

King County Superior Court Mandatory Arbitration Department

Arbitrator Complaint Process

Purpose

This process applies to cases assigned through King County Superior Court's civil arbitration rules, and allows the Chief Civil Judge or their designee, after reviewing a complaint, to either take no further action or refer the complaint for further review. If the reviewing judicial officer requests a response from the arbitrator, after reviewing any response, may suspend the arbitrator from the King County Superior Court Arbitration Panel for a determinate period of time, remove the arbitrator, or take other action as deemed best to address the grounds for complaint.

General dissatisfaction with the outcome of the arbitration does not provide sufficient grounds for a complaint against an arbitrator. The complainant must be able to identify a specific action or inaction on the part of the arbitrator which contravened the basic aims of arbitration to provide a speedy, fair, and less expensive process to resolve cases. The decisions of the reviewing judicial officer(s) regarding arbitrator complaints are final and no further right of appeal exists.

The Director of Arbitration shall notify the arbitrator in writing of the final decision of the court. Any conduct of an arbitrator pertaining to the performance of his or her duties in a specific case shall be addressed at hearings within that case.

Complaint Process

1. The aggrieved party shall submit their complaint in writing with the Director of Arbitration. The complaint must contain all necessary identifying case information and set forth specific reasons for the complaint against the arbitrator.
2. Arbitration staff shall immediately deliver the complaint to the Chief Civil Judge or to such person designated to resolve such complaints. Such designee shall be a judge or judges from King County Superior Court.
 - a. If the judicial officer determines that the complainant has not presented a sufficient basis for further review, the Director of Arbitration will send a letter to the complainant indicating that the court has reviewed the complaint and determined that no further action will be taken.
3. The Chief Civil Judge or designee will make an initial determination as to whether the complaint has potential merit. If potential merit is found, a response to the complaint will be requested, and the complaining party will be given an opportunity to reply to the response. The judicial officer may schedule a hearing, request additional materials, or enter a decision based upon a review of the record alone. The decision of the judicial officer shall be the final resolution of the complaint. If the complaint relates to a pending case the complaint shall be resolved within 30 days of the receipt of the

complaint. If the complaint is made subsequent to the conclusion of a case, the complaint shall be resolved within 60 days of receipt.

- a. Final letters of decision will be drafted for the complainant, the arbitrator and any other parties who submitted letters in response to the complaint.
4. During the pendency of this process the arbitrator may continue to receive appointments and shall continue to serve in appointed cases, unless otherwise provided by order of the Chief Civil Judge or designee.
5. In lieu of a complaint and in the event the Director of Arbitration becomes aware of any reason that would place the suitability of the person to act as arbitrator in question, the provisions of this policy apply.