

**KITSAP COUNTY DISTRICT COURT  
STATE OF WASHINGTON**

(1) _____, (2) _____ <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> (1) _____, (2) _____ <p style="text-align: center;">Defendant.</p>	No. _____ <b>SMALL CLAIMS COUNTERCLAIM</b>  ___ <b>AMENDED</b> ___ <b>SECOND AMENDED</b>
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**1. MANDATORY PRETRIAL MEDIATION HEARING**

**NOTICE FROM THE COURT** – All parties shall appear for a mandatory pretrial mediation Zoom virtual hearing scheduled by the Clerk on the Notice Of Court Date (Small Claims). You do not need your witnesses to be present because you will not be appearing before a judge at this hearing.

**2. SMALL CLAIMS INFORMATION**

2.1 **LITIGANT CONFIDENTIAL INFORMATION FORM** – District Court needs information about every party involved in a case so the court can accurately identify the parties and be able to contact them. If you have not already done so, please complete a Litigant Confidential Information Form and provide it to the court. You should also use the form to update information previously provided to the court. The form is available at many locations on the District Court website ([www.kitsap.gov/dc](http://www.kitsap.gov/dc)).

2.2 **IMPORTANT NOTICE** – District Court personnel are not permitted to fill out any forms. District Court personnel are also not authorized to give legal advice. District Court strongly encourages an unrepresented party to seek legal advice from an attorney. If you need help, please review the “*Guide To Website Forms*” on the District Court website.

2.3 **COUNTERCLAIM FOR MONEY FILED** – The Defendant has filed a claim for money against the Plaintiff in Kitsap County District Court as provided in the Statement Of Counterclaim on page 2.

2.4 **ASSISTANCE**. For small claims instructions including how to appear for a Zoom Virtual Hearing, please visit the court website and select the **SMALL CLAIMS** link.

2.5 **SERVICE**. The Defendant is responsible for having each Plaintiff served with a copy of this Small Claims Counterclaim. District Court personnel cannot assist with service.

2.6 **EVIDENCE EXCHANGED AT LEAST 7 DAYS BEFORE HEARING** – Unless a court order prohibits contact, the parties shall serve a copy of all witness declarations and exhibits on the opposing party at least seven (7) days before the pretrial mediation hearing.

2.7 **FAILURE TO APPEAR** – If the Defendant fails to appear as directed, the Defendant’s counterclaim may be dismissed and a Judgment may be entered for the amount claimed by the Plaintiff plus the Plaintiff’s costs of filing and service of the claim. If the Plaintiff fails to appear as directed, the Plaintiff’s claim may be dismissed and a Judgment may be entered for the amount claimed by the Defendant plus the Defendant’s costs of filing and service of the counterclaim. If the claims are settled prior to the hearing date, the parties must notify the Court immediately in writing.

2.8 **HOW TO CONTACT THE COURT** – If you have any questions, you may contact the court by –

- Visiting the court website to chat at [www.kitsap.gov/dc](http://www.kitsap.gov/dc); or
- Telephoning the court at **(360) 337-7109**; or
- Emailing the court at [districtcourt@kitsap.gov](mailto:districtcourt@kitsap.gov).

### **3. DEFENDANT STATEMENT OF COUNTERCLAIM**

3.1 The total amount of money the Plaintiff owes me is – \$ \_\_\_\_\_.

Note – The total amount of money a defendant seeks in a small claims case **may not exceed** –

- **\$5,000** if the defendant is a corporation, HOA, partnership or other legal entity; or
- **\$10,000** if the defendant is bringing the claim on behalf of the defendant personally.

3.2 I have demanded payment and the Plaintiff refuses to pay me.

3.3 My itemized list of the total amount of money the Plaintiff owes me is as follows –

Date Due	Amount Due	Description Of Amount Owed
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

Total Amount Due → \$ \_\_\_\_\_ ← This number must match the total in ¶2.1 above.

3.4 This is my reason for the counterclaim –

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#### **4. CASE INFORMATION COVER SHEET (ARLJ 10)**

Select one category from the following list that best describes your case. If you cannot determine the appropriate category, please select “Other” –

- Automobile Damages.** Complaint involving damage to an automobile.
- Breach of Contract.** Complaint involving monetary dispute where a contract is involved.
- Damage Deposit.** Request for return of a damage deposit.
- Goods and Services.** Money owed for goods and services rendered.
- Lease Agreement.** Money owed on lease agreement.
- Loan.** Money due on a loan.
- NSF Check.** Check written with non-sufficient funds in the account.
- Open Account.** Money due on a revolving account.
- Other.** Used when other cause codes do not apply.
- Personal Injury.** Complaint involving physical injury.
- Property Damage.** Complaint involving damage to property.
- Rent.** Money due for rent owing.
- Services Rendered.** Money due for services rendered.
- Wages.** Money owed for wages earned.
- Written Instrument.** Money owed based upon a written instrument such as a promissory note, contract, etc.

**5. DECLARATION**

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct, and that I am the person whose name I typed (or wrote) below.

SIGNED at (city) \_\_\_\_\_, (state) \_\_\_\_\_ on (date) \_\_\_\_\_.

*/s/ Signed Electronically*

\_\_\_\_\_  
[Note – By typing your name, you intend to sign electronically and agree your electronic signature is the same as a handwritten signature for the purpose of validity, enforceability, and admissibility.]