

1 **Rule 1. General provisions.**
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3 (a) These rules constitute the simplified rules of procedure and evidence in small claims cases
4 required by the Utah Code and shall be referred to as the Rules of Small Claims Procedure. They
5 are to be interpreted to carry out the statutory purpose of small claims cases, dispensing speedy
6 justice between the parties.
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8 (b) These rules apply to the initial trial and any appeal under Rule 12 ~~of all actions pursued as a~~
9 ~~small claims action.~~ These rules do not apply to an action transferred from justice court to the
10 general civil calendar of the district court, except as set out in Rule 12.
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12 (c) If the Supreme Court has approved a form for use in small claims actions, parties must file
13 documents substantially similar in form to the approved form.
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15 (d) By presenting a document, a party is certifying that to the best of the party's knowledge it is
16 not being presented for an improper purpose and the legal and factual contentions are made in
17 good faith. If the court determines that this certification has been violated, the court may impose
18 an appropriate sanction upon the attorney or party.
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20 Committee Note:

21 In *Simler v. Chilel*, 2016 UT 23, the Utah Supreme Court concluded that “the Utah Constitution
22 guarantees the right to a jury trial in a small claims trial de novo.” By electing to file a complaint
23 seeking a low damages award in district court, plaintiffs have always been able to obtain a jury
24 trial, but defendants have had no corresponding option. These rules have been revised to include
25 a mechanism for defendants to transfer their cases from justice court to the district court where a
26 jury trial is available in the first instance pursuant to the Utah Rules of Civil Procedure. These
27 rules now also provide a right to a jury trial in de novo appeals to the district court of a judgment
28 in a small claims action tried without a jury.