

Uniform Family Law Arbitration Act

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor: Jordan D. Teuscher

LONG TITLE

General Description:

This bill enacts the Uniform Family Law Arbitration Act.

Highlighted Provisions:

This bill:

- defines terms;
- provides the scope of the Uniform Family Law Arbitration Act (act);
- addresses the law that is applicable to arbitration in a family law dispute;
- provides the requirements for an arbitration agreement for a family law dispute;
- allows a party to initiate arbitration by giving notice to the other party in accordance with the arbitration agreement or the laws governing contractual arbitration;
- provides the framework for motions for judicial relief involving a family law arbitration;
- provides the qualification and selection requirements for an arbitrator;
- requires certain disclosures by an arbitrator, the parties, and the attorneys representing the parties;
- addresses the disqualification of an arbitrator;
- addresses the participation of, and a communication by, an attorney or other individual in family law arbitration;
- allows a court or arbitrator to make a temporary order when there is an arbitration of a family law dispute;
- addresses protection orders in family law arbitration;
- provides the powers and duties of an arbitrator;
- addresses the recording of an arbitration hearing;
- provides the requirements for an award by an arbitrator in a family law arbitration;
- addresses the confirmation or correction of an award in a family law arbitration;

- addresses the vacation or amendment of an award in a family law arbitration by a court;
- addresses the requirements for a party seeking to clarify a confirmed award;
- requires a court to enter a judgment for a family law arbitration award;
- allows a court to seal or redact a document that was part of the family law arbitration;
- addresses the modification and enforcement of a confirmed award or judgment from a family law arbitration;
- addresses when an appeal from a family law arbitration may be taken;
- addresses immunity of an arbitrator in a family law arbitration;
- addresses the uniformity of application and construction of the act;
- addresses the Electronic Signatures in Global and National Commerce Act; and
- provides a transitional provision.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**ENACTS:**

81-15-101, Utah Code Annotated 1953

81-15-102, Utah Code Annotated 1953

81-15-103, Utah Code Annotated 1953

81-15-104, Utah Code Annotated 1953

81-15-105, Utah Code Annotated 1953

81-15-106, Utah Code Annotated 1953

81-15-107, Utah Code Annotated 1953

81-15-108, Utah Code Annotated 1953

81-15-109, Utah Code Annotated 1953

81-15-110, Utah Code Annotated 1953

81-15-111, Utah Code Annotated 1953

81-15-112, Utah Code Annotated 1953

81-15-113, Utah Code Annotated 1953

81-15-114, Utah Code Annotated 1953

81-15-115, Utah Code Annotated 1953

81-15-116, Utah Code Annotated 1953

81-15-117, Utah Code Annotated 1953

62 **81-15-118**, Utah Code Annotated 1953
63 **81-15-119**, Utah Code Annotated 1953
64 **81-15-120**, Utah Code Annotated 1953
65 **81-15-121**, Utah Code Annotated 1953
66 **81-15-122**, Utah Code Annotated 1953
67 **81-15-123**, Utah Code Annotated 1953
68 **81-15-124**, Utah Code Annotated 1953
69 **81-15-125**, Utah Code Annotated 1953
70 **81-15-126**, Utah Code Annotated 1953
71 **81-15-127**, Utah Code Annotated 1953

73 *Be it enacted by the Legislature of the state of Utah:*

74 Section 1. Section **81-15-101** is enacted to read:

75 **CHAPTER 15. UNIFORM FAMILY LAW ARBITRATION ACT**

76 **81-15-101 . Definitions for chapter.**

77 As used in this chapter:

- 78 (1) "Arbitration agreement" means an agreement that subjects a family law dispute to
79 arbitration.
- 80 (2) "Arbitration organization" means an association, agency, board, commission, or other
81 entity that is neutral and initiates, sponsors, or administers an arbitration or is involved
82 in the selection of an arbitrator.
- 83 (3) "Arbitrator" means an individual selected, alone or with other individuals, to make an
84 award in a family law dispute that is subject to an arbitration agreement.
- 85 (4) "Child-related dispute" means a family law dispute regarding the custody, parent-time,
86 visitation, or financial support of a child.
- 87 (5) "Court" means a court with jurisdiction under Title 78A, Judiciary and Judicial
88 Administration, over the family law dispute.
- 89 (6) "Family law dispute" means a contested issue arising under this title.
- 90 (7) "Party" means an individual who signs an arbitration agreement and whose rights will
91 be determined by an award.
- 92 (8) "Person" means an individual, an estate, a business or nonprofit entity, a public
93 corporation, a government or governmental subdivision, agency, or instrumentality, or
94 any other legal entity.
- 95 (9) "Record," used as a noun, means information that is inscribed on a tangible medium or

