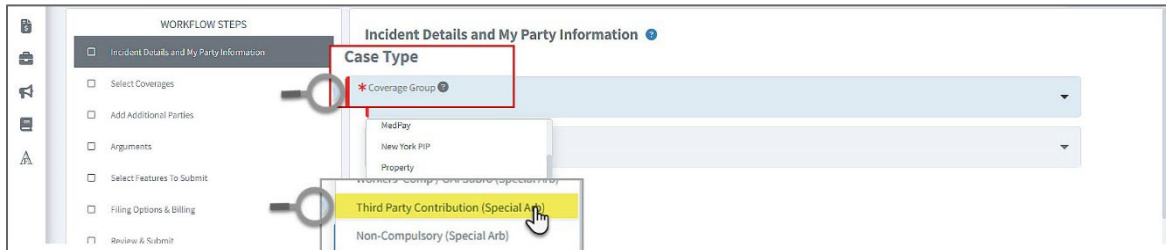


Special Arbitration: Know Before You File

Before you submit your next Special Arbitration filing, review the following steps to **avoid the delay and cost associated with having to refile**. Most errors are made on the very first step!

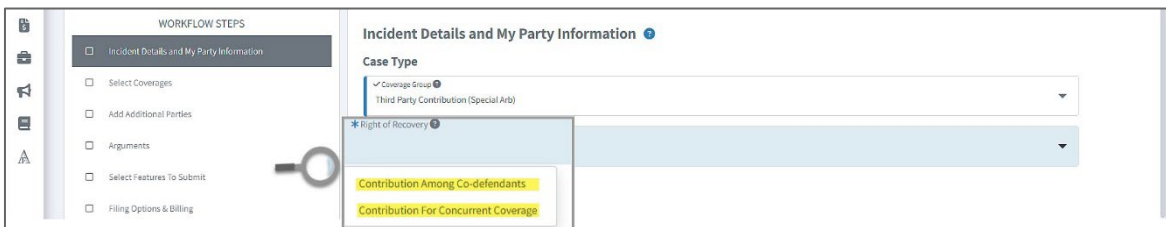
Selecting the Coverage Group and Right of Recovery

1. Aside from Workers' Compensation subrogation filings, **most Special Arbitration filings fall under the Third-Party Contribution coverage group**.



The screenshot shows a web interface for 'Incident Details and My Party Information'. On the left, a 'WORKFLOW STEPS' sidebar lists: Incident Details and My Party Information, Select Coverages, Add Additional Parties, Arguments, Select Features To Submit, Filing Options & Billing, and Review & Submit. The main form area has a 'Case Type' dropdown menu. Below it, a 'Coverage Group' dropdown is open, showing options: MedPay, New York PIP, Property, Workers' Comp - One-Party Subrogation, **Third Party Contribution (Special Arb)** (highlighted), and Non-Compulsory (Special Arb).

2. After selecting the coverage group, choose the appropriate right of recovery.



The screenshot shows the same web interface. The 'Coverage Group' dropdown is now set to 'Third Party Contribution (Special Arb)'. The 'Right of Recovery' dropdown is open, showing options: **Contribution Among Co-defendants** (highlighted) and Contribution For Concurrent Coverage.

Contribution Among Co-Defendants

Apportion liability/damages when there are two or more parties allegedly responsible for the bodily injury and/or property damage of a third party.

Case Example

Two parties collide and then veer into a third-party causing injuries to the driver of the third vehicle, and property damage. The carriers for the two responsible parties cannot agree on the apportionment of liability. The case is settled with the third party on behalf of both parties, and the case is submitted to Special Arbitration for the arbitrator to decide liability among the parties.

Contribution for Concurrent Coverage

Resolve concurrent disputes when there are two or more insurers or self-insureds allegedly providing liability coverage for the same insured.

Case Example

An individual has an accident resulting in damage to a third party while driving his personal car on his employer's business. The personal carrier and employer's carrier cannot agree on how their coverage applies. The third-party claim is settled, and the case is submitted to Special Arbitration for the arbitrator to decide whether the involved policies apply as primary or excess.