

CHELAN COUNTY DISTRICT COURT

LOCAL RULES

SMALL CLAIMS RULES (LSCRLJ)

LSCRLJ 1 – FILING FORM OF PLEADINGS

LSCRLJ 2 – PRETRIAL HEARING

LSCRLJ 3 – CONTINUANCE OF PRE-TRIAL HEARING

LSCRLJ 4 – MEDIATION

LSCRLJ 5 – FAILURE TO APPEAR

LSCRLJ 6 – EVIDENCE

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LSCRLJ 8 – REMOVING TO CIVIL STATUS

LCRLJ 9 – REMOVAL OF SMALL CLAIM TO CIVIL STATUS

LSCRLJ 1 – PRETRIAL HEARING

Upon the filing of a Small Claim case, a Pre-Trial Hearing shall be set. The notice of Pre-Trial Hearing shall be served with the Notice of Small Claim. Both parties must attend the Pre-Trial Hearing. Parties shall bring three copies of their evidence to the hearing. No witnesses will be allowed. At the Pre-Trial Hearing, dates for the mandatory Mediation will be set. Failure to bring copies of evidence as noted above to the hearing may result in the Pre-Trial hearing being continued.

[Effective September 1, 2024]

LSCRLJ 2 – CONTINUANCE OF PRE-TRIAL HEARING

If a party is seeking a continuance of a Pre-Trial hearing, they shall make a written motion for continuance, which must be served on the opposing party and filed with the court at least five days prior to the hearing date. The motion must state the reasons for the continuance request. The motion to continue must include information about whether the opposing party has agreed to the request to continue. The Judicial Officer will consider if good cause exists to continue the matter and will notify the parties.

[Effective September 1, 2024]

LSCRLJ 3 – MEDIATION

Mediation is mandatory before a trial is allowed. The court will set the date for mediation at the time of the pre-trial hearing. Both parties must attend the mediation, unless excused by the court. If the plaintiff fails to appear, a dismissal will be entered. If the defendant fails to appear, their answer, if one was filed, will be stricken. The court may choose to hear the case that day, or reset to another day, for a prima facie hearing. At that prima facie hearing, the court will consider if sufficient evidence has been submitted to support the case. No notice is required to the defendant. Parties must bring their evidence to the mediation. No witnesses will be allowed at the mediation. Attorneys and paralegals may not represent parties at mediation.

The purpose of mediation is to settle the case if possible. If no settlement is made at mediation, the case will proceed to trial. If, after mediation, they have not resolved the case, the mediator or parties shall inform the court of this. After being notified that a resolution through mediation was not successful, the clerk will set a trial hearing for the case.

If the parties have already submitted the case to another type of mediation or arbitration service, the case may proceed directly to trial, at the court's discretion.

[Effective September 1, 2024]

LSCRLJ 4 – FAILURE TO APPEAR

A failure to appear by the Plaintiff for a Pre-Trial, Mediation, or Trial hearing will result in a dismissal of the claim. A failure to appear by the Defendant for a Pre-Trial, Mediation, or Trial hearing will result in dismissal of their claim or counter claim and may result in a default judgement for the Plaintiff as noted in LSCRLJ 3.

[Effective September 1, 2024]

LSCRLJ 5 – EVIDENCE

1. It is the party's responsibility to ensure that exhibits are properly filed with the Court. It is the party's responsibility to remove any sensitive or confidential information, i.e. social security numbers, birth dates, account numbers, etc.
2. Evidence shall be exchanged by the parties at the Pre-Trial Hearing. If the case is proceeding to Trial, any additional evidence shall be filed with the court and exchanged between the parties at least 5 days prior to Trial.
3. Document filing is limited to 100 TOTAL pages per case, and all documents must be filed on 8½" x 11" paper. DO NOT include binders, page protectors, paper clips, staples, or tabs.

[Effective September 1, 2024]

LSCRLJ 6 - CONTINUANCE OF MEDIATION OR SMALL CLAIM TRIAL

The party requesting the continuance must contact the other party who must also agree to the continuance. If the request to continue is agreed by the parties, both parties must contact the Court in person, by writing, or by telephone. If one party will not agree to the continuance, the party seeking the continuance may make a written motion for continuance. The motion and notice of hearing must be served on the opposing party not less than five days prior to the date set for the small claim trial. At the hearing, the Judicial Officer will make the ruling if the matter will be continued.

If there are less than five days prior to the mediation or trial date to serve the opposing party, the party requesting the continuance may contact the Court to explain the circumstances which require the mediation or trial to be continued. The matter may be continued by the Court upon showing of good cause.

[Effective September 1, 2024]

LSCRLJ 7 – REMOVING TO CIVIL STATUS

LCRLJ 1 applies to Removal of Small Claim to Civil Status

[Effective September 1, 2024]

LCRLJ 8 – REMOVAL OF SMALL CLAIM TO CIVIL STATUS

1. Cross-claim or counter-claim: Defendant or Counsel may file a Summons and Complaint by paying the filing fee and move the Court to request to consolidate the Small Claim action to a Civil action under the District Court Civil number. A date will be set and both parties notified.

2. Other: In a case where there will be no cross-claim or counter-claim, the defendant or defense counsel shall file a motion asking that the matter be moved to the District Court Civil department. If the motion is granted, the defendant or Defense Counsel must, within fourteen (14) days of the granting of the motion, file an appearance and answer on behalf of the defendant(s) and pay the filing. The Small Claim action will then be transferred to the Civil docket and will proceed as a Civil case from thereon. If the defendant fails to so file or pay, the order transferring the matter to the District Court Calendar shall be vacated and the matter rescheduled as a small claim.

[Effective September 1, 2024]