

## SMALL CLAIMS PRETRIAL PROCEDURE

When a party files a new small claims case in the Lehi Justice Court, the parties will be given a date and time to appear for a pretrial conference. The small claims trial will NOT be held on this date. The case will be placed on a calendar with other cases, scheduled at the same time. However, because trials will not be scheduled at that time (only pretrial conferences) you should not have to wait too long for your case to be called. If the Plaintiff fails to appear for the pretrial conference, the case will be dismissed without prejudice (meaning it can be re-filed). If the Defendant does not appear the Plaintiff may be entitled to a default judgement. (It is the Plaintiff's responsibility to ensure the Defendant is properly served with a copy of the Affidavit and Summons as well as this Small Claims Mediation Program form, and to submit the Military Service Affidavit.) If both parties appear, the parties will be directed to mediation.

## FEE SCHEDULE

### SMALL CLAIMS

|   |           |        |
|---|-----------|--------|
| \$2,000 OR LESS                             | (1)(C)(i) | 60.00  |
| Greater than \$2,000 and less than \$7,500  |           | 100.00 |
| Greater than \$7,500 and less than \$11,000 |           | 185.00 |

### SMALL CLAIMS COUNTER AFFIDAVIT

|   |           |        |
|---|-----------|--------|
| \$2,000 or less                             | (1)(e)(i) | 50.00  |
| Greater than \$2,000 and less than \$7,500  |           | 70.00  |
| Greater than \$7,500 and less than \$10,000 |           | 120.00 |

|   |           |        |
|---|-----------|--------|
| Trial De Novo<br>NOTE: An additional \$10 fee is payable to the Justice Court at the time the small claims notice of appeal is filed.<br>(78A-8-105(4)) | (1)(g)(i) | 225.00 |
|---|-----------|--------|

|                        |        |       |
|------------------------|--------|-------|
| GARNISHMENT-COURT      | (1)(v) | 50.00 |
| GARNISHMENT-GARNISHEE  |        |       |
| One time Garnishment   |        | 10.00 |
| Continuing Garnishment |        | 25.00 |