



TO THE PARTIES – SMALL CLAIMS – READ THIS FIRST

1. The defendant is entitled to be served with the Notice of Small Claim at least 10 days before the hearing date. If this has not occurred, the defendant may:
 - a. File a written request for a continuance with the court;
 - b. Appear in court on the hearing date, waive the right to service at least 10 days before the hearing and proceed with the hearing; or
 - c. Appear in court on the hearing date and request a continuance.
2. Both the plaintiff and defendant must appear on the hearing date listed on the Notice of Small Claim. Parties are allowed to appear either in person, by telephone, or by video.
3. All records you intend to use when presenting your case must be marked with the court's exhibit stickers. A complete set of exhibits must be provided to the other side at least 3 business days prior to the hearing. You may provide the exhibits by mail or electronically. **A complete set of exhibits for the judge must be delivered to the court, at least 3 business days prior to the hearing.** The judge's copies may be provided in hard copy or electronically.
4. If the defendant fails to appear and has been properly served, the judge may enter a default judgment for the amount requested on the Notice of Small Claim. If the plaintiff fails to appear, the judge will dismiss the case.
5. If the defendant has a claim against the plaintiff, they may file a Counterclaim by completing a Notice of Counterclaim, paying the filing fee of \$35.00 (\$45.00 if filed by mail) and serving the plaintiff. The Notice of Counterclaim must be served upon the plaintiff before the hearing date.
6. After the judge has heard both sides, the court will decide the case by either dismissing the claim(s), granting a judgment or taking the decision under advisement and entering a written decision (generally within 1 week).
7. If a judgment is granted, it will immediately be certified to the civil docket and a certified copy of the judgment will be provided to the prevailing party at no additional cost. Payment of the judgment shall be made directly to the prevailing party.
8. Upon payment in full, the prevailing party must complete a Satisfaction of Judgment and file it with the court clerk.
9. **A more detailed description of Small Claims Procedures is available from the Clerk of the District Court or by visiting: <https://www.sanjuancountywa.gov/247/Small-Claims>.**