

## 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.