

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 24, 2006 LB 1115

after that. Now as you can see, I handed out a chart. Out of the 49 states and the District of Columbia that have some type of small claims court, Nebraska ranks 45th. Only five states have jurisdictional limits lower than Nebraska. By increasing the jurisdictional amount to \$4,000, it would raise Nebraska up to between 31st and 33rd amongst the states. Although Nebraska is somewhat unique, in that we do have an adjustment in the jurisdictional limit made every five years in accordance with the Consumer Price Index, based on the last adjustment made it would take almost 20 years at that rate to get up to the \$4,000. Now typical examples of possible small claims courts' uses are neighbors that agree to share a fence between their yards and then one neighbor refuses to pay, or an appliance or a car that will not work properly and the dealer refuses to repair it or refund any money. With ever-increasing costs, many of the typical cases that would go to small claims court now fall above that jurisdictional limit, which is \$2,700 today. The intent of LB 1014 is to help those low- and moderate-income Nebraskans that need legal help but cannot afford an attorney, or those citizens or businesses that have legal problems that don't warrant the cost of an attorney. Small claims courts are, for the common citizens, a means to handle their routine legal needs. And I would appreciate the adoption of this amendment.

SENATOR CUDABACK: Thank you, Senator Cunningham. You've heard the opening on the Cunningham amendment to the Judiciary Committee amendments. Open for discussion. Senator Chambers, followed by Senator Flood.

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I'd like to ask Senator Cunningham a few questions.

SENATOR CUDABACK: Senator Cunningham, would you yield to a question from Senator Chambers?

SENATOR CUNNINGHAM: Yes, I would.

SENATOR CHAMBERS: Senator Cunningham, who requested that you bring this bill?

SENATOR CUNNINGHAM: A constituent of mine.