

SENATOR ABEOD: (Response inaudible.)

SPEAKER BARRETT: Thank you. Senator McFarland, discussion?

SENATOR MCFARLAND: Yes, thank you. My congratulations to Senator Lindsay as well for his sucker punch. He has learned well in the short time we've had here this session. I appreciate his motion to advance, too, begrudgingly done. County court is different from district court, but the primary difference is just in the amount of money that can be entered in a judgment in county court. If you have a claim for more than \$10,000, in a civil action, you do not file it in county court, you go to district court, because there is a jurisdictional limit in county court of \$10,000. That is the primary difference. Attorneys appear in county court, attorneys appear in district court. You can have jury trials in county court, and you can have jury trials in district court. The procedures are very similar in the county court and in the district court. The analogy to the Small Claims Court, in my view, is really inappropriate. In Small Claims Court there are major differences in procedures, major, major, major differences. No attorney can appear to represent anyone, other than himself or herself. But they cannot represent a client in Small Claims Court. Small Claims Court is for the purpose of resolving disputes in a very expeditious, very informal manner. You go before a judge, no lawyers are present. You do not have to be sworn in and asked questions and answers, you don't have a jury there to decide the question. The two parties come before a judge, present their evidence in an informal setting, make their case, make their arguments and the judge makes a decision. And, I might add, I think it's a very good procedure, because you've got so many small disputes that don't involve a lot of money, that don't involve major issues of law, but they do involve major issues of personality. And people get angry with their neighbor, or with a person they are doing business with in a small operation or something, they can come in, explain it to the judge, they get a speedy and effective resolution. It's completely different type of setting than county court. And, for that reason, I think that comparison is completely inappropriate. I would urge that we have uniformity within the county court and the district court because they are very similar in nature and they are very similar in function, they are very similar in procedure, and the primary difference is only the jurisdictional limit on the amount of judgment that can