

**HB 2734 B STAFF MEASURE SUMMARY**

**Carrier:** Sen. Manning Jr

**Senate Committee On Judiciary**

---

**Action Date:** 05/16/17

**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

**Vote:** 5-0-0-0

**Yeas:** 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

**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 non-appearing spouse or declaration made under penalty of perjury by appearing spouse.

**ISSUES DISCUSSED:**

- Amount of awards in small claims proceedings
- Impact on family when both spouses required to appear

**EFFECT OF AMENDMENT:**

Includes small claims proceedings conducted in justice court.

**BACKGROUND:**

Small claims departments 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. In small claims litigation or mediation in which spouses are both parties to a case, House Bill 2734 -B allows one spouse to appear on behalf of the other.