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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: S-4743.1/19

ATTY/TYPIST: AF:akl

BRIEF DESCRIPTION: Concerning the uniform family law arbitration act.

1 AN ACT Relating to the uniform family law arbitration act; adding  
2 a new chapter to Title 26 RCW; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** SHORT TITLE. This act may be known and  
5 cited as the uniform family law arbitration act.

6 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this  
7 section apply throughout this chapter unless the context clearly  
8 requires otherwise.

9 (1) "Arbitration agreement" means an agreement that subjects a  
10 family law dispute to arbitration.

11 (2) "Arbitration organization" means an association, agency,  
12 board, commission, or other entity that is neutral and initiates,  
13 sponsors, or administers an arbitration or is involved in the  
14 selection of an arbitrator.

15 (3) "Arbitrator" means an individual selected, alone or with  
16 others, to make an award in a family law dispute that is subject to  
17 an arbitration agreement.

18 (4) "Child-related dispute" means a family law dispute regarding  
19 legal custody, physical custody, custodial responsibility, parental

1 responsibility or authority, parenting time, right to access,  
2 visitation, or financial support regarding a child.

3 (5) "Court" means the family court.

4 (6) "Family law dispute" means a contested issue arising under  
5 the domestic relations law of this state.

6 (7) "Party" means an individual who signs an arbitration  
7 agreement and whose rights will be determined by an award.

8 (8) "Person" means an individual, estate, business or nonprofit  
9 entity, public corporation, government or governmental subdivision,  
10 agency, or instrumentality, or any other legal entity.

11 (9) "Record," used as a noun, means information that is inscribed  
12 on a tangible medium or that is stored in an electronic or other  
13 medium and is retrievable in perceivable form.

14 (10) "Sign" means, with present intent to authenticate or adopt a  
15 record:

16 (a) To execute or adopt a tangible symbol; or

17 (b) To attach to or logically associate with the record an  
18 electronic symbol, sound, or process.

19 (11) "State" means a state of the United States, the District of  
20 Columbia, Puerto Rico, the United States Virgin Islands, or any  
21 territory or insular possession subject to the jurisdiction of the  
22 United States. The term includes a federally recognized Indian tribe.

23 NEW SECTION. **Sec. 3.** SCOPE. (1) This chapter governs  
24 arbitration of a family law dispute.

25 (2) This chapter does not authorize an arbitrator to make an  
26 award that:

27 (a) Grants a legal separation or dissolution of marriage or  
28 domestic partnership, or annulment;

29 (b) Terminates parental rights;

30 (c) Grants an adoption or a guardianship of a child or  
31 incapacitated individual; or

32 (d) Determines the status of dependency.

33 (3) This chapter does not apply to any arbitration governed by  
34 chapter 7.06 RCW.

35 NEW SECTION. **Sec. 4.** APPLICABLE LAW. (1) Except as otherwise  
36 provided in this chapter, the law applicable to arbitration is  
37 chapter 7.04A RCW.

1 (2) In determining the merits of a family law dispute, an  
2 arbitrator shall apply the law of this state, including its choice of  
3 law rules.

4 NEW SECTION. **Sec. 5.** ARBITRATION AGREEMENT. (1) An arbitration  
5 agreement must:

6 (a) Be in a record signed by the parties;

7 (b) Identify the arbitrator, an arbitration organization, or a  
8 method of selecting an arbitrator; and

9 (c) Identify the family law dispute the parties intend to  
10 arbitrate.

11 (2) Except as otherwise provided in subsection (3) of this  
12 section, an agreement in a record to arbitrate a family law dispute  
13 that arises between the parties before, at the time, or after the  
14 agreement is made is valid and enforceable as any other contract and  
15 irrevocable except on a ground that exists at law or in equity for  
16 the revocation of a contract.

17 (3) An agreement to arbitrate a child-related dispute that arises  
18 between the parties after the agreement is made is unenforceable  
19 unless:

20 (a) The parties affirm the agreement in a record after the  
21 dispute arises; or

22 (b) The agreement was entered during a family law proceeding and  
23 the court approved or incorporated the agreement in an order issued  
24 in the proceeding.

25 (4) If a party objects to arbitration on the ground the  
26 arbitration agreement is unenforceable or the agreement does not  
27 include a family law dispute, the court shall decide whether the  
28 agreement is enforceable or includes the family law dispute.

