

Inter-American Seminar: Keys to Civil Justice Reform
November 10-11, 2005
Santiago, Chile

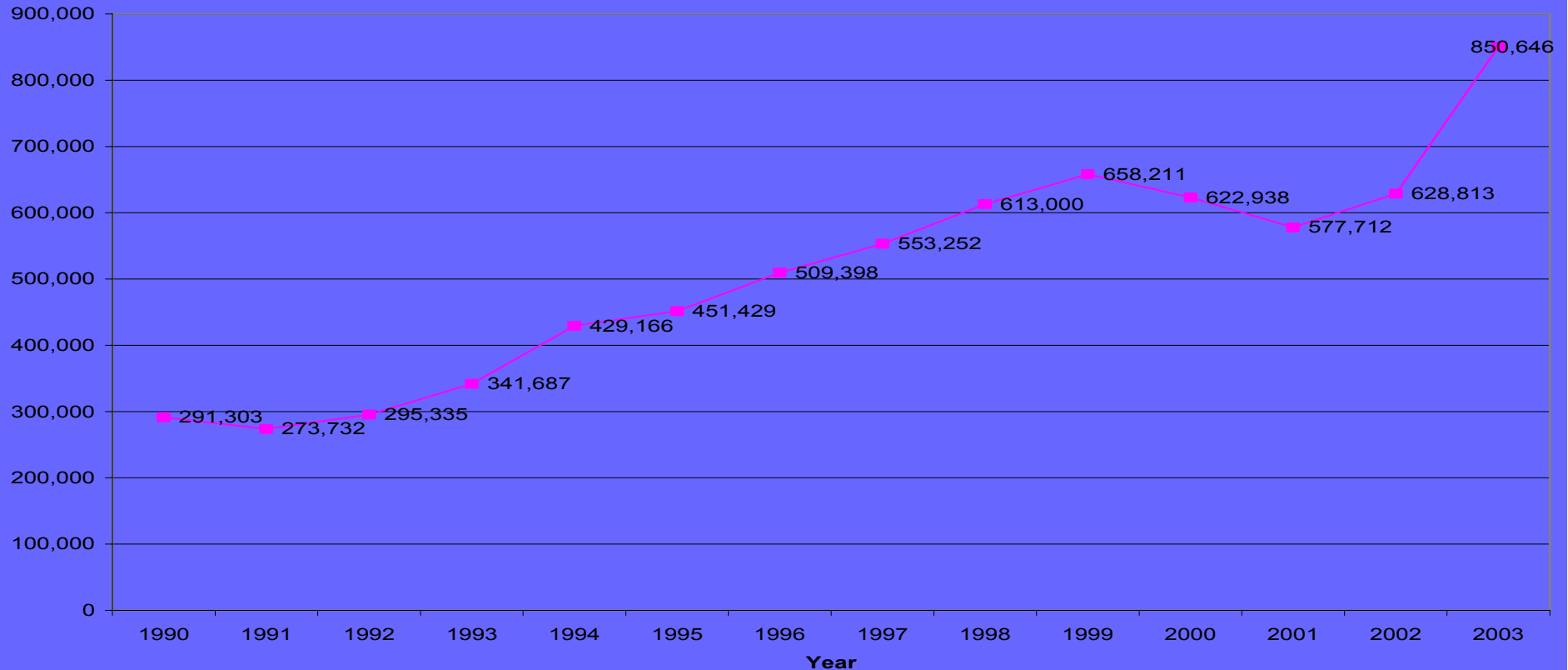
A Proposal for the Establishment of Small Claims Courts in Chile



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Why Small Claims Courts?

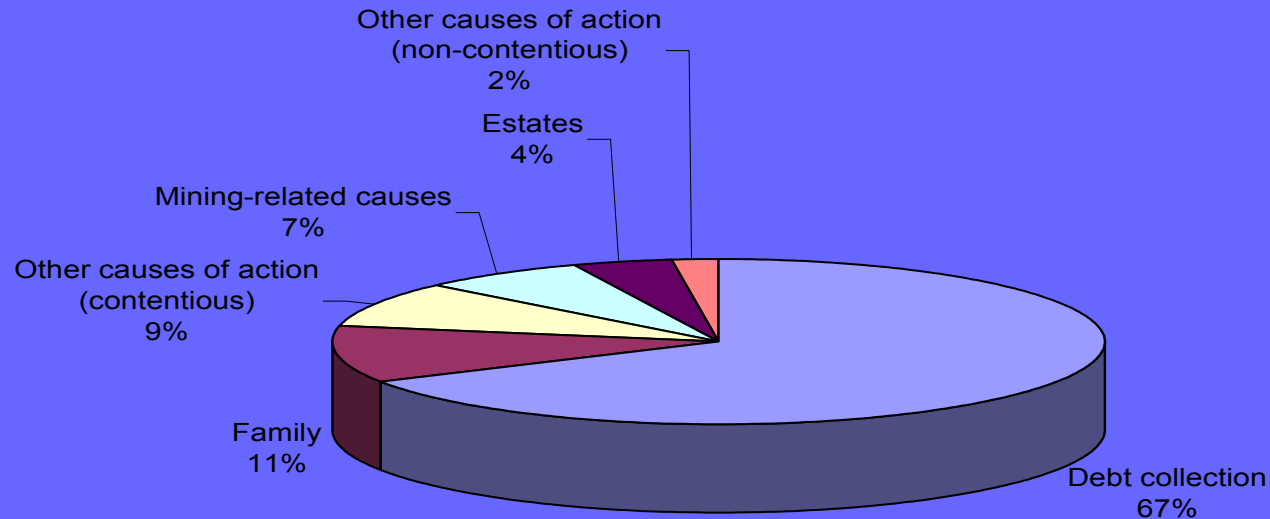
Increase in civil claims, Chile, 1990-2003



*José Francisco García & Francisco Javier Leturia, Libertad y Desarrollo, Serie Informe Político N° 88, Justicia Civil: Una Reforma Pendiente 11 (2005).

