

MAINE STATE LEGISLATURE

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OF
STATE OF MAINE
SENATE
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 301, L.D. 927, Bill, "AN ACT Concerning the Small Claims Laws."

Amend the bill in section 1 in that part designated "\$7451." by striking out in the first sentence the underlined figure "\$500" and inserting in its place the following: '\$600'

Further amend the bill in section 2 by striking out all of the last underlined paragraph and inserting in its place the following:

'On the return day, the judge shall enter judgment by default for the plaintiff for the amount claimed together with his costs in the event that the defendant fails to appear. If the plaintiff fails to appear and the defendant appears, k judgment by default shall be entered for the defendant. If neither party appears, the judge may dismiss the action with prejudice.'

Further amend the bill by striking out all of section 5 and inserting in its place the following:

'Sec. 5. 14 MRSA §7459 is enacted to read:

§7459. Action against minor

No action under this chapter shall be brought against a minor.'

Further amend the bill by striking out all of section 6.

Statement of Fact

The bill would reduce the jurisdictional limit for small claim cases from \$800 to \$500. This amendment would reduce it to \$600.

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COMMITTEE AMENDMENT "A" to S.P. 301, L.D. 927

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This amendment also gives the District Court Judge more discretion in deciding whether to dismiss when neither party appears. The amendment also removes the provision for jury trials which is not appropriate for small claims cases.

Reported by the Committee on Judiciary.

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May 10, 1977

(Filing No. S-131)