

VI. LOCAL CIVIL ARBITRATION RULES (LCAR)

Local Civil Arbitration Rule 2.1

TRANSFER TO ARBITRATION AND ASSIGNMENT OF ARBITRATOR

- A. Transfer of Arbitration.** In every civil case, following the commencement of the action, but not later than the date set forth in the case schedule order to file a statement of arbitrability, any party may complete a statement of arbitrability and file the same with payment of the filing fee to the Clerk. The Statement of Arbitrability form can be found on the Court's Website.
- B. Assignment to Arbitrator.** Not less than ninety (90) days following filing and service on all parties subject to arbitration, a list of five proposed arbitrators will be furnished to all parties. A master list of arbitrators will be available at the Court's Website.

[Adopted Effective September 1, 1996; Amended Effective September 1, 1998; September 1, 1999; September 1, 2002; September 1, 2003; September 1, 2011; September 1, 2015; September 1, 2021; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024]

Local Civil Arbitration Rule 3.1

ARBITRATORS

- A. Qualifications of Arbitrator.** There shall be a panel of arbitrators in such numbers as the administrative committee may from time to time determine. A list showing the names of arbitrators available to hear cases and the application of an individual arbitrator will be available, for public inspection, in Court Administration upon written request. The arbitration presiding judicial officer may also remove an arbitrator from the list of arbitrators available to hear cases. Unless otherwise stipulated, an arbitrator must be a member of the Washington State Bar for five (5) years or a retired judicial officer.
1. *Application.* A person desiring to serve as an arbitrator shall complete an application, oath of arbitrator, and attestation as prescribed by Court Administration. The oath of office on the form prescribed by the Court must be completed and signed by the arbitration presiding judicial officer prior to an applicant being placed on the panel.
 2. *Refusal; Disqualification.* The appointment of an arbitrator is subject to the right of that person to refuse to serve. An arbitrator must notify Court Administration within three (3) court days of receipt of the notice of appointment if refusing to serve or if any cause exists for the arbitrator's disqualification from the case upon any of the grounds of interest, relationship, bias or prejudice set forth in CJC Canon 3(c) governing the disqualification of Judicial officers. If disqualified, the arbitrator must immediately return all materials in a case to Court Administration. A party

may challenge the qualifications of an arbitrator by motion to the Court if the motion is made within ten (10) court days of the appointment of the arbitrator.

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Local Civil Arbitration Rule 4.2 PROCEDURES AFTER ASSIGNMENT

- A. Discovery.** The following interrogatories are the only interrogatories which may be submitted to any party:
1. State the amount of general damages being claimed;
 2. State each item of special damages being claimed and the amount thereof;
 3. List the name, address, and telephone number of each person having knowledge of any facts regarding liability;
 4. List the name, address, and telephone number of each person having knowledge of any facts regarding damages claimed;
 5. List the name, address, and telephone number of each expert witness you intend to call at the arbitration hearing. For each expert, state the subject matter on which the expert is expected to testify; state the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion;
 6. If you are claiming bodily injury damages, please describe your present physical condition as the same relates to the incident giving rise to your complaint and being specific as to the area(s) of your body you claim was injured;
 7. If you are claiming bodily injury damages, please list the name, address, and telephone number of each and every health care provider with whom you treated, consulted with, or were examined by: (a) in the ten (10) years preceding the incident giving rise to your complaint; and (b) from the date of said incident to the present date;
 8. Identify the existence of and the contents of any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment; and any documents affecting coverage (such as denying coverage, extending coverage, or

reserving rights) from or on behalf of such person to the covered person or the covered person's representative. For purposes of this section, an application for insurance shall not be treated as part of an insurance agreement; and

9. Identify all parties who you contend have not been properly served with the summons and complaint.
- B.** Discovery produced pursuant to this subsection shall not be disclosed to the arbitrator except in cases where there are bona fide issues of coverage, offset and setoff submitted to the arbitrator for determination. Upon request, all records reflecting the treatments, consultations, and examinations must be produced unless the requester is provided a medical authorization sufficient to allow the requester to obtain independent access to said records at his or her own expense. Alternatively, the requesting party may also request records through depositions upon written questions as allowed by CR 31.

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Local Civil Arbitration Rule 7.1 TRIAL DE NOVO

A. Request for Trial De Novo – Calendar – Jury Demand.

1. *Appeal Period – Attorney Fees.* In any case in which a party makes a motion for attorney fees, the 20-day period for trial de novo shall not commence until the arbitrator has filed and served either the amended award or the written denial thereof.

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