that is stored in an electronic or other medium and is retrievable in perceivable form.

(10) "Sign" means, with present intent to authenticate or adopt a record:

(a) to execute or adopt a tangible symbol; or

(b) to attach to or logically associate with the record an electronic symbol, sound, or process.

(11)(a) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(b) "State" includes a federally recognized Indian tribe.

Section 2. Section **81-15-102** is enacted to read:

81-15-102 . Scope.

(1) This chapter governs arbitration of a family law dispute.

(2) This chapter does not authorize an arbitrator to make an award that:

(a) grants a legal separation, a divorce, or an annulment;

(b) terminates parental rights;

(c) grants an adoption or a guardianship of a minor child or incapacitated individual; or

(d) determines the status of abuse, neglect, or dependency, as those terms are defined in Section 80-1-102, for a minor child.

Section 3. Section **81-15-103** is enacted to read:

81-15-103 . Applicable law.

(1) Except as otherwise provided in this chapter, the law applicable to arbitration is Title 78B, Chapter 11, Utah Uniform Arbitration Act.

(2) In determining the merits of a family law dispute, an arbitrator shall apply the law of this state, including this state's choice of law rules.

Section 4. Section **81-15-104** is enacted to read:

81-15-104 . Arbitration agreement.

(1) An arbitration agreement shall:

(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), 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.

Section 5. Section **81-15-105** is enacted to read:

81-15-105 . Notice of arbitration.

A party may initiate arbitration by giving notice to arbitrate to the other party in the manner specified in the arbitration agreement or, in the absence of a specified manner, under the laws and procedural rules of this state, other than this chapter, governing contractual arbitration.

Section 6. Section **81-15-106** is enacted to read:

81-15-106 . Motion for judicial relief.

(1) If a party brings a motion for judicial relief under this chapter, the party shall bring the motion in:

(a) the court in which a proceeding is pending involving the family law dispute subject to arbitration; or

(b) if no proceeding is pending, a court with jurisdiction over the parties and the subject matter.

(2) On a motion of a party, the court may compel arbitration if the parties have entered into an arbitration agreement that complies with Section 81-15-104 unless the court determines under Section 81-15-111 that the arbitration should not proceed.

(3) On a motion of a party, the court shall terminate arbitration if the court determines that:

(a) the agreement to arbitrate is unenforceable;

(b) the family law dispute is not subject to arbitration; or

(c) under Section 81-15-111, the arbitration should not proceed.

(4) Unless prohibited by an arbitration agreement, on a motion of a party, the court may order consolidation of separate arbitrations involving the same parties and a common issue of law or fact if necessary for the fair and expeditious resolution of the family law dispute.

Section 7. Section **81-15-107** is enacted to read:

81-15-107 . Qualification and selection of arbitrator.

- (1) Except as otherwise provided in Subsection (2), and unless waived in a record by the parties, an arbitrator shall be:
 - (a) an attorney in good standing admitted to practice law or on inactive status in this state or another state; and
 - (b) trained in identifying domestic violence and child abuse according to the requirements established by Section 78A-2-232 for a judicial officer assigned to hear a family law proceeding.
- (2) The identification in the arbitration agreement of an arbitrator, arbitration organization, or method of selection of the arbitrator controls.
- (3) If an arbitrator is unable or unwilling to act or if the agreed upon method of selecting an arbitrator fails, the court shall select an arbitrator on a motion of a party.

Section 8. Section **81-15-108** is enacted to read:

81-15-108 . Disclosure by arbitrator -- Disqualification.

