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Waiving and Reviving the Right to Arbitrate

Compelling arbitration is often of significant importance to one of the parties to a dispute. It is surprising, therefore, how often a party will unintentionally abandon a right that it was so intent on securing when the contract was first negotiated.

Federal courts and most state courts favor the enforcement of agreements to arbitrate.

Notwithstanding this preference, however, arbitration will not be ordered where the party seeking arbitration has, through its actions, effectively waived that right.

Waiver most typically occurs when a defendant responds to a proceeding by continuing to litigate in court [READ MORE](#)



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