

UNIFORM ARBITRATION ACT (EXCERPT)
Act 371 of 2012

***** 691.1688.new THIS NEW SECTION IS EFFECTIVE JULY 1, 2013 *****

691.1688.new Provisional remedies.

Sec. 8. (1) Before an arbitrator is appointed and is authorized and able to act, the court, on motion of a party to an arbitration proceeding and for good cause shown, may enter an order for provisional remedies to protect the effectiveness of the arbitration proceeding to the same extent and under the same conditions as if the controversy were the subject of a civil action.

(2) After an arbitrator is appointed and is authorized and able to act, both of the following apply:

(a) The arbitrator may issue orders for provisional remedies, including interim awards, as the arbitrator finds necessary to protect the effectiveness of the arbitration proceeding and to promote the fair and expeditious resolution of the controversy, to the same extent and under the same conditions as if the controversy were the subject of a civil action.

(b) A party to an arbitration proceeding may move the court for a provisional remedy only if the matter is urgent and the arbitrator is not able to act timely or the arbitrator cannot provide an adequate remedy.

(3) A party does not waive a right of arbitration by making a motion under subsection (1) or (2).

History: 2012, Act 371, Eff. July 1, 2013.