

Superior Court of Washington, County of _____

In re:

Petitioner/s (*person/s who started this case*):

And Respondent/s (*other party/parties*):

No. _____

Motion to Compel, Consolidate, or Terminate
Arbitration
(MT)

Motion to Compel, Consolidate, or Terminate Arbitration

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing. Use *Order on Motion to Compel, Consolidate, or Terminate Arbitration*, form FL All Family 192 or if there is domestic violence or safety issues use *Order Allowing or Terminating Arbitration – At Risk Party* Form FL All Family ,193.

To the person filing this motion:

You must schedule a hearing on this motion. You may use the *Notice of Hearing* (form FL All Family 185) unless your county's Local Court Rules require a different form. Contact the court for scheduling information.

To the person receiving this motion:

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side.

1. My name is: _____.

This dispute involves:

- dividing property or debt
- enforcing division of property or debt
- maintenance (spousal support)
- parenting plan
- child support
- post-secondary educational support (for college or vocational school)
- protection or restraining orders
- attorney's fees
- other: _____

2. Relief Requested

I ask the court to:

- Compel** (require) the other party to participate in arbitration. We are involved in a family law dispute that is covered by our arbitration agreement.

(Describe dispute): _____

- Consolidate** (combine) 2 separate arbitrations. Both matters involve the same parties, a common issue of law or fact, and consolidation is necessary for fair and expeditious resolution of the family law dispute.

(Describe the 2 disputes): _____

- Terminate** arbitration because (check all that apply):

the arbitration agreement is unenforceable because _____

I have a family law dispute that is not subject to arbitration because: _____

I do not want to arbitrate because my safety or ability to participate effectively in arbitration is at risk. (*Describe risk*): _____

The other party is restrained by a protection or restraining order that protects me or a child. I do not want to arbitrate.

Describe or attach copies: _____

The other party has been convicted of a domestic violence or child abuse offense. I do not want to arbitrate.

Describe or attach copies: _____

3. Arbitration Agreement or Order (*attach copy*)

I am attaching a copy of the signed arbitration agreement or order requiring arbitration.

This dispute does **not** include parenting or support of a child.

This dispute is related to parenting and/or support of a child.

The dispute happened **before** the arbitration agreement was made.

The dispute happened **after** the arbitration agreement was made and the parties have since affirmed the agreement in a record.

The arbitration agreement was entered during a family law proceeding and court approved or incorporated into the court order in the proceeding.

The court ordered arbitration in an order dated _____.

4. A Proposed Order (*check one*): is is not attached to this *Motion*.

Person making this motion fills out below

I declare under penalty of perjury under the laws of the State of Washington that the facts I have provided on this form are true. I have attached (*number of*): _____ pages.

Signed at (*city and state*): _____ Date: _____



Person making this motion signs here *Print name here*

I agree to accept legal papers for this case at (*check one*):

my lawyer's address, listed below.

the following address (*this does not have to be your home address*):

Street Address or PO Box

City

State *Zip*

[] Email: _____

*(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information form (FL All Family 001) if this case involves parentage or child support.)*

Lawyer (if any) fills out below:

▶ _____
Lawyer signs here *Print name and WSBA No.* *Date*

_____ *City* *State* *Zip*

Email *(if applicable)*: _____

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed* cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.