
Superior Court Mandatory Arbitration Rules

MAR 7.1 REQUEST FOR TRIAL DE NOVO

(a) Service and Filing. Any aggrieved party not having waived the right to appeal may request a trial de novo in the superior court. Any request for a trial de novo must be filed with the clerk and served, in accordance with CR 5, upon all other parties appearing in the case within 20 days after the arbitrator files proof of service of the later of: (1) the award or (2) a decision on a timely request for costs or attorney fees. A request for a trial de novo is timely filed or served if it is filed or served after the award is announced but before the 20-day period begins to run. The 20-day period within which to request a trial de novo may not be extended.

(b) Form. The request for a trial de novo shall not refer to the amount of the award, including any award of costs or attorney fees, and shall be substantially in the form set forth below:

SUPERIOR COURT OF WASHINGTON
FOR () COUNTY

_____)	No. _____
Plaintiff,)	
v.)	REQUEST FOR
_____)	TRIAL DE NOVO
Defendant.)	

TO: The clerk of the court and all parties:

Please take notice that (name of aggrieved party) requests a trial de novo from the award filed ____ (date) ____.

Dated: _____
(Name of attorney
for aggrieved party)

(c) Proof of Service. The party filing and serving the request for a trial de novo shall file proof of service with the court. Failure to file proof of service within the 20-day period shall not void the request for a trial de novo.

(d) Calendar. When a trial de novo is requested as provided in section (a), the case shall be transferred from the arbitration calendar in accordance with rule 8.2 in a manner established by local rule.

[Adopted effective July 1, 1980; amended effective September 1, 1989; September 1, 2001; September 1, 2011.]
