or have different connotations.

A. Judgment

Definition:

A judgment is a decision issued by a court or a tribunal with judicial authority.

Differences from an arbitration award:

- Judgments are issued by courts, not arbitrators.
- They are part of the formal judicial process, often following a trial or hearing.
- Judgments can be appealed through the judicial system, whereas arbitration awards are generally final and binding.

Relevance to arbitration:

While arbitration awards are similar in function to judgments, the term "judgment" specifically refers to court decisions. Therefore, in the context of arbitration, "judgment" is not the most accurate term unless an arbitration award is confirmed or recognized by a court.

B. Agreement

Definition:

An agreement is a mutual understanding or contract between parties.

Relevance to arbitration:

Parties often agree to arbitrate disputes via an arbitration agreement, which outlines the process and rules. However, an agreement is not a decision or resolution; it is the basis for conducting arbitration. The actual decision or resolution is called an award, not an agreement.

C. Facilitator

Definition:

A facilitator is a neutral third party who helps guide discussions, foster understanding, or assist in negotiations, but does not make binding decisions.

Relevance to arbitration:

Facilitators are common in mediation or negotiation processes, not arbitration. They do not issue decisions or awards; instead, they assist parties in reaching a voluntary resolution.

Summary of Options

Option	Definition	Context in Arbitration	Correctness as the term for arbitration decision
Judgment	Court's decision after trial or hearing	Issued by courts, not arbitrators	No, unless confirmed in court
Agreement	Mutual understanding or contract	Basis for arbitration process, not the decision itself	No
Award	Formal decision by arbitrator(s)	The binding resolution in arbitration	Yes
Facilitator	Neutral guide or mediator	Assists in negotiations, not a decision-maker	No

Additional Considerations

The Arbitration Award in Practice

When parties agree to arbitrate, they often specify the procedures and the form of the award in the arbitration clause or rules. The arbitration process concludes with the issuance of an award, which can be:

- Uncontested: When parties accept the award without challenge.
- Challenged: When a party seeks to set aside or annul the award, usually on grounds like procedural errors or exceeding authority.

Enforceability of Arbitration Awards

Most jurisdictions recognize the New York Convention (1958) and other treaties that facilitate the recognition and enforcement of arbitration awards across borders. This international framework underscores the importance of the award as the decisive and enforceable outcome of arbitration.

Conclusion

In the lexicon of arbitration, the decision that resolves the dispute is called an "Award." This term encapsulates the binding, final, and enforceable nature of the arbitrator's decision. While other options like "Judgment," "Agreement," and "Facilitator" have their place in legal and dispute resolution contexts, they do not accurately describe the outcome of arbitration proceedings.

Understanding this terminology is vital for anyone involved in arbitration, whether as a party, legal professional, or observer. Recognizing that the arbitration decision is called an "award" clarifies the process, aligns expectations, and underscores the legal significance of the arbitrator's ruling.

In summary:

- The correct answer is C. Award.
- An arbitration award is the formal, binding decision issued by an arbitrator or panel.
- It is enforceable and carries similar weight to a court judgment but is distinct in origin and process.

Arbitration remains a vital tool for resolving disputes efficiently and privately, and understanding its key terminology ensures clarity and confidence in the process.

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