

March 3, 1980

LB 892

SENATOR KAHLE: But what kind of an A bill would this take then, in your estimation, from the state?

SENATOR JOHNSON: Nothing. There would be no A bill at all.

SENATOR KAHLE: How are you going to pay these birds?

SENATOR JOHNSON: I don't have to pay the attorneys anything because that is always...in private, the litigants, the plaintiff and the defendant, pay their own lawyers. With respect to any jury trials that are requested, right now there is money that is just plain built into the system to allow jury trials irrespective of the court that you are in except for small claims. In fact, right now anybody who wants a jury trial when they are a defendant in small claims can right now remove the case and have a jury trial so this doesn't add any new right. In fact, it limits, what it does is it limits what we presently have.

SENATOR KAHLE: But couldn't the number of cases increase from this sort of a proposition?

SENATOR JOHNSON: I wouldn't think so. I would hope not. I don't think so.

SENATOR KAHLE: I think we are scrambling the eggs here and trying to make a small claims court into a full blown jury trial and I am not an attorney so I don't understand the procedure exactly but it doesn't look to me like we any longer have a small claims court. Thank you.

SPEAKER MARVEL: Senator Murphy, your light is on. Do you wish to speak again?

SENATOR MURPHY: Sir, if I may I would like to ask for clarification by Senator Hoagland.

SPEAKER MARVEL: Senator Hoagland isn't here.

SENATOR MURPHY: Well, possibly Senator Johnson can do it?

SPEAKER MARVEL: Senator Johnson, do you want to make a brief explanation to Senator Murphy.

SENATOR MURPHY: Senator Hoagland's explanation of small claims...here he is. Senator Hoagland, your explanation of the small claims court was that it was a device that would permit small claims to be heard as between the two parties involved, shake them up before a judge and resolve the issue