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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 02/08/2000	jfrantze 02/08/200	0	lrb-docadmin 02/08/2000	lrb-docadmi 02/08/2000	in
12	nelsorp 1 02/09/2000	jgeller 02/09/2000	jfrantze 02/09/200	0	lrb-docadmin 02/09/2000	lrb_docadmi 02/09/2000	in

FE Sent For:

<END>

1999 DRAFTING REQUEST

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

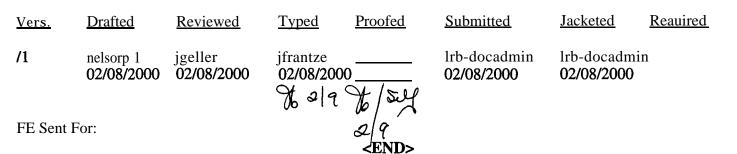
Topic:

Jurisdictional amount in small claims cases

Instructions:

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

Drafting History:



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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
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Subject:	Courts - civil procedure	Extra Copies:

Pre Topic:

No specific pre topic given

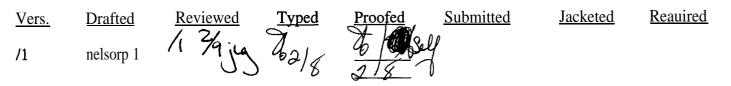
Topic:

Jurisdictional amount in small claims cases

Instructions:

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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

