LCR 65
Small Claims

(a) Filing. Small Claims cases shall be filed on a form approved by the Court. [Adopted effective September 1, 1999; Amended effective July 1, 2007.]

(b) Mediation Mandatory. Mediation is mandatory before a trial is allowed. A date for mediation will be set on or after the return calendar. All parties must attend the mediation. If the plaintiff fails to appear, a dismissal will be entered. If the defendant fails to appear, defendant's answer will be stricken and a default judgement entered. Parties must bring their evidence to the mediation, however, no witnesses are allowed. The purpose of mediation is to provide the parties an opportunity to settle the case if possible without a trial; if no settlement is made after mediation, the court will set a trial date. Attorneys and paralegals may not represent parties at mediation. If the parties have already submitted the case to another type of mediation or arbitration service, or if the court finds good cause to waive mediation, the case may proceed directly to trial. [Adopted effective July 1, 2007.]

(c) Continuance of Mediation and Trial of Small Claim Cases. Any party requesting a continuance of a scheduled mediation session or small claim case must contact the court in writing and explain the circumstances which may require the mediation session or trial to be continued to another date and time. If all parties agree to a continuance, the court will grant the request. If all parties do not agree, the case may be continued by the Court upon a showing of good cause for a continuance. If the request is not granted by the court, the mediation and trial will proceed as currently scheduled. The Court, upon its own motion, may continue a trial for any reason. [Adopted effective July 1, 2007.]