

02/09/2000 10:37:13 AM

Page 1

1999 DRAFTING REQUEST**Assembly Amendment (AA-AA(LRBa1141/3)-AB620)**Received: **02/08/2000**Received By: **nelsorpl**Wanted: **Soon**

Identical to LRB:

For: **Tom Hebl (608) 266-7678**By/Representing: **hndy**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:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reaured</u>
/1	nelsorp 1 02/08/2000	jgeller 02/08/2000	jfrantze 02/08/2000	_____	lrb-docadmin 02/08/2000	lrb-docadmin 02/08/2000	
12	nelsorp 1 02/09/2000	jgeller 02/09/2000	jfrantze 02/09/2000	_____	lrb-docadmin 02/09/2000	lrb_docadmin 02/09/2000	

FE Sent For:

<END>

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Jb 2/9 *Jb / self*
2/9
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FE Sent For:

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920u (2/8)
State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1345/1

RPN.....

D-Note

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

1 At the locations indicated, amend the amendment as follows:

2 1. Page 2, line 3: delete lines 3 and 4 and substitute:

3 "799.01 (1) (e) **Personal injury claims.** Notwithstanding par. (d), civil actions
4 for personal injuries arising out of a claim based on negligence where the amount
5 claimed for the personal injury is \$5,000 or less."

6

(END)

Handwritten symbols: two right-pointing chevrons and two upward-pointing arrows

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1345/1dn

RPN.....

↑
JL

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
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1345/1dn
RPN:jlg:jf

February 8, 2000

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

Hebl . . . 2/9

And. to delete s1277
\$5,500

Personal injury -- remove
language re: negligence
in s 1345 - just
for personal injury
actions, including actions
for things like assault,
battery.



Today (2/9)

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