

**Superior Court Administrative Directive 25–1:
Requesting Judicial Relief under the Uniform Arbitration Act, G. L. c. 251**

Pursuant to G. L. c. 221, § 87 and S.J.C. Rule 1:12, the Superior Court hereby promulgates Administrative Directive 25–1: Requesting Judicial Relief under the Uniform Arbitration Act, G. L. c. 251.

Chapter 251, which governs arbitration agreements, allows a party to “apply” for a court order to compel or stay arbitration, or to confirm, vacate, or modify an arbitration award, among other things. G. L. c. 251, §§ 2, 2A, 3, 11, 12, and 13. The statute provides that applications for judicial relief “shall be by motion,” G. L. c. 251, § 15, rather than by trial. See Uniform Arbitration Act (2000) Comment to § 5 (explaining that requests for judicial relief under both the Uniform Arbitration Act and the Federal Arbitration Act “generally are conducted by motion practice and are not subject to the delays of a civil trial”). The Uniform Arbitration Act, on which Chapter 251 is based, relies on local law for initiating an arbitration action in court if no such action is already pending between the parties. See id. (“in some States there may be different means of initiating arbitration actions, such as filing a petition or a complaint, instead of or along with a motion or application”).

Under Massachusetts procedure, “[a] civil action is commenced by (1) mailing to the clerk of the proper court by certified or registered mail a complaint and an entry fee prescribed by law, (2) filing such complaint and an entry fee with such clerk, or (3) submitting the complaint to the court through the court’s electronic filing system accompanied by electronic payment of the entry fee pursuant to the Massachusetts Rules of Electronic Filing.” Mass. R. Civ. P. 3. Accordingly, if no such civil action is already pending between the parties, a party seeking relief under Chapter 251 must file and serve a complaint requesting the relief sought, under Mass. R. Civ. P. 3 and 4 (using Codes E05 or E99, as appropriate, on the Civil Action Cover Sheet). After the complaint has been served and any answer or motion to dismiss has been filed, or the time for doing so has expired, and the matter remains unresolved, a motion may be filed consistent with Superior Court Rules 9C and 9A seeking relief under Chapter 251. If a civil action concerning an arbitration agreement is already pending between the parties,

a party seeking relief under Chapter 251 must file a motion in the pending action, serve it under Mass. R. Civ. P. 5, and comply with Superior Court Rules 9C and 9A. This procedure comports with the purpose of Chapter 251 to allow the court to resolve requests for judicial relief by motion instead of by trial.

M. D. Ricciuti, CJ

Michael D. Ricciuti
Chief Justice
Superior Court

Effective: September 2, 2025

