



Understanding Arbitration

Arbitration is a private alternative to a courtroom trial. Instead of waiting for a judge's calendar, you and your opposing party agree to have a neutral arbitrator, usually an experienced family law attorney or retired judge, hear the evidence and decide the issues you could not resolve on your own. In Georgia, arbitration is governed by the Georgia Arbitration Code, and the arbitrator's decision is typically binding.

How the process works

- 1 Agree to arbitrate.** Both parties must agree to arbitrate rather than going to court.
- 2 Choose the arbitrator.** The attorneys agree on a qualified neutral. The arbitrator's fees are usually split between the parties.
- 3 Exchange information.** Financial disclosures, documents, and any other discovery are shared before the hearing.
- 5 The hearing.** A private session, often held remotely, where testimony and evidence are presented. It is less formal than court but just as important and effectively the same process.
- 6 The award.** The arbitrator issues a written decision. It is submitted to the court, made part of your final order, and enforceable like any court order.

Why clients choose it

Privacy. Your hearing happens outside a public courtroom.

Scheduling and Location. Dates are set around the parties, not a crowded court docket. Location can be more convenient or virtual.

Expertise. Your decision maker focuses on family law and can give your case dedicated time rather than a judge whose background may be in criminal or some other practice area.

Flexibility. The parties shape the rules, the issues, and the pace.

What to keep in mind

Both parties must agree to arbitrate. Neither can be forced into it without a prior agreement. Once agreed, both parties must participate.

A binding award is final. It can be overturned only on very narrow grounds, such as fraud or an arbitrator exceeding their authority.

Decisions about custody, parenting time, and child support remain subject to the judge's review to confirm they serve your children's best interests.

This guide provides general information about arbitration in Georgia family law matters and is not legal advice about your specific case. Your attorney will explain how arbitration applies to your situation.

YOUR ROLE

Gather requested documents promptly, be fully candid with us, trust our expertise, and treat the hearing like court.

QUESTIONS?

As always, all questions and requests should be directed to the team via email to team@pepitone.law.