29 NEW SECTION. **Sec. 6.** NOTICE OF ARBITRATION. A party may  
30 initiate arbitration by giving notice to arbitrate to the other party  
31 in the manner specified in the arbitration agreement or, in the  
32 absence of a specified manner, under the law and procedural rules of  
33 this state other than this chapter governing contractual arbitration.

34 NEW SECTION. **Sec. 7.** MOTION FOR JUDICIAL RELIEF. (1) A motion  
35 for judicial relief under this chapter must be made to the court in  
36 which a proceeding is pending involving a family law dispute subject

1 to arbitration or, if no proceeding is pending, a court with  
2 jurisdiction over the parties and the subject matter.

3 (2) On motion of a party, the court may compel arbitration if the  
4 parties have entered into an arbitration agreement that complies with  
5 section 5 of this act unless the court determines under section 12 of  
6 this act that the arbitration should not proceed.

7 (3) On motion of a party, the court shall terminate arbitration  
8 if it determines that:

9 (a) The agreement to arbitrate is unenforceable;

10 (b) The family law dispute is not subject to arbitration; or

11 (c) Under section 12 of this act, the arbitration should not  
12 proceed.

13 (4) Unless prohibited by an arbitration agreement, on motion of a  
14 party, the court may order consolidation of separate arbitrations  
15 involving the same parties and a common issue of law or fact if  
16 necessary for the fair and expeditious resolution of the family law  
17 dispute.

18 NEW SECTION. **Sec. 8.** QUALIFICATION AND SELECTION OF ARBITRATOR.

19 (1) Except as otherwise provided in subsection (2) of this section,  
20 unless waived in a record by the parties, an arbitrator must be:

21 (a) An attorney in good standing admitted to practice or on  
22 inactive status or a judge on retired status in a state; and

23 (b) Trained in identifying domestic violence and child abuse.

24 (2) The identification of an arbitrator, arbitration  
25 organization, or method of selection of the arbitrator in the  
26 arbitration agreement controls.

27 (3) If an arbitrator is unable or unwilling to act or if the  
28 agreed-on method of selecting an arbitrator fails, on motion of a  
29 party, the court shall select an arbitrator.

30 NEW SECTION. **Sec. 9.** DISCLOSURE BY ARBITRATOR;

31 DISQUALIFICATION. (1) Before agreeing to serve as an arbitrator, an  
32 individual, after making reasonable inquiry, shall disclose to all  
33 parties any known fact a reasonable person would believe is likely to  
34 affect:

35 (a) The impartiality of the arbitrator in the arbitration,  
36 including bias, a financial or personal interest in the outcome of  
37 the arbitration, or an existing or past relationship with a party,  
38 attorney representing a party, or witness; or

1 (b) The arbitrator's ability to make a timely award.

2 (2) An arbitrator, the parties, and the attorneys representing  
3 the parties have a continuing obligation to disclose to all parties  
4 any known fact a reasonable person would believe is likely to affect  
5 the impartiality of the arbitrator or the arbitrator's ability to  
6 make a timely award.

7 (3) An objection to the selection or continued service of an  
8 arbitrator and a motion for a stay of arbitration and  
9 disqualification of the arbitrator must be made under the law and  
10 procedural rules of this state other than this chapter governing  
11 arbitrator disqualification.

12 (4) If a disclosure required by subsection (1)(a) or (2) of this  
13 section is not made, the court may:

14 (a) On motion of a party not later than thirty days after the  
15 failure to disclose is known or by the exercise of reasonable care  
16 should have been known to the party, suspend the arbitration;

17 (b) On timely motion of a party, vacate an award under section  
18 19(1)(b) of this act; or

19 (c) If an award has been confirmed, grant other appropriate  
20 relief under law of this state other than this chapter.

21 (5) If the parties agree to discharge an arbitrator or the  
22 arbitrator is disqualified, the parties by agreement may select a new  
23 arbitrator or request the court to select another arbitrator as  
24 provided in section 8 of this act.

25 NEW SECTION. **Sec. 10.** PARTY PARTICIPATION. (1) A party may:

26 (a) Be represented in an arbitration by an attorney;

27 (b) Be accompanied by an individual who will not be called as a  
28 witness or act as an advocate; and

29 (c) Participate in the arbitration to the full extent permitted  
30 under the law and procedural rules of this state other than this  
31 chapter governing a party's participation in contractual arbitration.

