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## **1999 DRAFTING REQUEST**

# Assembly Amendment (AA-AA(LRBa1141/3)-AB620)

Received:02	2/08/2000	Received By: nelsorpl
Wanted: So	on	Identical to LRB:
For: Tom H	Iebl (608) 266-7678	By/Representing: hndy
This file ma	y be shown to any legislator: NO	Drafter: nelsorpl
May Contac	t:	Alt. Drafters:
Subject:	Courts - civil procedure	Extra Copies:

# Pre Topic:

No specific pre topic given

**Topic:** 

Jurisdictional amount in small claims cases

#### **Instructions:**

Allow \$5,000 for personal injury cases, \$10,000 for all others

## **Drafting History:**

Vers.	Drafted	Reviewed	<u>Typed</u>	Proofed	Submitted	Jacketed	<u>Reauired</u>
/1	nelsorp 1 02/08/2000	jgeller <b>02/08/2000</b>	jfrantze <b>02/08/200</b>	0	lrb-docadmin 02/08/2000	lrb-docadmi <b>02/08/2000</b>	in
12	nelsorp 1 02/09/2000	jgeller <b>02/09/2000</b>	jfrantze <b>02/09/200</b>	0	lrb-docadmin <b>02/09/2000</b>	lrb_docadmi 02/09/2000	in

FE Sent For:

<END>

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## Assembly Amendment (AA-AA(LRBa1141/3)-AB620)

Received: 02/	08/2000	Received By: neisorpl
Wanted: Soor	1	Identical to LRB:
For: Tom He	bl (608) 266-7678	By/Representing: Andy
This file may	be shown to any legislator: NO	Drafter: nelsorpl
May Contact:		Alt. Drafters:
Subject:	Courts - civil procedure	Extra Copies:

#### **Pre Topic:**

No specific pre topic given

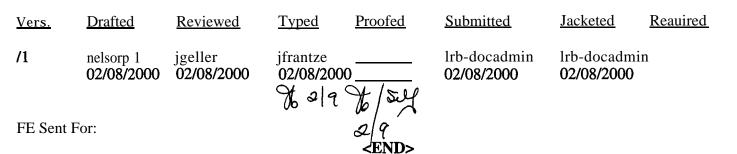
**Topic:** 

Jurisdictional amount in small claims cases

#### **Instructions:**

Allow \$5,000 for personal injury cases, \$10,000 for all others

#### **Drafting History:**



02/08/2000 03:26:35 PM Page\_1

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LRBa1345

### **1999 DRAFTING REQUEST**

# Assembly Amendment (AA-AA(LRBa1141/3)-AB620)

Received:0	2/08/2000	Received By: nelsorpl
Wanted: So	on	Identical to LRB:
For: Tom H	Hebl (608) 266-7678	By/Representing: Andy
This file ma	y be shown to any legislator: NO	Drafter: nelsorpl
May Contac	et:	Alt. Drafters:
Subject:	Courts - civil procedure	Extra Copies:

## Pre Topic:

No specific pre topic given

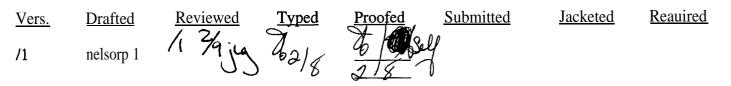
Topic:

Jurisdictional amount in small claims cases

#### **Instructions:**

Allow \$5,000 for personal injury cases, \$10,000 for all others

#### **Drafting History:**



FE Sent For:

<END>



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500° (2/8) State of Misconsin 1999 - 2000 LEGISLATURE

D-Note



# ASSEMBLY AMENDMENT, TO ASSEMBLY AMENDMENT (LRBa1141/3), TO 1999 ASSEMBLY BILL 620

At the locations indicated, amend the amendment as follows:
1. Page 2, line 3: delete lines 3 and 4 and substitute:
"799.01 (1) (e) Personal injury claims. Notwithstanding par. (d), civil actions for personal injuries arising out of a claim based on negligence where the amount claimed for the personal injury is \$5,000 or less.".
(END)

## DRAFTER'S NOTE FROMTHE LEGISLATIVE REFERENCE BUREAU



Please review this draft carefully to ensure that it complies with your intent.

I am not sure how a court would treat a negligence action that involved both personal injury and property damage. If the personal injury damages claimed were \$4,000 and the property damage is less than \$6,000 would the small claims court have jurisdiction? What if the property damage exceeded \$6,000 but was less than **\$10,000**? Would the court add the claims together to determine if the amount exceeded \$10,000, or would the small claims court have jurisdiction as long as the personal injury damages were less than **\$5,000**?

Robert P. Nelson Senior Legislative Attorney Phone: (608) 267-7511

## DRAFTER'S NOTE FROMTHE LEGISLATIVE REFERENCE BUREAU

February 8, 2000

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Please review this draft carefully to ensure that it complies with your intent.

I am not sure how a court would treat a negligence action that involved both personal injury and property damage. If the personal injury damages claimed were \$4,000 and the property damage is less than \$6,000 would the small claims court have jurisdiction? What if the property damage exceeded \$6,000 but was less than **\$10,000**? Would the court add the claims together to determine if the amount exceeded \$10,000, or would the small claims court have jurisdiction as long as the personal injury damages were less than **\$5,000**?

Robert P. Nelson Senior Legislative Attorney Phone: (608) 267-7511 STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU - LEGAL SECTION (608-266-3561)

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State of Misconsin 1999 - 2000 LEGISLATURE

Today (2/9)

LRBa1345/1 RPN:jlg:jf

# ASSEMBLY AMENDMENT, TO ASSEMBLY AMENDMENT (LRBa1141/3), TO 1999 ASSEMBLY BILL 620

