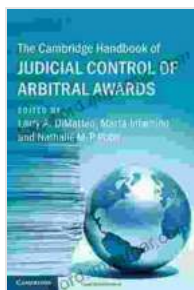


# The Cambridge Handbook of Judicial Control of Arbitral Awards

## The Cambridge Handbook of Judicial Control of Arbitral Awards

provides a comprehensive overview of the legal framework governing judicial control of arbitral awards. The book examines the different grounds for judicial review of arbitral awards, including procedural irregularities, substantive errors, and public policy concerns. It also analyzes the different procedural mechanisms for challenging arbitral awards, such as annulment, enforcement, and setting aside. The book is written by a team of leading experts in the field of arbitration, and it provides valuable insights into the complex and evolving legal landscape surrounding judicial control of arbitral awards.



## The Cambridge Handbook of Judicial Control of Arbitral Awards (Cambridge Law Handbooks) by Richard D. Urman

★★★★★ 5 out of 5

Language : English  
File size : 2401 KB  
Text-to-Speech : Enabled  
Screen Reader : Supported  
Enhanced typesetting : Enabled  
Word Wise : Enabled  
Print length : 486 pages



## The Importance of Judicial Control of Arbitral Awards

Arbitration is a form of alternative dispute resolution that is increasingly being used to resolve commercial disputes. Arbitration is often preferred to

litigation because it is typically faster, more efficient, and less expensive. However, arbitration is not without its drawbacks. One of the main concerns about arbitration is that arbitral awards are not subject to the same level of judicial review as court judgments. This means that it can be more difficult to challenge an arbitral award that is unfair or erroneous.

Judicial control of arbitral awards is essential to ensure that arbitration is a fair and just process. Judicial control helps to ensure that arbitral awards are consistent with the law and that they are not tainted by bias or corruption. Judicial control also provides a safety valve for parties who believe that they have been unfairly treated in arbitration.

### **The Grounds for Judicial Review of Arbitral Awards**

There are a number of different grounds on which a party can challenge an arbitral award. The most common grounds for judicial review include:

- **Procedural irregularities**, such as a failure to provide adequate notice of the arbitration proceedings or a failure to allow the parties to present their case fully.
- **Substantive errors**, such as an error of law or fact that affects the outcome of the arbitration.
- **Public policy concerns**, such as a finding that the arbitral award is contrary to public policy or that it would be unjust to enforce the award.

### **The Procedural Mechanisms for Challenging Arbitral Awards**

There are a number of different procedural mechanisms for challenging an arbitral award. The most common mechanisms include:

- **Annulment**, which is a process by which a court can declare an arbitral award to be void or unenforceable.
- **Enforcement**, which is a process by which a party can seek to have an arbitral award enforced by a court.
- **Setting aside**, which is a process by which a court can vacate an arbitral award on the grounds of fraud, corruption, or other misconduct.

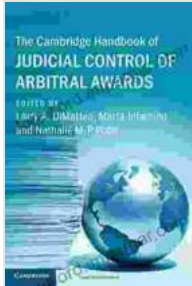
## **The Role of the Courts in Judicial Control of Arbitral Awards**

The courts play a vital role in the judicial control of arbitral awards. The courts are responsible for ensuring that arbitral awards are consistent with the law and that they are not tainted by bias or corruption. The courts also provide a safety valve for parties who believe that they have been unfairly treated in arbitration.

The role of the courts in judicial control of arbitral awards is a complex and challenging one. The courts must balance the need to ensure that arbitration is a fair and just process with the need to respect the autonomy of the arbitral process. The courts must also be mindful of the fact that international arbitration is a global phenomenon, and that the decisions of courts in one jurisdiction may have an impact on the development of arbitration in other jurisdictions.

The Cambridge Handbook of Judicial Control of Arbitral Awards is a valuable resource for anyone who is interested in the legal framework governing judicial control of arbitral awards. The book provides a comprehensive overview of the different grounds for judicial review of arbitral awards, the different procedural mechanisms for challenging arbitral awards, and the role of the courts in judicial control of arbitral awards. The

book is written by a team of leading experts in the field of arbitration, and it provides valuable insights into the complex and evolving legal landscape surrounding judicial control of arbitral awards.



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