LMAR 2.1
Transfer to Arbitration

(a) Court Order Required. Cases shall be transferred to arbitration only by court order.

(b) Status Conference to Address. At the status conference provided for by LCR 40, the question of mandatory arbitration shall be addressed.

(c) Statement of Arbitrability. If not transferred to arbitration at the status conference, when any party determines that the case is subject to mandatory arbitration, such party shall file and serve a Statement of Arbitrability on the form prescribed by the Court. A duplicate copy shall be provided to the Superior Court Administration Office.

(d) Response to Statement of Arbitrability. Any party disagreeing with the Statement of Arbitrability shall, within ten (10) days after the Statement of Arbitrability has been served, file and serve a Response to the Statement of Arbitrability on the form prescribed by the Court. A duplicate copy of the response shall be provided to the Superior Court Administration Office. In the absence of such a response, the Statement of Arbitrability shall be deemed correct and a non-responding party shall be deemed to have stipulated to arbitration if the Statement of Arbitrability provides that the case is subject to mandatory arbitration.

(e) Failure to File - Amendments. A party failing to file and serve an original response within the time prescribed may later do so only upon leave of the court. A party may amend the Initial Statement of Arbitrability or response at any time before assignment of an arbitrator or assignment of a trial date, or thereafter only upon leave of the Court for good cause shown.

(f) By Stipulation. A case in which all parties file a stipulation to arbitrate under MAR 8.1(b) regardless of the nature of the case or amount in controversy may be transferred to arbitration by court order presented to the Court with the stipulation.

(g) Interpreter. In a case transferred to arbitration, if a party: (1) is hearing impaired or has a limited ability to speak or understand the English language, or (2) knows, or after reasonable inquiry has reason to believe, that any other party or any witness is hearing impaired or has limited ability to speak or understand the English language, the party shall advise the Arbitration Supervisor in writing that an interpreter is needed.

[Amended September 1, 2012.]