

## Article - Courts and Judicial Proceedings

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§3-2B-06.

(a) Unless the arbitration agreement provides otherwise, the arbitral tribunal in an international commercial arbitration in this State may, at the request of a party and after an opportunity for any other party to the arbitration agreement to be heard, order any party to post security or countersecurity in a form satisfactory to the arbitral tribunal in an amount not to exceed the amount of that party's claim, cross-claim, or counterclaim (excluding attorneys' fees) if:

(1) The party to be required to post security or countersecurity resides in a country that has not ratified and adopted the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards and does not have sufficient assets in the United States to satisfy the amount of the claim or counterclaim; or

(2) The arbitral tribunal otherwise determines that there is good cause to require security or countersecurity.

(b) (1) On motion of a party to a circuit court to vacate or modify an order for security or countersecurity, a hearing shall be held promptly.

(2) Unless the party required to post security or countersecurity establishes that an order for security or countersecurity is an abuse of discretion by the arbitral tribunal, the courts of this State shall enforce orders for security or countersecurity.

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