



THE PROVINCIAL COURT  
OF BRITISH COLUMBIA

Effective Date: *23 Feb 2015*

**SM. CL. 02**

## **PRACTICE DIRECTION**

### **SMALL CLAIMS COURT MEDIATION PROGRAM - MULTIPLE DEFENDANTS**

#### **Purpose**

To ensure mediations conducted by the Small Claims Court Mediation Program (the “Program”) involving multiple defendants are able to effectively mediate a solution.

#### **Application**

This practice direction applies to all court locations in the Province where mediation is available.

#### **Directions**

1. Mediations will be scheduled starting 14 days after the last defendant has been served.
2. If a reply from a defendant remains outstanding, after the time for filing a Reply has passed, the case cannot be scheduled for mediation until the claimant has obtained a default judgment pursuant to Rule 6 of the *Small Claims Rules*.
3. Once a default judgment has been obtained, the claimant is required to provide proof to the Program that they have served the defendant with the default judgment.
4. Following these steps, the claimant can proceed to enforce the default judgment against the defendant or defendants who did not file a Reply.
5. Following these steps the Program may schedule the mediation for the defendants who have filed a Reply.
6. This process applies to voluntary and mandatory mediations involved in the Program.

## Duration

This practice direction is in effect from October 21, 1998 and remains in effect until further direction from the Chief Judge.

### History of Practice Direction

- Original practice direction dated October 21, 1998.
- Amended practice direction dated February 23, 2015 (changes to wording and formatting only).

I make this practice direction pursuant to my authority under the *Provincial Court Act*, R.S.B.C. 1996, c. 379, the *Small Claims Act*, R.S.B.C. 1996, c. 430 and the *Small Claims Rules*, B.C. Reg. 261/93.

Thomas J. Crabtree  
Chief Judge  
Provincial Court of British Columbia