

# AITAR Roster – Unified Policy Document

For all Tribunal members, arbitrators, mediators, and SST Verifiers under AISTAR 2026, AITAR 2026, and ADR Mediation Rules 2026

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## 1. Purpose and Scope

This document sets out the unified framework for admission, management, and quality assurance of all persons on the **AITAR Roster** (the "Roster"). The Roster serves all dispute resolution pathways administered by Aluochier Dispute Resolution (ADR):

- AISTAR 2026** – Succession and estate settlement (Adjudication, Arbitration, SST)
- AITAR 2026** – General disputes (Adjudication Highway, Arbitration Highway)
- ADR Mediation Rules** – Mediation and SST Verifier appointments

All references to "Roster" in any instrument shall mean the unified AITAR Roster.

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## 2. Tiers and Roles

Tier	Roles	Eligibility
Tier A	Sole adjudicator / arbitrator / mediator (standard cases)	Core assessment + specialisation module; minimum recognised qualification
Tier B	High-value/complex cases, SRT member, Revocation Tribunal	Tier A + 10 cases + advanced training + KES 5M insurance
Tier C	Technical experts (valuers, land surveyors, forensic accountants, etc.)	Specialist qualification; no adjudicative authority

**SST Verifier** is a distinct role that requires **Module 2** (succession legal compliance verification) but does **not** require prior mediation training. An SST Verifier may be in Tier A, B, or C depending on their other qualifications.

## 3. Admission Process

### 3.1 Core Assessment (all applicants)

- Constitution of Kenya (Bill of Rights, Art 1(3)(c), 47, 50, 159, 165)
- Fair Administrative Action Act and Rules
- Arbitration Act
- ADR institutional framework (AITAR, AISTAR, Mediation Rules as applicable)

### 3.2 Specialisation Modules (choose one or more)

Module	For	Assessment
Module 1 – General Adjudication/Arbitration	AITAR appointments	Written exam + case scenario
Module 2 – Succession (AISTAR)	AISTAR Tribunal, SST Verifier	Written exam + TPD 08/2026 checklist proficiency

<b>Module</b>	<b>For</b>	<b>Assessment</b>
<b>Module 3 – Mediation</b>	Mediator appointments	Practical role-play + ethics assessment

Module 2 is sufficient for SST Verifier;  
 Modules 1 and 3 are independent.

### 3.3 Oath of Integrity

Every Roster member must sign the Oath (Schedule A of AISTAR / Sixth Schedule of AITAR). The oath binds the member for all appointments under any instrument.

## 4. Appointment Process

- **Adjudication (AISTAR & AITAR)** : Random sequential rotation from eligible tier. Deviation requires written approval by Chief Adjudicator.
- **Arbitration**: Party nomination; failing agreement, Institution appoints from rotation.
- **Mediation**: Parties agree; failing agreement, Chief Executive appoints from panel.
- **SST Verifier**: Appointed by Registry from Tier A or B who have completed Module 2.

**Panels** (3 members) only where complexity or value justifies additional cost. Default is sole member.

## 5. Code of Conduct

All Roster members must:

- Act independently and impartially.
- Disclose conflicts of interest immediately.
- Not adjudicate any matter where they have prior professional involvement.
- Complete determinations/awards within prescribed timelines (42 days after close of proceedings; SRT within 90 days).
- Ensure any AI use is disclosed and independently verified.

- Not accept gifts or acquire estate assets subject to proceedings (24-month restriction after final determination).
- Respect openness of proceedings (Art 50(1)) – only limited exceptions under Art 50(8) with written reasons.
- Protect personal data in accordance with Data Protection Act and ADR policies.

**Consequences for breach:** warning, suspension, removal, or referral to professional body.

## 6. Quality Assurance (AQAF)

Proceedings	Retention	Release condition
All AISTAR/AITAR Determinations/Awards	20% of professional fee	42 days after Certificate of Finality if no review/complaint
Mediation	20% of mediator fee	42 days after Closing Certificate if no complaint
SST Verifier	20% of facilitator fee	42 days after Certificate of Settlement if no complaint

The retained amount is held in the AITAR Quality Assurance Fund (AQAF). It belongs to the Roster member throughout and is released automatically unless a complaint or review is filed.

