

1 H.545

2 Introduced by Representative Townsend of South Burlington

3 Referred to Committee on

4 Date:

5 Subject: Court procedure; small claims procedure

6 Statement of purpose of bill as introduced: This bill proposes to increase the  
7 monetary limitation in Small Claims Court from \$5,000.00 to \$10,000.00.

8 An act relating to increasing the monetary limitation in Small Claims Court

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 12 V.S.A. § 5531 is amended to read:

11 § 5531. RULES GOVERNING PROCEDURE

12 (a) The ~~supreme court~~ Supreme Court, pursuant to section 1 of this title,  
13 shall make rules under this chapter applicable to such ~~court~~ Court providing for  
14 a simple, informal, and inexpensive procedure for the determination, according  
15 to the rules of substantive law, of actions of a civil nature of which they have  
16 jurisdiction, other than actions for slander or libel and in which the plaintiff  
17 does not claim as debt or damage more than ~~\$5,000.00~~ \$10,000.00. Small  
18 claims proceedings shall be limited in accord with this chapter and the  
19 procedures made available under those rules. The procedure shall not be

1 exclusive, but shall be alternative to the formal procedure begun by the filing  
2 of a complaint.

3 (b) Parties may not request claims for relief other than money damages  
4 under this chapter. Nor may parties split a claim in excess of ~~\$5,000.00~~  
5 \$10,000.00 into two or more claims under this chapter.

6 (c) In small claims actions where the plaintiff makes a claim for relief  
7 greater than \$3,500.00, the defendant shall have the right to request a special  
8 assignment of a judicial officer. Upon making this request, a ~~superior~~ Superior  
9 judge or a member of the Vermont ~~bar~~ Bar appointed pursuant to 4 V.S.A.  
10 § 22(b) shall be assigned to hear the action.

11 (d) Venue in small claims actions shall be governed by section 402 of this  
12 title.

13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on July 1, 2014.