

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4308-01
Bill No.: SB 847
Subject: Civil Procedure; Courts
Type: Original
Date: February 3, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would expand small claims court jurisdiction to \$5,000.

CTS assumes there may be some increase in the total volume of civil case filings. In FY 05, there were 16,060 small claims filings and 175,315 chapter 517 civil filings. The simpler small claims process may result in a shift in some civil cases into small claims court.

Court clerks are required to assist parties with filing documents and advise them with respect to process (and are exempt from prosecution for practicing law without a license). This is very time consuming. Small claims cases require more time to try without lawyers.

CTS assumes there may well be an increase in the workload of the courts. Any significant increase will be reflected in future budget requests.

ASSUMPTION (continued)

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

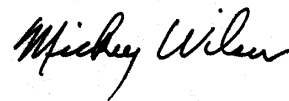
DESCRIPTION

The proposed legislation provides that the small claims courts shall have jurisdiction over any case in which the amount in controversy does not exceed \$5,000, which is an increase from the current jurisdictional limit of \$3,000.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator



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L.R. No. 4308-01
Bill No. SB 847
Page 4 of 4
February 3, 2006

Director
February 3, 2006

BLG:LR:OD (12/02)