

You Compelled Arbitration and the Plaintiff Refuses: Now What?, Bloomberg Law, author Jennifer E. Newcomb, Esq., June 21, 2022

Plaintiffs sometimes ignore contracts to arbitrate disputes, even in instances when they are under court order to do so. Sometimes a delay poses no problem for defendants; other times, justice delayed will be justice denied, says Kaufman Dolowich & Voluck LLP's Jennifer E. Newcomb. She offers advice on how to advance the ball.

Despite both sides of a contract agreeing to arbitrate their disputes, many plaintiffs choose to ignore their agreement and will instead file their claims in civil court. This forces the defendant to file a motion seeking to compel arbitration. But what happens when the defendant is successful in compelling arbitration and the plaintiff still refuses to initiate it? After all, it is (and should be) the plaintiff's burden to commence an arbitration and pay for the filing fees. [Read or listen to full article here](#)

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