

KING COUNTY SUPERIOR COURT CLERK'S OFFICE

CONTACT: mandatoryarbitration@kingcounty.gov
ISSUED BY: Barbara Miner, Director and Superior Court Clerk
ISSUE DATE: August 7, 2019
ISSUE NO: 19-009



CLERK'S ALERT

Implementation of ESSB 1128 – 2017-18 Concerning Civil Arbitration

ESSB 1128 made various changes to the mandatory arbitration laws concerning cases subject to mandatory arbitration, the time periods for setting hearing dates, permitted discovery, arbitrator qualifications, and filing fees.

The following is King County Superior Court related information about implementation of statutory changes related to HB 1128 2017-18.

- The Mandatory Arbitration Department will now be the Civil Arbitration Department. The term “mandatory” will be replaced with “civil” in the Local Rules, forms, and other documents.
- A case filed prior to September 1, 2019 is subject to civil arbitration if it does not exceed fifty thousand dollars (\$50,000), exclusive of attorney fees, interest and costs. A case filed after September 1, 2019 is subject to civil arbitration if it does not exceed one hundred thousand dollars (\$100,000), exclusive of attorney fees, interest and costs.
- In accordance with GR 7, on July 23, 2019, the King County Superior Court adopted emergency changes to the Local Civil Arbitration Rules (LCAR), replacing Local Mandatory Arbitration Rules (LMAR). View current emergency rule changes here: <https://www.kingcounty.gov/courts/clerk/rules.aspx>
- All King County Arbitrators must file a declaration or affidavit stating or certifying to the appointing court that the person is compliant with RCW 7.06.040.
- Effective January 1, 2019, King County Ordinance 18816 increased the Civil Arbitration fee to \$250 and the Request for Trial De Novo fee to \$400.
- Changes to the Trial De Novo case schedule will be implemented September 1, 2019 as a result of changes to LCAR 7.1 (formerly LMAR 7.1). The Amended Case Schedule will assign an accelerated trial date no later than 240 days from date of assignment.

Paperless Administration

Effective immediately, the Civil Arbitration Department will adopt a paperless policy with regard to dissemination of strikelists and Notice of Appointment of Arbitrator to attorneys. Parties will be receiving these documents electronically, via email. The department will utilize the email provided on the Statement of Arbitrability and/or the Washington State Bar Association Legal Directory. The Civil Arbitration Department will continue to mail strikelists and Notice of Appointment of Arbitrator to Pro Se litigants and by request.