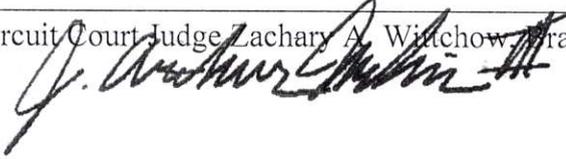




Circuit Court Judge Zachary A. Witchow, Branch 6



Circuit Court Judge J. Arthur Merwin, III, Branch 5



Circuit Court Judge Paul Bugenhagen, Jr. Branch 10

**FILED**

FEB 19 2026

CIRCUIT COURT  
WAUKESHA COUNTY, WI

Dated: February 19, 2026

STATE OF WISCONSIN

CIRCUIT COURT  
CIVIL DIVISION

WAUKESHA COUNTY

SMALL CLAIMS MEDIATION ORDER

WHEREAS, Waukesha County Civil Division Local Rule 6.4 specifies that the default/designated mediator for small claims cases is Waukesha Mediations;

WHEREAS, however, to ease the financial burden of mediation, per the Amended Small Claims Mediation Order dated 6/30/25, small claims actions with a damage claim of \$5000 or less should be referred to the Marquette Mediation Clinic **free of charge**;

WHEREAS, Local Rule 6.4 and Amended Small Claims Mediation Order dated 6/30/25 also permits the parties to use a private mediator other than Waukesha Mediations or Marquette Mediation Clinic, assuming both parties agree prior to the private mediator being contacted;

WHEREAS, when a private mediator has been mutually agreed to, BOTH parties must sign and file a Consent of Parties to Private Mediator form with the Court prior to the scheduling of the mediation;

WHEREAS, filing of the private mediation report will not be considered compliant with Local Rule 6.4 without the Consent form being signed by both parties and filed with the Court;

WHEREAS, if a mediation fee is applicable, costs are to be divided equally between the parties;

WHEREAS, within ten (10) calendar days of receiving the Notice of Hearing in a contested matter, the party (Plaintiff) filing the case must contact Waukesha Mediations, Marquette Mediation Clinic or file a Consent of Parties to Private Mediator form and schedule a mutually convenient mediation with the adverse party;

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. The Court shall continue to utilize a mediation panel which shall be coordinated by Waukesha Mediations for all small claim's actions, including when the Marquette Mediation Clinic is not available to mediate damage claims of \$5000 or less and when both parties cannot agree on a private mediator; and
2. If both parties agree to a private mediator instead of Waukesha Mediations or Marquette Mediation Clinic (free of charge), a Consent of Parties to Private Mediator form shall be filed with the Court prior to the scheduling of the mediation. Furthermore, any mediation report filed will not be considered compliant with Local Rule 6.4 without the Consent form being signed by all parties and filed with the Court; and
3. Mediation fees shall be divided equally between the parties; and
4. Within ten (10) calendar days of receiving the Notice of Hearing in a contested matter, the party (Plaintiff) filing the case must contact Waukesha Mediations, Marquette Mediation Clinic or file a Consent of Parties to Private Mediator form and schedule a mutually convenient mediation with the adverse party;
5. This Order is subject to modification upon further order of the Court.