

small claims court was to get rid of small claims without hiring attorneys. In Lancaster County, I understand, the number of cases that are appealed are approximately 10%, so we are talking about 10% of the cases that go to small claims court anyway. But, why do you want to make people stay in small claims court? Campbell Soup Company isn't going to stay in small claims court if they are dissatisfied with the judgment, neither is anybody else that is a professional. For people who do not wish to have attorneys both of them can go there. Now the site of where the hearing is heard is always established by the plaintiff. But whether somebody wants to sue you in small claims court, or at county court, or district court they can go where they want to as long as the size of the case justifies putting it in a certain court. But to make them go to small claims court is ridiculous. Now I suggest that we do one of two things. I suggest first that we deny the amendment but if we adopt it let's send the thing back and delay the thing a whole year. Thank you.

SPEAKER MARVEL: Senator Murphy.

SENATOR MURPHY: It is another one of those scary mornings. I rise to support Senator Johnson's position in this issue. It is unfortunate that those with attorneys on staff are able to play this kind of a game with an individual who has an entitlement to have his case heard properly in a small claims court. The appeal procedure is there and certainly is no different or more cumbersome than the present proposition of just having it transferred. But this will in fact retain the small claims court for a "small claim" and will force a conclusion at that court level which can subsequently be appealed if that is the desire of the defendant. But right now the proposition of simply saying, I don't want to be in small claims court, defeats our small claims court procedure entirely. I have to support Senator Johnson in this issue.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: Mr. President and members, I am certainly going to support Senator Johnson in this issue. This was put on here, you talk about a public hearing it was put on by his amendment in the first place. What they do is go to jury. Now let me tell you what happens. I have been in small claims court many times, as a plaintiff, but what is going to happen is this. All you do is go to small claims court and the defense is always going to say, want a trial by jury. So what happens? 90% of these are settled