

§ 656. Subpoenas

Rule 45 of the Federal Rules of Civil Procedure (relating to subpoenas) applies to subpoenas for the attendance of witnesses and the production of documentary evidence at an arbitration hearing under this chapter.

(Added Pub. L. 100-702, title IX, §901(a), Nov. 19, 1988, 102 Stat. 4662; amended Pub. L. 105-315, §8, Oct. 30, 1998, 112 Stat. 2996.)

REFERENCES IN TEXT

The Federal Rules of Civil Procedure, referred to in text, are set out in the Appendix to this title.

AMENDMENTS

1998—Pub. L. 105-315 amended section generally, substituting provisions relating to subpoenas for provisions relating to certification of arbitrators.

§ 657. Arbitration award and judgment

(a) FILING AND EFFECT OF ARBITRATION AWARD.—An arbitration award made by an arbitrator under this chapter, along with proof of service of such award on the other party by the prevailing party or by the plaintiff, shall be filed promptly after the arbitration hearing is concluded with the clerk of the district court that referred the case to arbitration. Such award shall be entered as the judgment of the court after the time has expired for requesting a trial de novo. The judgment so entered shall be subject to the same provisions of law and shall have the same force and effect as a judgment of the court in a civil action, except that the judgment shall not be subject to review in any other court by appeal or otherwise.

(b) SEALING OF ARBITRATION AWARD.—The district court shall provide, by local rule adopted under section 2071(a), that the contents of any arbitration award made under this chapter shall not be made known to any judge who might be assigned to the case until the district court has entered final judgment in the action or the action has otherwise terminated.

(c) TRIAL DE NOVO OF ARBITRATION AWARDS.—

(1) TIME FOR FILING DEMAND.—Within 30 days after the filing of an arbitration award with a district court under subsection (a), any party may file a written demand for a trial de novo in the district court.

(2) ACTION RESTORED TO COURT DOCKET.—Upon a demand for a trial de novo, the action shall be restored to the docket of the court and treated for all purposes as if it had not been referred to arbitration.

(3) EXCLUSION OF EVIDENCE OF ARBITRATION.—The court shall not admit at the trial de novo any evidence that there has been an arbitration proceeding, the nature or amount of any award, or any other matter concerning the conduct of the arbitration proceeding, unless—

- (A) the evidence would otherwise be admissible in the court under the Federal Rules of Evidence; or
- (B) the parties have otherwise stipulated.

(Added Pub. L. 100-702, title IX, §901(a), Nov. 19, 1988, 102 Stat. 4662; amended Pub. L. 105-315, §9, Oct. 30, 1998, 112 Stat. 2997.)

REFERENCES IN TEXT

The Federal Rules of Evidence, referred to in subsection (3)(A), are set out in the Appendix to this title.

AMENDMENTS

1998—Pub. L. 105-315 amended section generally, substituting provisions relating to arbitration award and judgment for provisions relating to compensation of arbitrators.

§ 658. Compensation of arbitrators and neutrals

(a) COMPENSATION.—The district court shall, subject to regulations approved by the Judicial Conference of the United States, establish the amount of compensation, if any, that each arbitrator or neutral shall receive for services rendered in each case under this chapter.

(b) TRANSPORTATION ALLOWANCES.—Under regulations prescribed by the Director of the Administrative Office of the United States Courts, a district court may reimburse arbitrators and other neutrals for actual transportation expenses necessarily incurred in the performance of duties under this chapter.

(Added Pub. L. 100-702, title IX, §901(a), Nov. 19, 1988, 102 Stat. 4662; amended Pub. L. 105-315, §10, Oct. 30, 1998, 112 Stat. 2997.)

AMENDMENTS

1998—Pub. L. 105-315 amended section generally, substituting provisions relating to compensation of arbitrators and neutrals for provisions relating to district courts that may authorize arbitration.

CHAPTER 45—SUPREME COURT

Sec.

- 671. Clerk.
- 672. Marshal.
- 673. Reporter.
- 674. Librarian.
- 675. Law clerks and secretaries.
- 676. Printing and binding.
- 677. Counselor to the Chief Justice.

AMENDMENTS

2008—Pub. L. 110-402, §1(b)(3)(B), Oct. 13, 2008, 122 Stat. 4254, added item 677 and struck out former item 677 “Administrative Assistant to the Chief Justice”.

1972—Pub. L. 92-238, §2, Mar. 1, 1972, 86 Stat. 46, added item 677.

§ 671. Clerk

(a) The Supreme Court may appoint and fix the compensation of a clerk and one or more deputy clerks. The clerk shall be subject to removal by the Court. Deputy clerks shall be subject to removal by the clerk with the approval of the Court or the Chief Justice of the United States.

[~~(b) Repealed. Pub. L. 92-310, title II, §206(c), June 6, 1972, 86 Stat. 203.]~~

(c) The clerk may appoint and fix the compensation of necessary assistants and messengers with the approval of the Chief Justice of the United States.

(d) The clerk shall pay into the Treasury all fees, costs, and other moneys collected by him. He shall make annual returns thereof to the Court under regulations prescribed by it.

(June 25, 1948, ch. 646, 62 Stat. 918; Pub. L. 88-279, §1, Mar. 10, 1964, 78 Stat. 158; Pub. L. 92-310, title II, §206(c), June 6, 1972, 86 Stat. 203.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §§325, 326, 327, 541 and 542 (Feb. 22, 1875, ch. 95, §§2, 3, 18 Stat. 333; Mar. 3,