

**78B-6-206 Minimum procedures for arbitration.**

- (1) An award in an arbitration proceeding shall be in writing and, at the discretion of the arbitrator or panel of arbitrators, may state the reasons or otherwise explain the nature or amount of the award.
- (2) The award shall be final and enforceable as any other judgment in a civil action, unless:
  - (a) within 30 days after the filing of the award with the clerk of the court any party files with the clerk of court a demand for a trial de novo upon which the case shall be returned to the trial calendar; or
  - (b) any party files with the arbitrator or panel of arbitrators and serves a copy on all other parties a written request to modify the award on the grounds:
    - (i) there is an evident miscalculation of figures or description of persons or property referred to in the award;
    - (ii) the award does not dispose of all the issues presented to the arbitrator or panel of arbitrators for resolution; or
    - (iii) the award purports to resolve issues not submitted for resolution in the arbitration process.
  - (c) The period for filing a demand for trial de novo is tolled until the arbitrator or panel of arbitrators have acted on the request to modify the award, which must be completed within 30 days of the filing.
- (3) The parties to an arbitration procedure may stipulate that:
  - (a) an award need not be filed with the court, except in those cases where the rights of third parties may be affected by the provisions of the award; and
  - (b) the case is dismissed in which the award was made.
- (4)
  - (a) At any time the parties may enter into a written agreement for referral of the case or of issues in the case to arbitration pursuant to Title 78B, Chapter 11, Utah Uniform Arbitration Act, or the Federal Arbitration Act, 9 U.S.C. Sec. 1 et seq., as the parties shall specify.
  - (b) The court may dismiss the case, or if less than all the issues are referred to arbitration, stay the case for a reasonable period for the parties to complete a private arbitration proceeding.

Renumbered and Amended by Chapter 3, 2008 General Session