

**A FEW *CIRCUIT CITY*S BACK, ONE GIANT *LUCE*  
*FORWARD*: A REVIEW OF THE NINTH CIRCUIT'S  
INTERPLAY WITH THE NATIONAL POLICY FAVORING  
ARBITRATION IN THE EMPLOYMENT CONTRACT  
SETTING**

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Arbitration is founded on principles of expediency, economy,

Appeals was unwilling to adhere to the Supreme Court's favorable recognition of arbitration, but in the twenty years since, the Ninth Circuit has wound its way down the road toward conformance with national policy. In a series of cases in 2003, the Ninth Circuit seemingly embraced the national policy, although it has still provided safeguards to ensure that the principles of expediency, economy, and fairness remain.

This Note addresses the Ninth Circuit's response to the national policy favoring arbitration, specifically in the employment contract context. It begins with a discussion of how the Ninth Circuit first relied on state contract law principles to curtail the effectiveness of arbitration. In a recent decision, however, the Ninth Circuit has embraced the founding principles of expediency and economy to welcome the national policy favoring arbitration. This Note closes with a discussion of the guiding principles established by the Ninth Circuit in its most recent decisions concerning arbitration clauses in employment contracts. Employment contract drafters in the Ninth Circuit now must find a reasonably precise balance between the economic benefits of arbitration and individual rights, which requires that they be mindful of state contract law.