

176.2615 SMALL CLAIMS COURT.

Subdivision 1. **Purpose.** There is established in the Department of Labor and Industry a small claims court, to be presided over by compensation judges for the purpose of settling small claims.

Subd. 2. **Eligibility.** The claim is eligible for determination in the small claims court if all parties agree to submit to its jurisdiction and:

(1) the claim is for rehabilitation benefits only under section 176.102 or medical benefits only under section 176.135; or

(2) the claim in its total amount does not equal more than \$5,000; or

(3) where the claim is for apportionment or for contribution or reimbursement, no counterclaim in excess of \$5,000 is asserted.

Subd. 3. **Testimony; exhibits.** At the hearing a compensation judge shall hear the testimony of the parties and consider any exhibits offered by them and may also hear any witnesses introduced by either party.

Subd. 4. **Appearance of parties.** A party may appear on the party's own behalf without an attorney, or may retain and be represented by a duly admitted attorney who may participate in the hearing to the extent and in the manner that the compensation judge considers helpful. Attorney fees awarded under this subdivision are included in the overall limit allowed under section 176.081, subdivision 1.

Subd. 5. **Evidence admissible.** At the hearing the compensation judge shall receive evidence admissible under the rules of evidence. In addition, in the interest of justice and summary determination of issues before the court, the compensation judge may receive, in the judge's discretion, evidence not otherwise admissible. The compensation judge, on the judge's own motion, may receive into evidence any documents which have been filed with the department.

Subd. 6. **Settlement.** A compensation judge may attempt to conciliate the parties. If the parties agree on a settlement, the judge shall issue an order in accordance with that settlement.

Subd. 7. **Determination.** If the parties do not agree to a settlement, the compensation judge shall summarily hear and determine the issues and issue an order in accordance with section 176.305, subdivision 1a, except that there is no appeal or request for a formal de novo hearing from the order. Any determination by a compensation judge shall be res judicata in subsequent proceeding concerning issues determined under this section.

Subd. 8. **Costs.** The prevailing party is entitled to costs and disbursements as in any other workers' compensation case.

History: *1992 c 510 art 2 s 7; 1995 c 231 art 2 s 93; 1998 c 366 s 89*