

WEIL'S SCOTUS TERM IN REVIEW

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Supreme Court Simplifies Federal Enforcement of Arbitral Awards

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Today, the Supreme Court held that a federal court that has stayed a case to allow for arbitration under the Federal Arbitration Act (FAA) retains jurisdiction over a motion to confirm or vacate the arbitral award. The Court's decision in [Jules v. Andre Balazs Properties](#) clarifies the process that applies following a stay of litigation under the FAA and provides a simple path for defendants to demand arbitration and then enforce an arbitral award.

The FAA allows a party to file a motion in federal district court to compel arbitration or to stay litigation pending the outcome of arbitration, so long as the district court would have jurisdiction over the underlying controversy. After an arbitral award has issued, a party may seek to have the award confirmed or vacated (on limited grounds) in court.

In two prior decisions, the Supreme Court addressed how to assess jurisdiction over FAA motions filed as “freestanding” actions in federal court. In [Vaden v. Discover Bank](#), 556 U.S. 49 (2009), the Court held that where a plaintiff files a lawsuit in federal court for the sole purpose of filing a petition to compel arbitration, the federal court may assess jurisdiction by “looking through” the motion to the parties’ underlying substantive controversy. In [Badgerow v. Walters](#), 596 U.S. 1 (2022), however, the Court held that where a party files a freestanding motion to confirm or vacate an arbitral award, a federal court may *not* “look through” to the underlying substantive controversy to assess jurisdiction, because of differences in the statutory language. A federal court could entertain such a motion only if the plaintiff established an independent, non-FAA basis for jurisdiction (e.g., diversity).

The question presented in *Jules* was whether *Badgerow* likewise required an independent basis for jurisdiction over a motion to confirm or vacate an arbitral award where the motion was filed in an action originally commenced in federal court and stayed pending arbitration.

In a unanimous decision authored by Justice Sotomayor, the Supreme Court held that where a federal court properly exercised jurisdiction over the original proceeding and stayed the proceeding pending arbitration, a party seeking to confirm or vacate the award need not establish an independent basis for federal jurisdiction. Justice Sotomayor explained that, unlike the freestanding motions in *Vaden* and *Badgerow*, assessing jurisdiction over a motion to confirm or vacate in a case originally filed in federal court does not require “looking through” the motion to establish jurisdiction. That is because, unlike in *Vaden* or *Badgerow*, the federal court in *Jules* already had jurisdiction over Jules’s federal claims from the outset of the case, and nothing in the FAA stripped that jurisdiction during the arbitration. Thus, when the parties returned with their competing motions, the district court retained the same jurisdiction it had possessed from the start.

The Court further grounded its holding in the FAA’s structure. As the Court recently held in [*Smith v. Spizzirri*](#), 601 U.S. 472 (2024), the FAA requires a

stay pending arbitration rather than dismissal precisely so that federal courts may supervise the arbitration through to its conclusion, including by “facilitating recovery on an arbitral award.” Depriving the court of jurisdiction to confirm or vacate the resulting arbitral award, the Court reasoned, would keep cases on federal dockets “for essentially no reason at all,” and would force parties who began in federal court to launch fresh state-court proceedings to obtain confirmation or vacatur.

This decision is a helpful and practical one for parties to arbitration agreements. Defendants sued in federal court who successfully stay litigation pending arbitration can now be confident that the same court will have authority to confirm or vacate any resulting arbitral award. Importantly, parties will not need to identify a fresh jurisdictional hook or commence new proceedings in state court. The ruling preserves the FAA’s efficiency objectives and avoids the prospect of duplicative, dual-track proceedings in state and federal court.

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