

RCW 26.14.240 Immunity of arbitrator. (Effective January 1, 2024.) (1) An arbitrator or arbitration organization acting in that capacity in a family law dispute is immune from civil liability to the same extent as a judge of a court of this state acting in a judicial capacity.

(2) The immunity provided by this section supplements any immunity under law of this state other than this chapter.

(3) An arbitrator's failure to make a disclosure required by RCW 26.14.080 does not cause the arbitrator to lose immunity under this section.

(4) An arbitrator is not competent to testify, and may not be required to produce records, in a judicial, administrative, or similar proceeding about a statement, conduct, decision, or ruling occurring during an arbitration, to the same extent as a judge of a court of this state acting in a judicial capacity. This subsection does not apply:

(a) To the extent disclosure is necessary to determine a claim by the arbitrator or arbitration organization against a party to the arbitration; or

(b) To a hearing on a motion under RCW 26.14.180(1) (a) or (b) to vacate an award, if there is prima facie evidence that a ground for vacating the award exists.

(5) If a person commences a civil action against an arbitrator arising from the services of the arbitrator or seeks to compel the arbitrator to testify or produce records in violation of subsection (4) of this section and the court determines that the arbitrator is immune from civil liability or is not competent to testify or required to produce the records, the court shall award the arbitrator reasonable attorneys' fees, costs, and reasonable expenses of litigation. [2023 c 61 § 25.]