- (1) Before agreeing to serve as an arbitrator, an individual shall disclose, after making reasonable inquiry, to all parties any known fact a reasonable person would believe is likely to affect:
 - (a) the impartiality of the arbitrator in the arbitration, including bias, a financial or personal interest in the outcome of the arbitration, or an existing or past relationship with a party, an attorney representing a party, or a witness; or
 - (b) the arbitrator's ability to make a timely award.
- (2) An arbitrator, the parties, and the attorneys representing the parties have a continuing obligation to disclose to all parties any known fact a reasonable person would believe is likely to affect the impartiality of the arbitrator or the arbitrator's ability to make a timely award.
- (3) A party shall make an objection to the selection or continued service of an arbitrator and a motion for a stay of arbitration and disqualification of the arbitrator in accordance with the law and procedural rules of this state, other than this chapter, governing arbitrator disqualification.
- (4) If a disclosure required by Subsection (1)(a) or (2) is not made, the court may:
 - (a) suspend the arbitration on a motion of a party that is no later than 30 days after the day on which the failure to disclose is known or by the exercise of reasonable care should have been known to the party;

- (b) vacate an award under Subsection 81-15-118(1)(b) on timely motion of a party; or
(c) grant other appropriate relief under a law of this state other than this chapter if an
award has been confirmed.

- (5) If the parties agree to discharge an arbitrator or the arbitrator is disqualified, the parties
by agreement may select a new arbitrator or request the court to select another arbitrator
as provided in Section 81-15-107.

Section 9. Section **81-15-109** is enacted to read:

81-15-109 . Party participation.

- (1) A party may:

- (a) be represented in an arbitration by an attorney;
(b) be accompanied by an individual who will not be called as a witness or act as an
advocate; and
(c) participate in the arbitration to the full extent permitted under the law and procedural
rules of this state, other than this chapter, governing a party's participation in
contractual arbitration.

- (2) A party or representative of a party may not communicate ex parte with the arbitrator
except to the extent allowed in a family law proceeding for communication with a judge.

Section 10. Section **81-15-110** is enacted to read:

81-15-110 . Temporary order or award.

- (1) Before an arbitrator is selected and able to act, the court may enter a temporary order on
a motion of a party in accordance with this title and the Utah Rules of Civil Procedure.

- (2) After an arbitrator is selected:

- (a) the arbitrator may make a temporary award in accordance with this title and the Utah
Rules of Civil Procedure; and
(b) if the matter is urgent and the arbitrator is not able to act in a timely manner or
provide an adequate remedy, the court may enter a temporary order on a motion by a
party.

- (3)(a) On a motion of a party, before the court confirms a final award, the court under
Section 81-15-115, 81-15-117, or 81-15-118 may confirm, correct, vacate, or amend
a temporary award made under Subsection (2)(a).

- (b) If an arbitrator makes an temporary award in favor of a party to the arbitration
proceeding, the prevailing party may move the court for an expedited order to
confirm the temporary award.

- (c) On a motion described in Subsection (3)(b), the court shall issue an order confirming

the temporary award unless the court vacates, alters, or amends the temporary award under this part.

- (4) On a motion of a party, the court may enforce a subpoena or interim award issued by an arbitrator for the fair and expeditious disposition of the arbitration.

Section 11. Section **81-15-111** is enacted to read:

81-15-111 . Protection of party or child.

- (1) As used in this section, "protection order" means an injunction or other order:
- (a) issued under the domestic violence, family violence, or stalking laws of the issuing jurisdiction; and
- (b) to prevent an individual from engaging in a violent or threatening act against, harassment of, contact or communication with, or being in physical proximity to another individual who is a party or a minor child under the custodial responsibility of a party.
- (2) If a party is subject to a protection order or an arbitrator determines there is a reasonable basis to believe a party's safety or ability to participate effectively in arbitration is at risk, the arbitrator shall stay the arbitration and refer the parties to court.
- (3) The arbitration may not proceed unless the party at risk affirms the arbitration agreement in a record and the court determines:
- (a) the affirmation is informed and voluntary;
- (b) arbitration is not inconsistent with the protection order; and
- (c) reasonable procedures are in place to protect the party from risk of harm, harassment, or intimidation.
- (4) If an arbitrator determines that there is a reasonable basis to believe a minor child who is the subject of a child-related dispute is abused or neglected, the arbitrator shall terminate the arbitration of the child-related dispute and report the abuse or neglect to the Division of Child and Family Services.
- (5) An arbitrator may make a temporary award to protect a party or a minor child from harm, harassment, or intimidation.
- (6) On a motion of a party, the court may stay arbitration and review a determination or temporary award under this section.
- (7) This section supplements remedies available under a law of this state, other than this chapter, for the protection of victims of domestic violence, family violence, stalking, harassment, or similar abuse.

