

HOUSE BILL REPORT

SSB 5027

*As Reported By House Committee on:
Judiciary*

Title: An act relating to jurisdiction of small claims departments.

Brief Description: Raising the jurisdictional limit for small claims departments.

Sponsor(s): Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Rasmussen and Thorsness).

Brief History:

Reported by House Committee on:
Judiciary, April 5, 1991, DP.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *Do pass.* Signed by 18 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Jeff Fishel (786-7191).

Background: Small claims courts are a distinct department of the district court system. The primary purpose of small claims courts is to simplify the court process to resolve civil disputes for the recovery of money that do not exceed \$2,000. Small claims proceedings are generally conducted in an informal manner without formal pleadings. Parties may be represented by their attorneys with the consent of the district court judge.

Summary of Bill: The jurisdiction of small claims courts is increased to \$2,500.

A corporation plaintiff may not be represented by an attorney or paralegal in small claims court.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: It is necessary to increase the jurisdictional limit to keep up with inflation. However, the limit should not be raised above \$2,500 because it would allow more complex cases with unrepresented parties risking significant funds. In higher courts, judges depend on attorneys to apprise them of the law, but that resource is not available in small claims courts. With a higher jurisdictional limit, the judge's ability to protect the parties against their own ignorance becomes more important.

Testimony Against: None.

Witnesses: Walt Corneille, Washington State Process Servers (pro); and Judge Kip Stilz, District and Municipal Judges Association (pro).