

30 **procedures.**

31 (1) A small claims action is a civil action:

32 (a) for the recovery of money where:

33 (i) the amount claimed does not exceed \$10,000 including attorney fees but exclusive
34 of court costs and interest; and

35 (ii) the defendant resides or the action of indebtedness was incurred within the
36 jurisdiction of the court in which the action is to be maintained; or

37 (b) involving interpleader under Rule 22 of the Utah Rules of Civil Procedure, in
38 which the amount claimed does not exceed \$10,000 including attorney fees but exclusive of
39 court costs and interest.

40 (2) (a) A defendant in an action filed in the district court that meets the requirement of
41 Subsection (1)(a)(i) may remove, if agreed to by the plaintiff, the action to a small claims court
42 within the same district by:

43 (i) giving notice, including the small claims filing number, to the district court of
44 removal during the time afforded for a responsive pleading; and

45 (ii) paying the applicable small claims filing fee.

46 (b) No filing fee may be charged to a plaintiff to appeal a judgment on an action
47 removed under Subsection (2)(a) to the district court where the action was originally filed.

48 [~~2~~] (3) The judgment in a small claims action may not exceed \$10,000 including
49 attorney fees but exclusive of court costs and interest.

50 [~~3~~] (4) Counter claims may be maintained in small claims actions if the counter claim
51 arises out of the transaction or occurrence which is the subject matter of the plaintiff's claim. A
52 counter claim may not be raised for the first time in the trial de novo of the small claims action.

53 [~~4~~] (5) (a) With or without counsel, persons or corporations may litigate actions on
54 behalf of themselves:

55 (i) in person; or

56 (ii) through authorized employees.

57 (b) A person or corporation may be represented in an action by an individual who is

58 not an employee of the person or corporation and is not licensed to practice law only in
59 accordance with the Utah rules of small claims procedure as promulgated by the Supreme
60 Court.

61 [~~5~~] (6) If a person or corporation other than a municipality or a political subdivision
62 of the state files multiple small claims in any one court, the clerk or judge of the court may
63 remove all but the initial claim from the court's calendar in order to dispose of all other small
64 claims matters. Claims so removed shall be rescheduled as permitted by the court's calendar.

65 [~~6~~] (7) Small claims matters shall be managed in accordance with simplified rules of
66 procedure and evidence promulgated by the Supreme Court.