

HB 2734 A STAFF MEASURE SUMMARY

Carrier: Rep. Greenlick

House Committee On Judiciary

Action Date: 04/05/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 9-0-2-0

Yeas: 9 - Barker, Greenlick, Lininger, Olson, Post, Sanchez, Stark, Vial, Williamson

Exc: 2 - Gorsek, Sprenger

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Provides that one spouse may appear on behalf of both spouses in small claims mediation or litigation. Requires written consent of other spouse or declaration under penalty of perjury made by appearing spouse.

ISSUES DISCUSSED:

- Small claims litigants with child care issues or work obligations
- Default judgments entered against one spouse when other spouse appears

EFFECT OF AMENDMENT:

Replaces the measure. Authorizes one spouse to appear on behalf of both spouses in small claims mediation or litigation with written consent of other spouse or declaration under penalty of perjury.

BACKGROUND:

Small claims cases are designed to handle civil cases involving relatively small dollar amounts. The goal of small claims departments is to handle these cases informally, while resolving cases promptly and economically. A civil case must be filed in the small claims department if the damages sought do not exceed \$750 and may be filed in the small claims department if the damages sought do not exceed \$10,000.