Section 12. Section **81-15-112** is enacted to read:

81-15-112 . Powers and duties of arbitrator.

- (1)(a) An arbitrator shall conduct an arbitration in a manner the arbitrator considers appropriate for a fair and expeditious disposition of the dispute.
- (b) An arbitrator may conduct an arbitration remotely by electronic means.
- (2) An arbitrator shall provide each party a right to:
- (a) be heard;
- (b) present evidence material to the family law dispute; and
- (c) cross-examine witnesses.
- (3) Unless the parties otherwise agree in a record, an arbitrator's powers include the power to:
- (a) select the rules for conducting the arbitration;
- (b) hold conferences with the parties before a hearing;
- (c) determine the date, time, and place of a hearing;
- (d) require a party to provide:
- (i) a copy of a relevant court order;
- (ii) information required to be disclosed in a family law proceeding under a law of this state, other than this chapter; and
- (iii) a proposed award that addresses each issue in arbitration;
- (e) meet with or interview a minor child who is the subject of a child-related dispute;
- (f) appoint a private expert at the expense of the parties;
- (g) administer an oath or affirmation and issue a subpoena for the attendance of a witness or the production of documents and other evidence at a hearing;
- (h) compel discovery concerning the family law dispute and determine the date, time, and place of discovery;
- (i) determine the admissibility and weight of evidence;
- (j) permit deposition of a witness for use as evidence at a hearing;
- (k) prohibit a party from disclosing information for good cause;
- (l) appoint an attorney, guardian ad litem, or other representative for a minor child at the expense of the parties;
- (m) impose a procedure to protect a party or minor child from risk of harm, harassment, or intimidation;
- (n) allocate arbitration fees, attorney fees, expert witness fees, and other costs to the parties; and
- (o) impose a sanction on a party for bad faith or misconduct during the arbitration

according to standards governing imposition of a sanction for litigant misconduct in a family law proceeding.

- (4) An arbitrator may not allow ex parte communication except to the extent allowed in a family law proceeding for communication with a judge.

Section 13. Section **81-15-113** is enacted to read:

81-15-113 . Recording of hearing.

- (1) Except as otherwise provided in Subsection (2) or as required by a law of this state other than this chapter, an arbitration hearing does not need to be recorded unless required by the arbitrator, provided by the arbitration agreement, or requested by a party.
- (2) An arbitrator shall request a verbatim recording be made of any part of an arbitration hearing concerning a child-related dispute.

Section 14. Section **81-15-114** is enacted to read:

81-15-114 . Award.

- (1) An arbitrator shall make an award in a record, dated and signed by the arbitrator.
- (2) The arbitrator shall give notice of the award to each party by a method agreed on by the parties or, if the parties have not agreed on a method, under the law and procedural rules of this state, other than this chapter, governing notice in contractual arbitration.
- (3) Except as otherwise provided in Subsection (4), the award under this chapter shall state the reasons on which the award is based unless otherwise agreed by the parties.
- (4) An award determining a child-related dispute shall state the reasons on which the award is based as required by a law of this state, other than this chapter, for a court order in a family law proceeding.
- (5) An award under this chapter is not enforceable as a judgment until confirmed under Section 81-15-115.

Section 15. Section **81-15-115** is enacted to read:

81-15-115 . Confirmation of award.

- (1) After an arbitrator gives notice under Subsection 81-15-114(2) of an award, including an award corrected under Section 81-15-116, a party may move the court for an order confirming the award.
- (2) Except as otherwise provided in Subsection (3), the court shall confirm an award under this chapter if:
- (a) the parties agree in a record to confirmation; or
- (b) the time has expired for making a motion, and no motion is pending, under Section 81-15-117 or 81-15-118.

