



Get your Litigation moving - with BCICAC

April 2020

Re: Arbitration of legal disputes during COVID-19 social distancing measures

The British Columbia Commercial Arbitration Centre (BCICAC) remains open for normal operations during the social distancing measures currently in place in British Columbia. Current arbitration cases continue to be administered in the ordinary course, and new cases are being accepted for administration.

During the suspension of all regular court operations announced by Chief Justice Hinkson on March 18, 2020, parties may wish to consider agreeing to submit pending matters, including interlocutory (Chamber) matters, to arbitration under BCICAC's administration.

Most civil matters that are currently before the courts can be submitted to arbitration for an award that can be enforced in court. Parties can choose their own procedure, including selecting the BCICAC domestic commercial arbitration rules or a set of rules that mimics those that would apply in a court proceeding, where the arbitrator acts effectively as a private judge.

Arbitration proceedings offer the flexibility to accommodate social distancing measures without suspending resolution of disputes. Hearings can be conducted by teleconference, videoconference or in writing.

Parties considering submitting pending litigation matters to arbitration have the ability to preserve appeal rights. BCICAC's [domestic commercial rules](#) offer the ability to opt into an appeal process internal to BCICAC. Alternatively, parties may agree in their arbitration agreement to preserve the appeal rights they would have had if the dispute had been litigated.

Those who are interested in submitting disputes to arbitration or who have further questions are invited to contact us at admin@bcicac.com or 604-284-2821.

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Managing Director



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Helpful Links to Sample Agreements:

- [Interlocutory \(Chambers type\) Application](#)
- [Notice to Arbitrate \(Domestic Arbitration\)](#)
- [Notice to Arbitrate \(International Arbitration\)](#)