Why Small Claims Courts?

Percentage distribution of total civil claims filed in Chile, 2003



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Why Small Claims Courts?

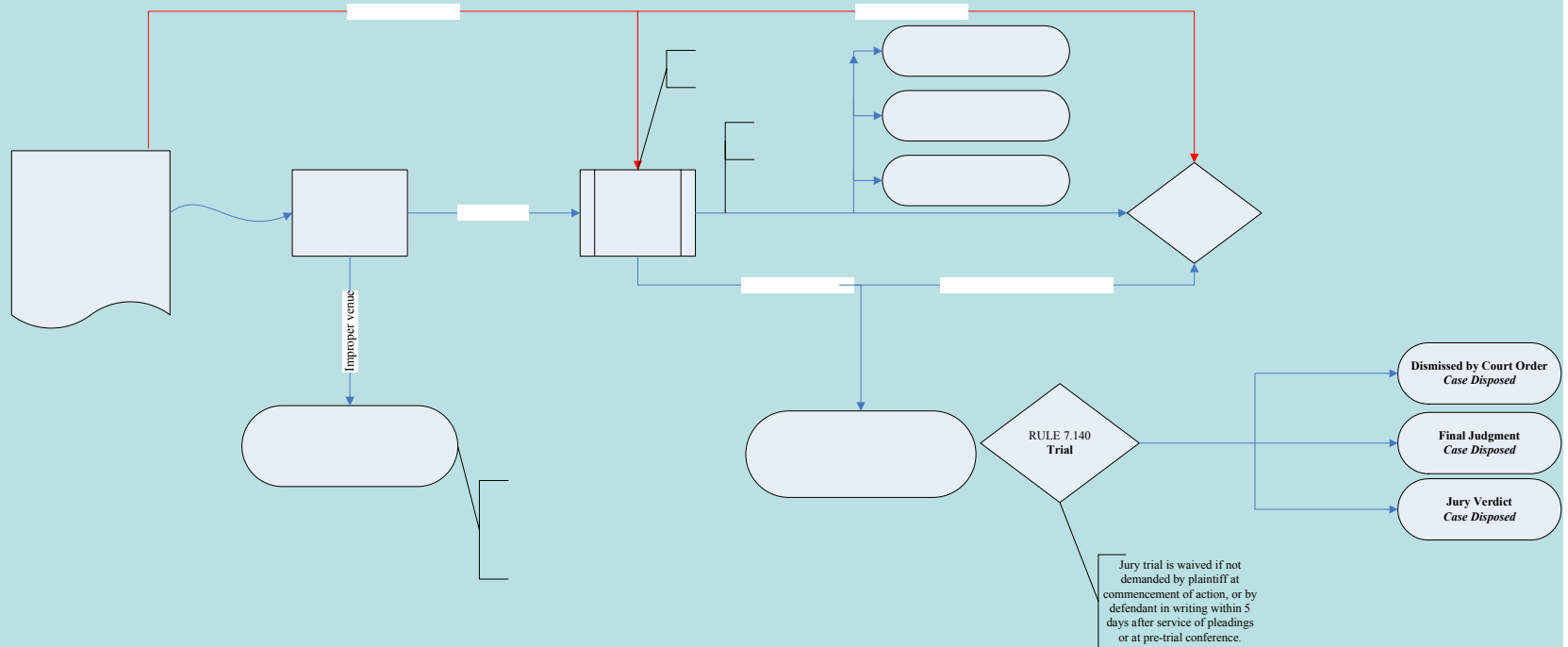
- Specialization & simplification in causes involving smaller sums of money;
- Increased access through pro-se representation, online filings, and jurisdictional redesignation;
- Speedy resolution times, aided by the implementation of mandatory mediation.

The Experience of Florida



- Small Claims Courts developed to implement simple, speedy and inexpensive trial of civil actions in county courts;
- Jurisdiction limited by monetary demand or value of property involved.

Florida State Courts System Small Claims Process



* Flow chart provided by Frank Funderburk, Florida State Courts

Florida Small Claims Court Filings and Dispositions, July 2003 through June 2004

Cases Filed	231,912
Dismissed Before Hearing	54,590
Dismissed After Hearing	64,775
Disposed by Default	34,453
Disposed by Judge (No Trial)	67,930
Disposed by Non-Jury	4,734
Disposed by Jury	107
Disposed by Other	10,730
Total Disposed	237,319
Cases Reopened	64,770

*Florida Office of the States Court Administrator FY 2003-2004 Statistical Reference Guide, 8-16.

Application in Chile

- Existing *Juzgados de Policía Local* provide an ideal venue for the establishment of small claims courts.
- “Check Diversion” procedure through the *Ministerio Público*.
- Utilization of pro-se representation, mandatory mediation, and online filings encouraged to increase access.

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