

LOCAL CIVIL RULE 66

SMALL CLAIMS

(a) Filing. Small Claims shall be filed by the Plaintiff in person on a form provided by the Court.

(b) Mediation. Every Small Claim, except a claim based upon default in an agreement made during a Small Claim mediation conference, shall be set for a mandatory mediation conference before trial. The Notice of Claim shall give the date, time, and place of the conference and shall advise the defendant that:

- (1) Attendance is mandatory;
- (2) Defendant's failure to attend may result in entry of a default judgment; and
- (3) Plaintiff's failure to attend may result in dismissal of the case.

(c) Informational Brochure. A brochure with information about the mediation process provided by the court shall be served with the Notice of Claim.

(d) Proof of Service. Unless good cause is shown, Plaintiff's failure to provide proof of service at the time of the mediation conference will cause the court to dismiss the claim.

(e)(1) Defendant. When a party against whom a judgment is sought fails to appear at the time and location specified in the notice issued pursuant to RCW 12.40.060, a default judgment may be entered upon proof of valid service and venue.

(e)(2) Plaintiff. When a plaintiff fails to appear at the time and place specified in the notice issued pursuant to RCW 12.40.060, the plaintiff's claim may be dismissed.

(e)(3) Motion to Vacate Default Judgments. A motion to vacate a Small Claims Default Judgment shall be governed by CRLJ559(c).

(e)(4) Reconsideration/New Trial. There is no provision for a Motion for Reconsideration and/or New Trial following a Small Claim trial.

(f)(1) Settlement. All settlements of Small Claims pursuant to mandatory mediation under Yakima County Local Court Rule L-CRLJ 66(b) shall be placed on the record and may be incorporated into a Small Claim judgment. If the settlement is not incorporated into a judgment, the case may be dismissed. Any action to enforce a settlement reached pursuant to mandatory mediation, which was not incorporated into a Small Claims judgment, shall require the filing of a new Small Claims action.