

## 2020 Kansas Statutes

**5-446. Modification or correction of award.** (a) Upon motion made within 90 days after the movant receives notice of the award pursuant to K.S.A. 2020 Supp. 5-441, and amendments thereto, or within 90 days after the movant receives notice of a modified or corrected award pursuant to K.S.A. 2020 Supp. 5-442, and amendments thereto, the court shall modify or correct the award if:

- (1) There was an evident mathematical miscalculation or an evident mistake in the description of a person, thing or property referred to in the award;
- (2) the arbitrator has made an award on a claim not submitted to the arbitrator and the award may be corrected without affecting the merits of the decision upon the claims submitted; or
- (3) the award is imperfect in a matter of form not affecting the merits of the decision on the claims submitted.

(b) If a motion made under subsection (a) is granted, the court shall modify or correct and confirm the award as modified or corrected. Otherwise, unless a motion to vacate is pending, the court shall confirm the award.

(c) A motion to modify or correct an award pursuant to this section may be joined with a motion to vacate the award.

**History:** L. 2018, ch. 90, § 24; July 1.