32 (2) A party or representative of a party may not communicate ex  
33 parte with the arbitrator except to the extent allowed in a family  
34 law proceeding for communication with a judge.

35 NEW SECTION. **Sec. 11.** TEMPORARY ORDER OR AWARD. (1) Before an  
36 arbitrator is selected and able to act, on motion of a party, the  
37 court may enter a temporary order granting any of the relief provided  
38 in RCW 26.09.060.

1 (2) After an arbitrator is selected:

2 (a) The arbitrator may make a temporary award granting any of the  
3 relief provided in RCW 26.09.060, except for relief pertaining to a  
4 protection order as defined in section 12 of this act, in which case  
5 the procedures under section 12 of this act apply; and

6 (b) If the matter is urgent and the arbitrator is not able to act  
7 in a timely manner or provide an adequate remedy, on motion of a  
8 party, the court may enter a temporary order.

9 (3) On motion of a party, before the court confirms a final  
10 award, the court under section 16, 18, or 19 of this act may confirm,  
11 correct, vacate, or amend a temporary award made under subsection  
12 (2)(a) of this section.

13 (4) On motion of a party, the court may enforce a subpoena or  
14 interim award issued by an arbitrator for the fair and expeditious  
15 disposition of the arbitration.

16 NEW SECTION. **Sec. 12.** PROTECTION OF PARTY OR CHILD. (1) For the  
17 purposes of this section, "protection order" means an injunction or  
18 other order, issued under the domestic violence, family violence, or  
19 stalking laws of the issuing jurisdiction, to prevent an individual  
20 from engaging in a violent or threatening act against, harassment of,  
21 contact or communication with, or being in physical proximity to  
22 another individual who is a party or a child under the custodial  
23 responsibility of a party.

24 (2) If a party is subject to a protection order or an arbitrator  
25 determines there is a reasonable basis to believe a party's safety or  
26 ability to participate effectively in arbitration is at risk, the  
27 arbitrator shall stay the arbitration and refer the parties to court.  
28 The arbitration may not proceed unless the party at risk affirms the  
29 arbitration agreement in a record and the court determines:

30 (a) The affirmation is informed and voluntary;

31 (b) Arbitration is not inconsistent with the protection order;

32 and

33 (c) Reasonable procedures are in place to protect the party from  
34 risk of harm, harassment, or intimidation.

35 (3) If an arbitrator determines that there is a reasonable basis  
36 to believe a child who is the subject of a child-related dispute is  
37 abused or neglected, the arbitrator shall terminate the arbitration  
38 of the child-related dispute and report the abuse or neglect to the  
39 department of children, youth, and families.

1 (4) An arbitrator may make a temporary award to protect a party  
2 or child from harm, harassment, or intimidation.

3 (5) On motion of a party, the court may stay arbitration and  
4 review a determination or temporary award under this section.

5 (6) This section supplements remedies available under law of this  
6 state other than this chapter for the protection of victims of  
7 domestic violence, family violence, stalking, harassment, or similar  
8 abuse.

9 NEW SECTION. **Sec. 13.** POWERS AND DUTIES OF ARBITRATOR. (1) An  
10 arbitrator shall conduct an arbitration in a manner the arbitrator  
11 considers appropriate for a fair and expeditious disposition of the  
12 dispute.

13 (2) An arbitrator shall provide each party a right to be heard,  
14 to present evidence material to the family law dispute, and to cross-  
15 examine witnesses.

16 (3) Unless the parties otherwise agree in a record, an  
17 arbitrator's powers include the power to:

18 (a) Select the rules for conducting the arbitration;

19 (b) Hold conferences with the parties before a hearing;

20 (c) Determine the date, time, and place of a hearing;

21 (d) Require a party to provide:

22 (i) A copy of a relevant court order;

23 (ii) Information required to be disclosed in a family law  
24 proceeding under law of this state other than this chapter; and

25 (iii) A proposed award that addresses each issue in arbitration;

26 (e) Meet with or interview a child who is the subject of a child-  
27 related dispute;

28 (f) Appoint a private expert at the expense of the parties;

29 (g) Administer an oath or affirmation and issue a subpoena for  
30 the attendance of a witness or the production of documents and other  
31 evidence at a hearing;

32 (h) Compel discovery concerning the family law dispute and  
33 determine the date, time, and place of discovery;

34 (i) Determine the admissibility and weight of evidence;

