

# Small Claims = Big Consequences

## Who is using the court?

- “No court shall be secret, but justice shall be administered openly”
- *Sue in the name of the real party in interest.*
- No fiscal impact.

## One Spouse is Enough

- Statute does not address mediation. Counties added requirement.
- Can mean two trips to court- tough for poor people and parents.
- Avoid default when one cannot attend.
- Clarify that one spouse may represent both.
- No fiscal impact.

## Mediators may not “dispense justice.”

- No judge to protect vulnerable against claims professional
  - Creditor represented by professional advocate.
  - Debtor *PROHIBITED* from having professional advocate.
- At mediation, require real party in interest, not pro vs. amateur.
  - Chance to actually negotiate.
  - Fairness.
- No fiscal impact.

## Coordinate with other laws

- Justice Courts – ORS 55.011 *et. seq.*
- ORS 697.045

## 9% interest?