

Legal Representation Program and Fund

Section 1

The Establishment of a Legal Representation Program.

A Legal Representation Program (Program) shall be established to defend

- (a) the arbitration process, including the legal immunity of arbitrators, and**
- (b) the National Academy of Arbitrators (Academy).**

The Program shall reimburse the cost of retaining counsel

- (a) to provide legal assistance to an Academy Member (Member) who becomes involved in a legal problem as a result of arbitration activities in a labor-management dispute (including those mandated by statute such as teacher tenure disputes) or as a result of mediation activities during a grievance arbitration or fact-finding or workplace mediation activities related to labor management disputes under a collective bargaining agreement, and**
- (b) to provide for legal advice and assistance arising out of a potential or actual lawsuit against the Academy.**

The Program shall not provide liability protection, assume legal costs for Members or provide reimbursement where it is inappropriate for the Academy to be involved.

Section 2

Financing the Program.

The Program shall be financed by a Legal Representation Fund (Fund) established by a one-time one hundred dollar (\$100.00) assessment on each Member who at the time of assessment is not entitled to a full-waiver of dues. Thereafter, upon admittance to the Academy, each new Member shall be assessed a one-time one hundred dollar (\$100.00) payment to the Fund to be invoiced with his/her dues statement following admittance.

Maintaining the Fund.

The Fund shall be maintained in a separate account by the Executive Secretary Treasurer (EST) of the Academy who shall have the discretion to invest Fund monies and the obligation to pay authorized reimbursements.

The primary purpose of any investment of Fund assets shall be to protect the principal but the secondary purpose shall be to maximize return to the Fund on the invested assets.

If, on the first day of March, the assets of the Fund are less than one hundred thousand dollars (\$100,000.00), the EST shall determine a per capita Member assessment (on those Members not entitled to a full-dues waiver (in twenty-five dollar (\$25.00) increments), required to restore the Fund to one hundred thousand dollars (\$100,000.00). The amount of any assessment shall be announced at the next Annual Meeting of the Academy and shall be invoiced with the Member's next dues statement.

Section 3

Disbursements from the Fund.

The EST

(a) shall make disbursements to a Member from the Fund in accordance with the policies of the Program and reimbursement limits established from time to time by the Board of Governors (BOG), which shall be four thousand dollars (\$4,000.00) for any single labor-management arbitration activity. Exceptions to the above limit may be approved by a majority of the Executive Committee of the Academy (EC) where the matter has great precedential or overall significance.

Authorization of and reimbursement for payments to a Member for costs incurred under the Program shall be subject to the recommendation of the Legal Representation Fund Coordinator and with the approval of the President and EST of the Academy. A refusal to authorize or approve payments for legal services may be appealed to the EC; and,

(b) may make disbursements for and on behalf of the Academy upon the approval by a majority of the EC.