35 (j) Permit deposition of a witness for use as evidence at a  
36 hearing;

37 (k) For good cause, prohibit a party from disclosing information;

38 (l) Appoint an attorney, guardian ad litem, or other  
39 representative for a child at the expense of the parties;



1 (m) Impose a procedure to protect a party or child from risk of  
2 harm, harassment, or intimidation;

3 (n) Allocate arbitration fees, attorneys' fees, expert witness  
4 fees, and other costs to the parties; and

5 (o) Impose a sanction on a party for bad faith or misconduct  
6 during the arbitration according to standards governing imposition of  
7 a sanction for litigant misconduct in a family law proceeding.

8 (4) An arbitrator may not allow ex parte communication except to  
9 the extent allowed in a family law proceeding for communication with  
10 a judge.

11 NEW SECTION. **Sec. 14.** RECORDING OF HEARING. (1) Except as  
12 otherwise provided in subsection (2) of this section or required by  
13 law of this state other than this chapter, an arbitration hearing  
14 need not be recorded unless required by the arbitrator, provided by  
15 the arbitration agreement, or requested by a party.

16 (2) An arbitrator shall request a verbatim recording be made of  
17 any part of an arbitration hearing concerning a child-related  
18 dispute.

19 NEW SECTION. **Sec. 15.** AWARD. (1) An arbitrator shall make an  
20 award in a record, dated and signed by the arbitrator. The arbitrator  
21 shall give notice of the award to each party by a method agreed on by  
22 the parties or, if the parties have not agreed on a method, under the  
23 law and procedural rules of this state other than this chapter  
24 governing notice in contractual arbitration.

25 (2) Except as otherwise provided in subsection (3) of this  
26 section, the award under this chapter must state the reasons on which  
27 it is based unless otherwise agreed by the parties.

28 (3) An award determining a child-related dispute must state the  
29 reasons on which it is based as required by law of this state other  
30 than this chapter for a court order in a family law proceeding.

31 (4) An award under this chapter is not enforceable as a judgment  
32 until confirmed under section 16 of this act.

33 NEW SECTION. **Sec. 16.** CONFIRMATION OF AWARD. (1) After an  
34 arbitrator gives notice under section 15(1) of this act of an award,  
35 including an award corrected under section 17 of this act, a party  
36 may move the court for an order confirming the award.

1 (2) Except as otherwise provided in subsection (3) of this  
2 section, the court shall confirm an award under this chapter if:

3 (a) The parties agree in a record to confirmation; or

4 (b) The time has expired for making a motion, and no motion is  
5 pending, under section 18 or 19 of this act.

6 (3) If an award determines a child-related dispute, the court  
7 shall confirm the award under subsection (2) of this section if the  
8 court finds, after a review of the record if necessary, that the  
9 award on its face:

10 (a) Complies with section 15 of this act and law of this state  
11 other than this chapter governing a child-related dispute; and

12 (b) Is in the best interests of the child.

13 (4) On confirmation, an award under this chapter is enforceable  
14 as a judgment.

15 NEW SECTION. **Sec. 17.** CORRECTION BY ARBITRATOR OF UNCONFIRMED  
16 AWARD. On motion of a party made not later than thirty days after an  
17 arbitrator gives notice under section 15(1) of this act of an award,  
18 the arbitrator may correct the award:

19 (1) If the award has an evident mathematical miscalculation or an  
20 evident mistake in the description of a person, thing, or property;

21 (2) If the award is imperfect in a matter of form not affecting  
22 the merits on the issues submitted; or

23 (3) To clarify the award.

24 NEW SECTION. **Sec. 18.** CORRECTION BY COURT OF UNCONFIRMED AWARD.  
25 (1) On motion of a party made not later than ninety days after an  
26 arbitrator gives notice under section 15(1) of this act of an award,  
27 including an award corrected under section 17 of this act, the court  
28 shall correct the award if:

29 (a) The award has an evident mathematical miscalculation or an  
30 evident mistake in the description of a person, thing, or property;

31 (b) The award is imperfect in a matter of form not affecting the  
32 merits of the issues submitted; or

33 (c) The arbitrator made an award on a dispute not submitted to  
34 the arbitrator and the award may be corrected without affecting the  
35 merits of the issues submitted.

36 (2) A motion under this section to correct an award may be joined  
37 with a motion to vacate or amend the award under section 19 of this  
38 act.

