

**UPPER KITTITAS COUNTY DISTRICT COURT, STATE OF WASHINGTON  
SMALL CLAIMS NOTICE OF CLAIM**

**\*\*PRINT CLEARLY\*\***

CASE NUMBER \_\_\_\_\_

**PLAINTIFF**

**DEFENDANT**

Name:	Name:
Street:	Street:
City/State/Zip:	City/State/Zip:
Phone:	Phone:

**TO THE DEFENDANT –**

You are hereby notified that Plaintiff has filed a claim for money against you in this court. The reasons for the claim and the amount of the claim are stated below.

Defendant is directed and required to appear personally in the Small Claims Department of the Upper Kittitas County District Court located at **700 East 1<sup>st</sup> Street, Cle Elum, WA** on \_\_\_\_\_ at 10:00 a.m. to respond to the claim and attend mandatory Mediation with a Dispute Resolution Center representative.

If Defendant fails to appear, either at mediation hearing or subsequent trial, judgment will be entered against defendant for the amount of claim.

**STATEMENT OF CLAIM**

The Reason(s) I Claim The Defendant Owes Me Money	Itemized List Of Amount(s) The Defendant Owes Me		
<input type="checkbox"/> Claim by <input type="checkbox"/> Landlord <input type="checkbox"/> Tenant <input type="checkbox"/> Vehicle Claim <input type="checkbox"/> Vehicle was not properly repaired <input type="checkbox"/> Vehicle was repaired but not paid <input type="checkbox"/> Vehicle was damaged <input type="checkbox"/> Purchase/sale of vehicle <input type="checkbox"/> Services Claim <input type="checkbox"/> Services not properly performed <input type="checkbox"/> Services performed but not paid <input type="checkbox"/> Loan Was Not Re-Paid <input type="checkbox"/> The Item I Purchased Does Not Work <input type="checkbox"/> My Property Was Damaged <input type="checkbox"/> I Was Injured <input type="checkbox"/> Business Transaction <input type="checkbox"/> Other (Describe)–	Date Owed	Amount	Description of Amount Owed
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	

Total amount of money I claim Defendant(s) owes me is – \$ \_\_\_\_\_ ← This amount may not exceed the amounts below –

The total amount of money Plaintiff seeks may not exceed \$5,000 if Plaintiff is a corporation, HOA, partnership or other legal entity.  
 The total amount of money Plaintiff seeks may not exceed \$10,000 if Plaintiff is bringing the claim on behalf of Plaintiff personally.

**TO THE PLAINTIFF –**

Plaintiff is responsible for having Defendant served with a copy of this claim and the court clerk cannot assist with service. If Plaintiff fails to appear, either at mediation hearing or subsequent trial, Plaintiff’s claim will be dismissed by the Court.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATE and PLACE: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s) Signature

# NOTICE TO PLAINTIFF AND DEFENDANT

## CONTINUANCES OF THE TRIAL DATE

- Continuances will be only granted for good cause.
- All requests for continuances of the mediation hearing or trial date must be in writing, filed with the court, and served on all other parties.
- The party requesting the continuance must appear in court on the date of the mediation hearing or trial, unless notified in writing by the court that the mediation hearing or trial date has been rescheduled.
- Either party may appear and request a continuance in court on the date of the mediation hearing or trial.
- If Defendant has not been served with a copy of the claim prior to the mediation hearing or trial date, Plaintiff may request a continuance on the date of the mediation hearing or trial by appearing in court, on the record, at the time set.

## FAILURE TO APPEAR

- If Plaintiff fails to appear at the date and time set for either mediation hearing or trial, the case will be dismissed without prejudice. If Plaintiff thereafter wants to pursue the claim, the claim must be re-filed, and the filing fee must be re-paid.
- If Defendant, who has been properly served with a copy of the Notice of Claim, fails to appear at the date and time set for mediation hearing or trial, and Plaintiff appears, the Court will enter a judgment by default for the amount requested on the Notice of Claim, plus the filing fee and costs.
- Prior to a default judgment being entered against Defendant, Plaintiff must complete a Declaration of Non-Military Service stating that Defendant is not a service member in military service nor a dependent of a service member in military service. See 50 U.S.C. §501 *et seq.* and RCW 38.42.

## MANDATORY MEDIATION

- Trained mediators from the Dispute Resolution Center of Kittitas/Yakima County (DRC) will be present to provide mediation hearing services at no cost to either party.
- Mediation is mandatory. All parties will be required to attempt to reach a settlement on the scheduled date. If you are not able to reach a settlement, your case will be set for trial and you will be given notice of the trial date.
- The DRC provides confidential mediation services, with the goal of reaching an agreed settlement of the claim. The DRC is very successful in resolving these types of cases.
- You do not lose any legal rights, nor do you give up your trial date, by attempting mediation prior to trial.

## TRIAL

- If you want to show any documents or photographs to the judge as evidence, you must provide a copy for the other party. Failure to provide copies at the time of the trial may result in your case being reset to another date.
- If you want the judge to consider images, you must print them. The judge will not consider images stored on a device such as a telephone, camera or lap top, because it cannot be made part of the court record.
- If you want the judge to look at a video recording, you must provide a device in court to display the video, and you must have a copy of the video that can be kept in the court record.
- Most small claims trials take approximately 30 minutes. If the judge determines that your case will take significantly longer, your case may be rescheduled to another date when more time is available.
- Occasionally, small claims cases cannot be completed in the time available, for a variety of reasons, which may result in your case being rescheduled to another date.