

SENATOR JOHNSON: Mr. President and members of the Legislature, the bill that Senator Beutler and I introduced would raise the jurisdictional limit in the small claims court from \$500 to \$2,000. The Judiciary Committee has sent that bill to the floor of the Legislature with its own amendment and its own amendment would raise the jurisdictional limit of the small claims court from \$500 to \$750. Senators Beutler and I are now proposing that the committee amendment itself be amended to raise the jurisdictional limit of the small claims court from \$500 to \$1,000 as opposed to \$750 which is what the Judiciary Committee proposes to do with its own amendment. Now as you know, the small claims court is a peoples' court in the sense that the small claims court precludes the use of lawyers in the litigational process. Thus persons who believe that they have a very modest claim in monetary dollars are able to go to the municipal court in Omaha and in Lincoln and to the county courts throughout the rest of Nebraska and file a petition for relief against some defendant who they believe owes them money. At this time, those claims, of course, are limited by the \$500 ceiling. Thus if an individual was involved in an automobile accident which resulted in some \$700 worth of damage to his automobile and an individual did not have collision coverage, that individual could not go to the small claims court to obtain the full \$700 to which he thought he or she might be entitled. We propose that that individual be allowed to go to court so long as his claim is less than \$1,000. If his claim exceeds \$1,000, then he cannot go to small claims court unless he is willing to bring that lawsuit in at \$1,000. One of the arguments that is made against increasing jurisdictional limits in small claims court is small claims court, to some extent, becomes a true collection court because creditors have easy access to the court. So it not be a true collection court, jurisdictional limits should be small. In point of fact, every court is a creditors court because only creditors, only persons who believe they have a claim, will go to the court. The Nebraska Bar Association itself last May conducted a long range planning study inviting lay people and lawyers to the study and one of the planks that came out of the study, one of the major points that came out of the study, was that the people themselves felt that the small claims court jurisdictional limit should be increased so that more people would have the ability to seek resolution of minor disputes without having to pay attorneys fees and without being involved in long protracted court hassles. Now when Senators Beutler and I introduced this bill, the Bar Association itself had not taken a position on the appropriate jurisdictional limit in small claims. As a result of the bill's introduction, the Bar Association did take a position and their