

SCL ADJUDICATION

ADJUDICATOR ELIGIBILITY CRITERIA

The Panel

1. The SCL will maintain a list of individuals eligible to determine adjudications commenced pursuant to the SCLA Rules (“**the SCL Adjudication Panel**”).
2. A directory of Panel Members as it exists from time to time will be made available on the SCL website. The directory will identify each Panel Member as either a lawyer or IT specialist.

Eligibility and Application Form

3. Applicants may apply to become a Panel Member by making an application to the SCL Chair in the form attached at Appendix A.
4. The application must be supported by references from two referees and include a declaration either:
 - (a) that the eligibility criteria set out at paragraphs 5(a) or (b) below are met; or
 - (b) that the applicant considers that they ought to be appointed to the Panel pursuant to paragraph 5(c) below, in which case the declaration must be supported by reasons explaining why the applicant is equivalently qualified to persons falling within paragraphs 5(a) or (b).
5. Individuals will only be eligible to become panel members if they are either:
 - a) Experienced legally qualified persons with significant experience of both technology matters and dispute resolution as further set out below; or
 - b) Experienced (non-legally qualified) technology specialists with significant experience of dispute resolution as further set out below; or
 - c) Legally qualified persons or (non-legally qualified) technology specialists not falling within sub-paragraphs (a) or (b) above whom the SCL considers to be equivalently suitable for appointment to the Panel.
6. For the purposes of paragraph 5(a) above, an individual will not be considered an experienced legally qualified person unless they have for a total period of not less than 15 years:

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- a) Practiced as a solicitor or barrister in private practice or as an employed solicitor or barrister;
and
 - b) Advised or acted (as legal adviser, advocate, judge or arbitrator) in relation to:
 - i) Technology disputes on a regular basis for a total period of not less than 10 years; and
 - ii) Litigation, arbitration or adjudication (whether in relation to IT disputes or otherwise) on a regular basis for a total period of not less than 15 years.
7. For the purposes of paragraph 5(b) above, an individual will not be considered an experienced (non-legally qualified) IT specialist with significant experience of dispute resolution unless they have:
- a) Worked in the technology industry including on an employed, self-employed or consultancy basis for at least 15 years; and
 - b) Within the past three years successfully undertaken arbitrator or adjudicator training with a recognised training organisation such as the Chartered Institute of Arbitrators; and
 - c) Acted as an arbitrator or adjudicator (or pupil) for a minimum of 8 hours in relation to a dispute which has resulted in an award on the merits.
8. References should be a maximum of one double spaced 12-point A4 page and should explain:
- a) Why the referee considers the applicant to be a suitable person for appointment to the Panel;
and
 - b) Why the referee considers themselves to be in a position to provide such a reference in relation to the applicant.
9. Applications for appointment to the SCL Adjudication Panel will be considered by the SCL Chair and a committee formed for that purpose.
10. The SCL Chair (or his deputy) will review the Panel Members periodically to ensure that each Panel Member continues to meet the eligibility criteria. The SCL Chair may request additional information from the Panel Member for the purposes of that review.

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