

PIERCE COUNTY DISTRICT COURT

SMALL CLAIMS MEDIATION INFORMATION

In an effort to educate the public on the law, help them better prepare their case, foster amicable settlement and allow clerks to predict the length of cases, Pierce County District Court has commenced a Small Claims Mediation Service.

Your case must complete mediation before it will be set for trial. The Mediator is an impartial third party who is a member of the Pierce County Center for Dispute Resolution. The Mediator will hear both sides of the case. At the time stated, you must bring any documents you may need to prove your case or defense (i.e. contracts, rental agreement, damages, estimates, statements, invoices, etc.). **No witnesses are allowed at the mediation hearing.**

Defendants: If you feel the plaintiff owes you money, you may file a counterclaim against the plaintiff. A counterclaim must be filed with the Court and served upon the plaintiff. The filing fee for the counterclaim is \$29.00, payable by cash, VISA or MASTERCARD. Forms are available at the counter. **Defendant Corporations:** Your representative is required to submit the corporate authority to the clerk at the mediation hearing, in order to represent your company at all proceedings.

Plaintiff/Defendant Business Owners: Be advised that if you are a sole proprietor of a business, your presence is required at all proceedings.

Both plaintiff and defendant have the right to legal counsel. However, an attorney cannot represent either party at any small claim hearing or trial, unless prior permission is obtained by a judicial officer.

If the date set for your hearing is in conflict with your schedule, you must IMMEDIATELY contact the other party and work out a continuance date. Both parties must notify the court without delay. The Court will make every effort to schedule a new hearing date that is convenient for both parties and will notify each side via mail. If either party does not agree to a continuance, the Court may grant a continuance based upon good cause shown. Each litigant is responsible for advising the Court of any address change.

If an agreement is reached and your case is settled in mediations, the Mediator will prepare a Stipulation that will legally bind the parties to the terms of the agreement. If your case is not settled in mediation, it will be set for trial.

PLEASE BE ON TIME. If the defendant fails to appear for mediation, a judgment for the amount claimed may be granted. If defendant appears and plaintiff fails to appear, the case may be dismissed.