1 (3) Unless a motion under section 19 of this act is pending, the  
2 court may confirm a corrected award under section 16 of this act.

3 NEW SECTION. **Sec. 19.** VACATION OR AMENDMENT BY COURT OF  
4 UNCONFIRMED AWARD. (1) On motion of a party, the court shall vacate  
5 an unconfirmed award if the moving party establishes that:

6 (a) The award was procured by corruption, fraud, or other undue  
7 means;

8 (b) There was:

9 (i) Evident partiality by the arbitrator;

10 (ii) Corruption by the arbitrator; or

11 (iii) Misconduct by the arbitrator substantially prejudicing the  
12 rights of a party;

13 (c) The arbitrator refused to postpone a hearing on showing of  
14 sufficient cause for postponement, refused to consider evidence  
15 material to the controversy, or otherwise conducted the hearing  
16 contrary to section 13 of this act, so as to prejudice substantially  
17 the rights of a party;

18 (d) The arbitrator exceeded the arbitrator's powers;

19 (e) No arbitration agreement exists, unless the moving party  
20 participated in the arbitration without making a motion under section  
21 7 of this act not later than the beginning of the first arbitration  
22 hearing; or

23 (f) The arbitration was conducted without proper notice under  
24 section 6 of this act of the initiation of arbitration, so as to  
25 prejudice substantially the rights of a party.

26 (2) Except as otherwise provided in subsection (3) of this  
27 section, on motion of a party, the court shall vacate an unconfirmed  
28 award that determines a child-related dispute if the moving party  
29 establishes that:

30 (a) The award does not comply with section 15 of this act or law  
31 of this state other than this chapter governing a child-related  
32 dispute or is contrary to the best interests of the child;

33 (b) The record of the hearing or the statement of reasons in the  
34 award is inadequate for the court to review the award; or

35 (c) A ground for vacating the award under subsection (1) of this  
36 section exists.

37 (3) If an award is subject to vacation under subsection (2)(a) of  
38 this section, on motion of a party, the court may amend the award if  
39 amending rather than vacating is in the best interests of the child.

1 (4) The court may determine a motion under subsection (2) or (3)  
2 of this section based on the record of the arbitration hearing and  
3 facts occurring after the hearing or may exercise de novo review.

4 (5) A motion under this section to vacate or amend an award must  
5 be filed not later than ninety days:

6 (a) After an arbitrator gives the party filing the motion notice  
7 of the award or a corrected award; or

8 (b) For a motion under subsection (1)(a) of this section, after  
9 the ground of corruption, fraud, or other undue means is known or by  
10 the exercise of reasonable care should have been known to the party  
11 filing the motion.

12 (6) If the court under this section vacates an award for a reason  
13 other than the absence of an enforceable arbitration agreement, the  
14 court may order a rehearing before an arbitrator. If the reason for  
15 vacating the award is that the award was procured by corruption,  
16 fraud, or other undue means or there was evident partiality,  
17 corruption, or misconduct by the arbitrator, the rehearing must be  
18 before another arbitrator.

19 (7) If the court under this section denies a motion to vacate or  
20 amend an award, the court may confirm the award under section 16 of  
21 this act unless a motion is pending under section 18 of this act.

22 NEW SECTION. **Sec. 20.** CLARIFICATION OF CONFIRMED AWARD. If the  
23 meaning or effect of an award confirmed under section 16 of this act  
24 is in dispute, the parties may:

25 (1) Agree to arbitrate the dispute before the original arbitrator  
26 or another arbitrator; or

27 (2) Proceed in court under law of this state other than this  
28 chapter governing clarification of a judgment in a family law  
29 proceeding.

30 NEW SECTION. **Sec. 21.** JUDGMENT ON AWARD. (1) On granting an  
31 order confirming, vacating without directing a rehearing, or amending  
32 an award under this chapter, the court shall enter judgment in  
33 conformity with the order.

34 (2) On motion of a party, the court may order that a document or  
35 part of the arbitration record be sealed or redacted to prevent  
36 public disclosure of all or part of the record or award to the extent  
37 permitted under law of this state other than this chapter.

