

COURT MAY DETERMINE ARBITRABILITY

(a) Generally. The court may, on its own motion or on motion of a party, determine whether a case is actually subject to arbitration under RCW 7.06.020 and rule 1.2 and may accordingly order a case transferred to or from the arbitration calendar. Only in extraordinary circumstances after a case has been assigned to an arbitrator under rule 2.3 will the court order a case returned from the arbitration calendar to the trial calendar.

(b) Effect on Right To Appeal. If a party asserts a claim which disqualifies a case for arbitration but the court nevertheless orders a transfer to arbitration under section (a), any party is deemed aggrieved under rule 7.1 if the arbitrator awards less than the party's original claim.

[Adopted effective July 1, 1980; Amended effective December 3, 2019.]