## 7. Professional Indemnity Insurance

- Tier B members:** Must maintain at least KES 5,000,000 professional indemnity insurance covering all roles (adjudicator, arbitrator, mediator, SST Verifier). Proof required annually.
- Tier A members:** Encouraged but not required.
- Tier C experts:** As required by their professional body.

Failure to maintain insurance results in suspension from Tier B and ineligibility for SRT appointments.

## 8. Continuing Professional Development (CPD)

Role	Annual CPD requirement
All Roster members (any tier)	10 hours total (including instrument-specific training)
SST Verifiers	6 hours in succession/property law (counts toward 10 hours)
Mediators	6 hours in mediation ethics or practice (counts toward 10 hours)

CPD records must be submitted to the Institution by 31 January each year.

## 9. Diversity and Equity

ADR shall publish an annual Roster diversity report by 31 March each year, reporting:

- Gender composition per tier.
- Regional representation (former provinces).
- Number of members from marginalised groups (youth, persons with disabilities, minority communities).

Targets (to be achieved within 3 years from 1 January 2027):

- Gender: No less than one-third of either gender in each tier.
- Regional: Every former province represented in Tier A.
- Marginalised groups: No less than the general population representation of new admissions annually.

## 10. Disciplinary Procedure

**Step 1 – Complaint:** Any person may lodge a written complaint with the Chief Executive.

**Step 2 – Preliminary assessment (7 days):** Chief Executive determines if complaint is frivolous, or refers to Disciplinary Panel.

**Step 3 – Notice to member** (14 days to respond in writing).

**Step 4 – Disciplinary Panel:** Composed of three Tier B members not involved in the matter. Panel may hold a hearing (virtual or in person) at member's request.

**Step 5 – Decision** within 30 days of referral. Possible sanctions:

- Dismissal (no further action).
- Written warning (record kept for 2 years).
- Suspension (up to 12 months) – member ineligible for any appointment.
- Permanent removal – name struck from Roster.
- Referral to professional regulatory body (e.g., LSK, ICPSK) where misconduct also breaches professional ethics.

**Step 6 – Appeal:** Member may appeal to the Supervisory Review Tribunal (SRT) within 21 days. SRT decision is final for internal purposes, but member may seek judicial review.

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## 11. Removal for Inactivity

Any Roster member who:

- Has not accepted any appointment in the preceding 36 months; or
- Fails to submit CPD records for two consecutive years; or
- Fails to maintain required insurance (Tier B)

shall be given 60 days' notice to show cause why they should remain on the Roster. If no response or insufficient cause, the Institution may remove the member. Removed members may reapply after 12 months.

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## 12. Transition from Tier A to Tier B

A Tier A member may apply for Tier B after meeting:

- Experience:** Minimum 10 completed cases as sole adjudicator/arbitrator or panel member in AITAR or AISTAR proceedings.

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- Training:** Completion of advanced training approved by the Institution (e.g., “Advanced Constitutional and Administrative Justice”).
- Peer evaluation:** Two confidential references from existing Tier B members.
- Time on Roster:** At least 3 years in Tier A.
- Insurance:** Proof of KES 5M professional indemnity insurance.

The Institution shall decide within 60 days of application.

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## 13. Publication of Roster

The current Roster (including tiers, qualifications, and languages) shall be published on the ADR website and updated quarterly. Contact details of Roster members shall not be published without consent.

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## 14. Amendment

This Unified Roster Policy may be amended by the Chief Adjudicator and President of Independent Tribunals with 30 days' notice published in the AITAR Digital Gazette. Amendments apply prospectively to all Roster members.

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This policy takes effect on 1 July 2026. All existing Roster members as of that date are deemed to have accepted its terms by continuing to accept appointments.

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