1        NEW SECTION.        **Sec. 22.**        MODIFICATION OF CONFIRMED AWARD OR  
2 JUDGMENT. If a party requests under law of this state other than this  
3 chapter a modification of an award confirmed under section 16 of this  
4 act or judgment on the award based on a fact occurring after  
5 confirmation:

6        (1) The parties shall proceed under the dispute resolution method  
7 specified in the award or judgment; or

8        (2) If the award or judgment does not specify a dispute  
9 resolution method, the parties may:

10        (a) Agree to arbitrate the modification before the original  
11 arbitrator or another arbitrator; or

12        (b) Absent agreement, proceed under law of this state other than  
13 this chapter governing modification of a judgment in a family law  
14 proceeding.

15        NEW SECTION.        **Sec. 23.**        ENFORCEMENT OF CONFIRMED AWARD. (1) The  
16 court shall enforce an award confirmed under section 16 of this act,  
17 including a temporary award, in the manner and to the same extent as  
18 any other order or judgment of a court.

19        (2) The court shall enforce an arbitration award in a family law  
20 dispute confirmed by a court in another state in the manner and to  
21 the same extent as any other order or judgment from another state.

22        NEW SECTION.        **Sec. 24.**        APPEAL. (1) An appeal may be taken under  
23 this chapter from:

24        (a) An order denying a motion to compel arbitration;

25        (b) An order granting a motion to stay arbitration;

26        (c) An order confirming or denying confirmation of an award;

27        (d) An order correcting an award;

28        (e) An order vacating an award without directing a rehearing; or

29        (f) A final judgment.

30        (2) An appeal under this section may be taken as from an order or  
31 a judgment in a civil action.

32        NEW SECTION.        **Sec. 25.**        IMMUNITY OF ARBITRATOR. (1) An arbitrator  
33 or arbitration organization acting in that capacity in a family law  
34 dispute is immune from civil liability to the same extent as a judge  
35 of a court of this state acting in a judicial capacity.

36        (2) The immunity provided by this section supplements any  
37 immunity under law of this state other than this chapter.

1 (3) An arbitrator's failure to make a disclosure required by  
2 section 9 of this act does not cause the arbitrator to lose immunity  
3 under this section.

4 (4) An arbitrator is not competent to testify, and may not be  
5 required to produce records, in a judicial, administrative, or  
6 similar proceeding about a statement, conduct, decision, or ruling  
7 occurring during an arbitration, to the same extent as a judge of a  
8 court of this state acting in a judicial capacity. This subsection  
9 does not apply:

10 (a) To the extent disclosure is necessary to determine a claim by  
11 the arbitrator or arbitration organization against a party to the  
12 arbitration; or

13 (b) To a hearing on a motion under section 19(1)(a) or (b) to  
14 vacate an award, if there is prima facie evidence that a ground for  
15 vacating the award exists.

16 (5) If a person commences a civil action against an arbitrator  
17 arising from the services of the arbitrator or seeks to compel the  
18 arbitrator to testify or produce records in violation of subsection  
19 (4) of this section and the court determines that the arbitrator is  
20 immune from civil liability or is not competent to testify or  
21 required to produce the records, the court shall award the arbitrator  
22 reasonable attorneys' fees, costs, and reasonable expenses of  
23 litigation.

24 NEW SECTION. **Sec. 26.** UNIFORMITY OF APPLICATION AND  
25 CONSTRUCTION. In applying and construing this uniform act,  
26 consideration must be given to the need to promote uniformity of the  
27 law with respect to its subject matter among states that enact it.

28 NEW SECTION. **Sec. 27.** RELATION TO ELECTRONIC SIGNATURES IN  
29 GLOBAL AND NATIONAL COMMERCE ACT. This chapter modifies, limits, or  
30 supersedes the electronic signatures in global and national commerce  
31 act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or  
32 supersede section 101(c) of that act, 15 U.S.C. Sec. 7001(c), or  
33 authorize electronic delivery of any of the notices described in  
34 section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

35 NEW SECTION. **Sec. 28.** TRANSITIONAL PROVISION. This chapter  
36 applies to arbitration of a family law dispute under an arbitration  
37 agreement made on or after the effective date of this section. If an

1 arbitration agreement was made before the effective date of this  
2 section, the parties may agree in a record that this chapter applies  
3 to the arbitration.

4 NEW SECTION. **Sec. 29.** EFFECTIVE DATE. This act takes effect  
5 January 1, 2021.

6 NEW SECTION. **Sec. 30.** Sections 1 through 29 of this act  
7 constitute a new chapter in Title 26 RCW.

--- END ---