

RCW 26.14.040 Arbitration agreement. (Effective January 1, 2024.)

(1) An arbitration agreement must:

- (a) Be in a record signed by the parties;
- (b) Identify the arbitrator, an arbitration organization, or a method of selecting an arbitrator; and
- (c) Identify the family law dispute the parties intend to arbitrate.

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

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

- (a) The parties affirm the agreement in a record after the dispute arises; or
- (b) The agreement was entered during a family law proceeding and the court approved or incorporated the agreement in an order issued in the proceeding.

(4) If a party objects to arbitration on the ground the arbitration agreement is unenforceable or the agreement does not include a family law dispute, the court shall decide whether the agreement is enforceable or includes the family law dispute. [2023 c 61 § 5.]