

CODE OF CIVIL PROCEDURE

116.231. (a) Except as provided in subdivision (d), no person may file more than two **small claims** actions in which the amount demanded exceeds two thousand five hundred dollars (\$2,500), anywhere in the state in any calendar year.

(b) Except as provided in subdivision (d), if the amount demanded in any **small claims** action exceeds two thousand five hundred dollars (\$2,500), the party making the demand shall file a declaration under penalty of perjury attesting to the fact that not more than two **small claims** actions in which the amount of the demand exceeded two thousand five hundred dollars (\$2,500) have been filed by that party in this state within the calendar year.

(c) The Legislature finds and declares that the pilot project conducted under the authority of Chapter 1196 of the Statutes of 1991 demonstrated the efficacy of the removal of the limitation on the number of actions public entities may file in the **small claims** courts on **claims** exceeding two thousand five hundred dollars (\$2,500).

(d) The limitation on the number of filings exceeding two thousand five hundred dollars (\$2,500) does not apply to filings where the claim does not exceed five thousand dollars (\$5,000) that are filed by a city, county, city and county, school district, county office of education, community college district, local district, or any other local public entity. If any **small claims** action is filed by a city, county, city and county, school district, county office of education, community college district, local district, or any other local public entity pursuant to this section, and the defendant informs the court either in advance of the hearing by written notice or at the time of the hearing, that he or she is represented in the action by legal counsel, the action shall be transferred out of the **small claims** division. A city, county, city and county, school district, county office of education, community college district, local district, or any other local public entity may not file a claim within the **small claims** division if the amount of the demand exceeds five thousand dollars (\$5,000).

116.240. With the consent of the parties who appear at the hearing, the court may order a case to be heard by a temporary judge who is a member of the State Bar, and who has been sworn and empowered to act until final determination of the case.

Judge ^{OR}
COMMISSIONER
ONLY IF
BOTH PARTIES
AGREE

116.250. (a) Sessions of the **small claims** court may be scheduled at any time and on any day, including Saturdays, but excluding other judicial holidays. They may also be scheduled at any public building within the county, including places outside the courthouse.

(b) Each **small claims** division of a superior court with seven or more judicial officers shall conduct at least one night session or Saturday session each month for the purpose of hearing **small claims** cases other than **small claims** appeals. The term "session" includes, but is not limited to, a proceeding conducted by a member of the State Bar acting as a mediator or referee.

116.260. In each county, individual assistance shall be made available to advise **small claims** litigants and potential litigants without charge as provided in Section 116.940 and by rules adopted by the Judicial Council.

116.270. Any **small claims** division may use law clerks to assist the