(3) If an award determines a child-related dispute, the court shall confirm the award under Subsection (2) if the court finds, after a review of the record if necessary, that the award on the award's face:

- (a) complies with Section 81-15-114 and the law of this state, other than this chapter, governing a child-related dispute; and
- (b) is in the best interests of the minor child.

(4) On confirmation, an award under this chapter is enforceable as a judgment.

Section 16. Section **81-15-116** is enacted to read:

81-15-116 . Correction by arbitrator of unconfirmed award.

On a motion of a party that is made no later than 30 days after the day on which an arbitrator gives notice under Subsection 81-15-114(2) of an award, the arbitrator may correct the award:

- (1) if the award has an evident mathematical miscalculation or an evident mistake in the description of a person, thing, or property;
- (2) if the award is imperfect in a matter of form not affecting the merits on the issues submitted; or
- (3) to clarify the award.

Section 17. Section **81-15-117** is enacted to read:

81-15-117 . Correction by court of unconfirmed award.

- (1) On a motion of a party that is made no later than 90 days after the day on which an arbitrator gives notice under Subsection 81-15-114(2) of an award, including an award corrected under Section 81-15-116, the court shall correct the award if:
 - (a) the award has an evident mathematical miscalculation or an evident mistake in the description of a person, thing, or property;
 - (b) the award is imperfect in a matter of form not affecting the merits of the issues submitted; or
 - (c) the arbitrator made an award on a dispute not submitted to the arbitrator and the award may be corrected without affecting the merits of the issues submitted.
- (2) A motion under this section to correct an award may be joined with a motion to vacate or amend the award under Section 81-15-118.
- (3) Unless a motion under Section 81-15-118 is pending, the court may confirm a corrected award under Section 81-15-115.

Section 18. Section **81-15-118** is enacted to read:

81-15-118 . Vacation or amendment by court of unconfirmed award.

- (1) On a motion of a party, the court shall vacate an unconfirmed award if the moving party establishes that:
- (a) the award was procured by corruption, fraud, or other undue means;
 - (b) there was:
 - (i) evident partiality by the arbitrator;
 - (ii) corruption by the arbitrator; or
 - (iii) misconduct by the arbitrator substantially prejudicing the rights of a party;
 - (c) the arbitrator refused to postpone a hearing on showing of sufficient cause for postponement, refused to consider evidence material to the controversy, or otherwise conducted the hearing contrary to Section 81-15-112, so as to prejudice substantially the rights of a party;
 - (d) the arbitrator exceeded the arbitrator's powers;
 - (e) no arbitration agreement exists, unless the moving party participated in the arbitration without making a motion under Section 81-15-106 no later than the beginning of the first arbitration hearing; or
 - (f) the arbitration was conducted without proper notice under Section 81-15-105 of the initiation of arbitration, so as to prejudice substantially the rights of a party.
- (2) Except as otherwise provided in Subsection (3), on a motion of a party, the court shall vacate an unconfirmed award that determines a child-related dispute if the moving party establishes that:
- (a) the award does not comply with Section 81-15-114 or a law of this state, other than this chapter, governing a child-related dispute or is contrary to the best interests of the minor child;
 - (b) the record of the hearing or the statement of reasons in the award is inadequate for the court to review the award; or
 - (c) a ground for vacating the award under Subsection (1) exists.
- (3) If an award is subject to vacation under Subsection (2)(a), on a motion of a party, the court may amend the award if amending rather than vacating is in the best interests of the minor child.
- (4) The court shall determine a motion under Subsection (2) or (3) based on the record of the arbitration hearing and facts occurring after the hearing.
- (5) A motion under this section to vacate or amend an award shall be filed no later than 90 days after the day on which:
- (a) an arbitrator gives the party filing the motion notice of the award or a corrected

award; or

(b) for a motion under Subsection (1)(a), the ground of corruption, fraud, or other undue means is known or by the exercise of reasonable care should have been known to the party filing the motion.

