

1 **Rule 10-1-305. Mediation in small claim appeals.**

2 Intent:

3 To establish policy regarding mediation of appeals in small claim cases.

4 Applicability:

5 This rule shall apply to the Third District Court.

6 Statement of the Rule:

7 (1) For appeals filed in locations where a program for mediating small claims
8 appeals exists, the parties are required to mediate the dispute prior to the case being
9 scheduled for pretrial or trial.

10 (2) A certificate from the mediator confirming the completion of good faith mediation
11 by all parties must appear in the file.

12 (3) If any of the parties fail to complete good faith mediation, the court may impose
13 sanctions including the assessment of costs and expenses, the striking of pleadings, the
14 granting of default and/or the dismissal of the appeal and remand to the original small
15 claims court.

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