

IN THE JUSTICE COURT OF INCLINE VILLAGE – CRYSTAL BAY TOWNSHIP  
COUNTY OF WASHOE, STATE OF NEVADA

By nc

IN THE ADMINISTRATIVE MATTER )  
REGARDING MANDATORY MEDIATION ) ADMINISTRATIVE ORDER 2025-05  
FOR SMALL CLAIMS )

**WHEREAS**, the Incline Justice Court has a jurisdictional limit of \$10,000 for small claims cases pursuant to NRS 73.010.

**WHEREAS**, on August 30, 2024, the Nevada Supreme Court issued an order in Administrative Case: ADKT 0607, repealing and replacing the Nevada Justice Court Rules of Civil Procedure (JCRCP), effective sixty days from the date of that order. JCRCP 89(c) provides that “[i]f a justice court has created a mandatory mediation program, the court may order the parties to attend mediation prior to ordering the defendant to appear for trial. . .” JCRCP 91(d) requires “[i]f a justice court has created a mandatory mediation program, the court may order the parties to attend mediation prior to setting the date, time and location of trial. . .”

**WHEREAS**, a mandatory small claims mediation program will likely increase access to justice, increase the parties’ satisfaction with the outcome of the case, reduce future litigation by the same parties, make the most efficient use of judicial resources, and expand dispute resolution resources available to the parties.

**WHEREAS**, the Justice of the Peace of Incline Village has the authority to make administrative decisions pertaining to the business of the court pursuant to NRS 4.170.

1           **WHEREAS**, the Incline Justice Court has determined that the filing of a small claims  
2 Small Claims Declaration and Order will trigger mandatory mediation, except in individual cases  
3 where exemptions may be granted.

4           **GOOD CAUSE APPEARING THEREFORE,**

5           **IT IS HEREBY ORDERED** that a Mandatory Small Claims Mediation Program is  
6 hereby established in the Incline Justice Court.

7           **IT IS FURTHER ORDERED** that the filing of a Small Claims Declaration and Order  
8 will trigger mandatory mediation subject to the provisions and exceptions stated herein.

9           **IT IS FURTHER ORDERED** that **Incline Justice Court Small Claims Mandatory**  
10 **Mediation Program Rules**, attached as *Exhibit "1"* shall govern all small claims cases  
11 scheduled in the Incline Justice Court, beginning on July 1, 2025.

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14           **This Administrative Order is effective July 1, 2025.**

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16           **IT IS SO ORDERED.**

17           Dated this 18<sup>th</sup> day of June 2025.

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19           Melissa Mangiaracina  
20           MELISSA MANGIARACINA  
21           JUSTICE OF THE PEACE



1 EXHIBIT “1”

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9 INCLINE JUSTICE COURT

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11 MANDATORY MEDIATION PROGRAM

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14 RULES

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1 MANDATORY SMALL CLAIMS MEDIATION PROGRAM RULES

2 **(A) Purpose.** This Court hereby establishes the Mandatory Small Claims Mediation Program:

- 3 a. To increase access to justice;
- 4 b. To increase party satisfaction with the outcome;
- 5 c. To reduce future litigation between the same parties;
- 6 d. To make the most efficient use of judicial resources; and
- 7 e. To expand dispute resolution resources available to the parties.

8 **(B) Definitions.** For the purpose of these rules, the following definitions apply:

- 9 a. **Mediation.** A process in which a mediator facilitates discussions between the
- 10 parties.
- 11 b. **Mediator.** An impartial person who facilitates discussions between the parties to
- 12 mediation. The role of the mediator includes, but is not limited to, assisting the
- 13 parties in identifying issues, reducing obstacles to communication, and providing
- 14 the parties an opportunity for each to be heard in a dignified and thoughtful
- 15 manner.
- 16 c. **Party.** Any person or entity whose name is designated on the record as Plaintiff
- 17 or Defendant or any other person or entity that has filed an appearance.
- 18 d. **Mediator Tools.** Artificial intelligence that has been approved and adopted by the
- 19 court-connected mediation provider to assist in conducting the mediation process.

20 **(C) Mediation through qualified and approved mediation provider.** Pursuant to NRS

21 244.1607, the Incline Justice Court utilizes the services of a court-connected and court

22 approved Mediation Provider. Except as otherwise provided in this rule, all parties **must**

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1 attend mediation with the court-connected provider prior to the hearing of any small  
2 claims case filed under NRS Chapter 73.

3 **(D) Attendance.**

4 a. **The following individuals shall attend mediation.**

- 5 i. Parties. All individual parties must attend the mediation.
- 6 ii. Representative. Should the parties themselves lack the capacity or  
7 authority to resolve the dispute and reach a settlement, they must be  
8 represented at mediation by someone who has the authority to finally  
9 resolve the dispute and agree to any terms, including payments.
- 10 iii. Counsel. Although parties may proceed without an attorney in small  
11 claims cases, if a party has retained an attorney, that attorney must attend  
12 the mediation unless the represented party desires to proceed without  
13 counsel at the mediation.
- 14 iv. Public entities. If a party is a public entity, a representative with full  
15 authority to negotiate on behalf of the entity and to recommend settlement  
16 to the appropriate decision-making body or office of the entity shall attend  
17 mediation.
- 18 v. Other entities. If a party is an entity other than a public entity, a  
19 representative other than the party's counsel of record who has full  
20 authority to settle without further consultation shall attend mediation.
- 21 vi. Insured parties. If any party is insured for the claim in dispute, that party  
22 shall also be required to have its insurer(s) present by the attendance of a  
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1 representative of the insurance carrier(s) who is not the carriers outside  
2 counsel; this representative must have full settlement authority.

3 vii. The foregoing requirements of attendance may be varied only by written  
4 stipulation of the parties or by an order of a judge for good cause shown.

5 b. **Good faith requirement.** All parties must mediate in good faith.

6 c. **Default and dismissal for failure to appear at mediation.**

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8 i. **Default.** If the case is scheduled for mandatory mediation in accordance  
9 with these rules and if the Plaintiff(s) are in attendance and the  
10 Defendant(s) are not in attendance for the scheduled mediation, the matter  
11 shall be subject to a default judgment.

12 ii. **Dismissal.** If the case is scheduled for mandatory mediation in accordance  
13 with these rules and if the Plaintiff(s) do not attend the mediation, the  
14 matter shall be subject to dismissal without prejudice.

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16 **(E) Exemptions.** A party who believes a case is inappropriate for mandatory mediation may  
17 seek an exemption from mediation by filing a written motion with the Court.

18 a. If a Plaintiff is seeking exemption, the motion must be filed with the Small  
19 Claims Declaration and Order and must be personally served upon the Defendant  
20 with the initiating documents.

21 b. If a Defendant is seeking exemption, the motion must be filed within ten (10)  
22 days after being served with the Small Claims Declaration and Order. The motion  
23 must also be served on the Plaintiff, and a completed certificate of service must be  
24 filed with the Court.  
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