

March 3, 1980

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why in the end I have got to leave the words trial by jury in there. Now the reason we didn't have trial by jury in there before is because the law, the way it has read up till now, says you can transfer your case for any or no reason whatsoever. Well once the case is transferred and put on the regular docket, it is in the regular court that a jury trial can be asked for and granted but not in the small claims court.

SENATOR MURPHY: I am afraid I still have the question in my mind. You, in a sense, have agreed that there will be additional cost and I am afraid that I would disagree with you that once it is called for in small claims court that it automatically transfers at no cost to a, I assume, district court or certainly a jury trial and that there are no additional costs involved in that procedure to me seems unreal because nothing happens any more that doesn't cost considerably more than \$8 to accomplish, I don't care if it is writing a letter to my mother but I am afraid we are actually getting away from the intent and concept of the small claims court notwithstanding the fact that you and I once more are going to disagree.

SPEAKER MARVEL: Senator Hoagland and then Senator Kahle.

SENATOR HOAGLAND: I would just like to rise, Mr. Speaker, briefly in support of Senator Johnson's amendment. The way the small claims court law is written now, there is a terrible loophole in the law which fundamentally defeats the basic purpose of the small claims act. Now the purpose of having a small claims court is if you have claims of under \$1,000, you put the plaintiff and you put the defendant together inside a court room with a judge and let them fight it out without involving any lawyers because there is not enough money involved to bring a lawyer into it. The way the act is written now and the loophole that Senator Johnson would largely close, not totally, but largely close is that if I sue somebody, say I sue a used car dealer in my home town for \$200, the used car dealer isn't going to be able to defeat that claim by immediately removing it in a municipal court and throwing a lawyer up at me which would give me the alternative of either one of hiring a lawyer myself, which I can't do for a \$200 claim, or forgetting about the claim. So the way the current law is written, really the whole purpose of the small claims act is undermined and this amendment will plug that up very well and it will enable the small claims act to work like it was originally supposed to act and that is get the plaintiff and the defendant into a court room without lawyers on small claims so they can fight it out with a minimum amount