

## 2023 Kansas Statutes

**5-442. Change of award by arbitrator.** (a) On motion to an arbitrator by a party to an arbitration proceeding, the arbitrator may modify or correct an award:

- (1) Upon a ground stated in K.S.A. 5-446(a)(1) or (3), and amendments thereto;
- (2) because the arbitrator has not made a final and definite award upon a claim submitted by the parties to the arbitration proceeding; or
- (3) to clarify the award.

(b) A motion under subsection (a) must be made and notice given to all parties within 20 days after the movant receives notice of the award.

(c) A party to the arbitration proceeding must give notice of any objection to the motion within 10 days after receipt of the notice.

(d) If a motion to the court is pending under K.S.A. 5-444, 5-445 or 5-446, and amendments thereto, the court may submit the claim to the arbitrator to consider whether to modify or correct the award:

- (1) Upon a ground stated in K.S.A. 5-446(a)(1) or (3), and amendments thereto;
- (2) because the arbitrator has not made a final and definite award upon a claim submitted by the parties to the arbitration proceedings; or
- (3) to clarify the award.

(e) An award modified or corrected pursuant to this section is subject to K.S.A. 5-441(a), 5-444, 5-445 and 5-446, and amendments thereto.

**History:** L. 2018, ch. 90, § 20; July 1.