(6)(a) If the court under this section vacates an award for a reason other than the absence of an enforceable arbitration agreement, the court may order a rehearing before an arbitrator.

(b) If the reason for vacating the award is that the award was procured by corruption, fraud, or other undue means or there was evident partiality, corruption, or misconduct by the arbitrator, the rehearing shall be before another arbitrator.

(7) If the court under this section denies a motion to vacate or amend an award, the court may confirm the award under Section 81-15-115 unless a motion is pending under Section 81-15-117.

Section 19. Section **81-15-119** is enacted to read:

81-15-119 . Clarification of confirmed award.

If the meaning or effect of an award confirmed under Section 81-15-115 is in dispute, the parties may:

- (1) agree to arbitrate the dispute before the original arbitrator or another arbitrator; or
- (2) proceed in court under a law of this state, other than this chapter, governing clarification of a judgment in a family law proceeding.

Section 20. Section **81-15-120** is enacted to read:

81-15-120 . Judgment on award.

- (1) On granting an order confirming, vacating without directing a rehearing, or amending an award under this chapter, the court shall enter judgment in conformity with the order.
- (2) On a motion of a party, the court shall order that a document or part of the arbitration record be sealed or redacted to prevent public disclosure of all or part of the record or award to the extent permitted under a law of this state other than this chapter.

Section 21. Section **81-15-121** is enacted to read:

81-15-121 . Modification of confirmed award or judgment.

If a party requests under a law of this state, other than this chapter, a modification of an award confirmed under Section 81-15-115 or judgment on the award based on a fact occurring after confirmation:

- (1) the parties shall proceed under the dispute-resolution method specified in the award or judgment; or

- (2) if the award or judgment does not specify a dispute-resolution method, the parties may:
(a) agree to arbitrate the modification before the original arbitrator or another arbitrator;
or
(b) absent an agreement under Subsection (2)(a), proceed under a law of this state, other
than this chapter, governing modification of a judgment in a family law proceeding.

Section 22. Section **81-15-122** is enacted to read:

81-15-122 . Enforcement of confirmed award.

- (1) The court shall enforce an award confirmed under Section 81-15-115, including a
temporary award, in the manner and to the same extent as any other order or judgment
of a court.
(2) The court shall enforce an arbitration award in a family law dispute confirmed by a
court in another state in the manner and to the same extent as any other order or
judgment from another state.

Section 23. Section **81-15-123** is enacted to read:

81-15-123 . Appeal.

- (1) An appeal may be taken under this chapter from:
(a) an order denying a motion to compel arbitration;
(b) an order granting a motion to stay arbitration;
(c) an order confirming or denying confirmation of an award;
(d) an order modifying or correcting an award;
(e) an order vacating an award without directing a rehearing; or
(f) a final judgment entered in accordance with this chapter.
(2) An appeal under this section shall be taken as from an order or a judgment in a civil
action.

Section 24. Section **81-15-124** is enacted to read:

81-15-124 . Immunity of arbitrator.

- (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 a law of this
state other than this chapter.
(3) An arbitrator's failure to make a disclosure required by Section 81-15-108 does not
cause the arbitrator to lose immunity under this section.
(4)(a) 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.

(b) This Subsection (4) does not apply:

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

(ii) to a hearing on a motion under Subsection 81-15-118(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) 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 attorney fees, costs, and reasonable expenses of litigation.

Section 25. Section **81-15-125** is enacted to read:

81-15-125 . Uniformity of application and construction.

In applying and construing this chapter, consideration must be given to the need to promote uniformity of the law with respect to this uniform law's subject matter among states that enact this uniform law.

Section 26. Section **81-15-126** is enacted to read:

81-15-126 . Relation to Electronic Signatures in Global and National Commerce Act.

This chapter modifies, limits, or supersedes the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Sec. 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

Section 27. Section **81-15-127** is enacted to read:

81-15-127 . Transitional provision.

(1) This chapter applies to arbitration of a family law dispute under an arbitration agreement made on or after May 7, 2025.

(2) If an arbitration agreement was made before May 7, 2025, the parties may agree in a record that this chapter applies to the arbitration.

Section 28. **Effective Date.**

This bill takes effect on May 7, 2025.