



## Challenges to an Arbitration Award

The American Arbitration Association® (AAA®) is an administrative organization with no authority to modify, vacate, or re-open a previously awarded arbitration. As a result, the AAA's role in the arbitration process generally ends at the time that the award is transmitted to the parties. If a party to an arbitration wishes to challenge an award for any reason, they need to make an application to a court except in the rare case where the parties' agreement provides for some type of appellate proceeding within the arbitration. Therefore, the AAA would be unable to respond to or consider requests to vacate or to re-open a previously awarded arbitration.

Under federal and state laws, there are limited grounds on which a court may overturn an arbitration award, which include the following:

- the award was procured by corruption, fraud, or undue means;
- there was evident partiality or corruption in the arbitrators;
- arbitrators were guilty of misconduct in refusing to postpone the hearing, upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy; or of any other misbehavior by which the rights of any party have been prejudiced; or
- the arbitrators exceeded their powers, or so imperfectly executed them that a mutual, final, and definite award upon the subject matter submitted was not made.

Neither the AAA nor any arbitrator will be involved in any post-hearing proceedings in a court to enforce or challenge an arbitration award. The AAA rules provide that neither the AAA nor the arbitrator are proper parties to litigation involving an arbitration proceeding or award. In addition, parties to arbitration under AAA rules may not call the arbitrator, the AAA, or AAA employees as a witness in any litigation or any other proceeding relating to the arbitration. Similarly, the arbitrator, the AAA and AAA employees are not competent to testify as witnesses in any such proceeding.

We encourage you to review the information provided at [Find an Attorney or Other Legal Representation](#) to find an attorney or other legal representation to represent you in an arbitration or if you wish to hire an attorney to challenge or confirm an arbitration award.