

Exhibit A
Nolo Supplementary Family Arbitration Rules
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1. Scope and application

Any dispute subject to arbitration pursuant to a prenuptial, postnuptial, living together, marital settlement agreement, couples contract or relationship agreement that refers to these rules shall be governed by the arbitration rules named in the agreement or otherwise by the parties in writing, except that interim and post-judgment matters shall be governed by the following supplementary rules:

2. Interim relief and interim measures

(a) In the case of an arbitration where arbitrators have not yet been appointed, or where the arbitrators are unavailable, a party may seek interim relief directly from a court as provided in subsection (c) of this section. Enforcement shall be granted as provided by the law applicable to the type of interim relief sought.

(b) In all other cases, including cases of modification of interim relief obtained directly from a court prior to commencement of the arbitration or under subsection (a) of this section, a party shall seek interim measures as described in subsection (d) of this section from the arbitrators. A party has no right to seek interim relief from a court, except that a party to an arbitration governed by this Article may request from the court enforcement of the arbitrators' order granting interim measures and review or modification of any interim measures governing child support or child custody.

(c) In connection with an agreement to arbitrate or a pending arbitration, the court may grant under subsection (a) of this section any temporary or *pendente lite* orders a court is permitted by state law to make during the pendency of a family law proceeding, including but not limited to:

- (1) A temporary restraining order or preliminary injunction;
- (2) An order for temporary child custody and visitation while the arbitration is pending or until a judgment may be entered on the arbitration award;
- (3) An order for temporary support of any party or child of the parties while the arbitration is pending or until a judgment may be entered on the arbitration award;
- (4) An order for temporary possession and control of real or personal property of the parties;
- (5) An order for the immediate sale of any asset of the parties;
- (6) An order for payment of debts and obligations of the parties;
- (7) Any other order necessary to ensure preservation or availability of assets or documents, the destruction or absence of which would likely prejudice the conduct or effectiveness of the arbitration.

(d) The arbitrators may, at a party's request, order any party to take any interim measures of protection that the arbitrators consider necessary in respect to the subject matter of the dispute, including interim measures analogous to interim relief specified in subsection (c) of this section. The arbitrators may require any party to provide appropriate security in connection with interim measures.

(e) In considering a request for interim relief or enforcement of interim relief, any finding of fact of the arbitrators in the proceeding shall be binding on the court, including any finding regarding the probable validity of the claim that is the subject of the interim relief sought or granted, except that the court may review any findings of fact or modify any interim measures governing child support or child custody.

(f) Where the arbitrators have not ruled on an objection to their jurisdiction, the findings of the arbitrators shall not be binding on the court until the court has made an independent finding as to the arbitrators' jurisdiction. If the court rules that the arbitrators do not have jurisdiction, the application for interim relief shall be denied.

(g) Availability of interim relief or interim measures under this section may be limited by the parties' prior written agreement, except for relief whose purpose is to provide immediate, emergency relief or protection, or relief directly related to the welfare of a child.

(h) Arbitrators who have cause to suspect that any child is abused or neglected shall report the case of that child to the appropriate child protection authorities of the county where the child resides or, if the child resides out-of-state, of the county where the arbitration is conducted.

(i) A party seeking interim measures, or any other proceeding before the arbitrators, shall proceed in accordance with the agreement to arbitrate. If the agreement to arbitrate does not provide for a method of seeking interim measures, or for other proceedings before the arbitrators, the party shall request interim measures or a hearing by notifying the arbitrators and all other parties of the request. The arbitrators shall notify the parties of the date, time, and place of the hearing.

3. Post-judgment modification and other relief

(a) In the case of any dispute which may arise after the conclusion of the original arbitration proceedings or after a court has entered a judgment between the parties, requests for modification or set-aside of any matter subject to post-judgment modification or set-aside under the California Family Code or Code of Civil Procedure, shall be subject to arbitration to the extent and in the same manner and to the same extent as the arbitration of a prejudgment dispute between the parties.

(b) Where arbitrators have not yet been appointed, or where the arbitrators are unavailable, a party may seek post-judgment modification relief directly from a court as provided in subsection (d) of this section. Enforcement shall be granted as provided by the law applicable to the type of post-judgment relief sought. A party may not seek directly from a court a set-aside of a judgment based on an arbitration award under California Family Code §§ 2120-2129 or any similar statute or rule. The arbitrators shall have exclusive jurisdiction over such matters, except that a party to an arbitration governed by this Article may request from the court enforcement of the arbitrators' order granting such post-judgment measures.

(c) In all other cases a party shall seek post-judgment measures as described in subsection (e) of this section from the arbitrators. A party has no right to seek post-judgment relief from a court, except that a party to an arbitration governed by this Article may request from the court enforcement of the arbitrators' order granting post-judgment measures and review or modification of any post-judgment measures governing child support or child custody.

(d) In connection with an agreement to arbitrate or a pending arbitration, the court may grant under subsection (b) of this section any orders a court is permitted by state law to make upon a showing of changed circumstances after entry of judgment in a family law proceeding, including but not limited to:

- (1) A restraining order or injunction;
- (2) An order for modification of child custody and visitation;
- (3) An order for modification of support of any party or child of the parties after judgment;
- (4) Any other order necessary to ensure preservation or availability of assets or documents, the destruction or absence of which would likely prejudice the conduct or effectiveness of the arbitration.

(e) The arbitrators may, at a party's request, make any post-judgment orders the arbitrators consider necessary in respect to the subject matter of the dispute, including post-judgment measures analogous to post-judgment relief specified in subsection (d) of this section. The arbitrators may require any party to provide appropriate security in connection with post-judgment measures.

(f) In considering a request for post-judgment relief or enforcement of post-judgment relief, any finding of fact of the arbitrators in the proceeding shall be binding on the court, including any finding regarding the probable validity of the claim that is the subject of the post-judgment relief sought or granted, except that the court may review any findings of fact or modify any post-judgment measures governing child support or child custody.

(g) Where the arbitrators have not ruled on an objection to their jurisdiction, the findings of the arbitrators shall not be binding on the court until the court has made an independent finding as to the arbitrators' jurisdiction. If the court rules that the arbitrators do not have jurisdiction, the application for post-judgment relief shall be denied.

(h) Availability of post-judgment relief or post-judgment measures under this section may be limited by the parties' prior written agreement, except for relief whose purpose is to provide immediate, emergency relief or protection, or relief directly related to the welfare of a child.

(i) Arbitrators who have cause to suspect that any child is abused or neglected shall report the case of that child to the appropriate child protection authorities of the county where the child resides or, if the child resides out-of-state, of the county where the arbitration is conducted.

(j) A party seeking post-judgment measures, or any other proceeding before the arbitrators, shall proceed in accordance with the agreement to arbitrate. If the agreement to arbitrate does not provide for a method of seeking post-judgment measures, or for other proceedings before the arbitrators, the party shall request post-judgment measures or a hearing by notifying the arbitrators and all other parties of the request. The arbitrators shall notify the parties of the date, time, and place of the hearing.