

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1406

H. P. 1182

House of Representatives, March 19, 1981

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative H. Higgins of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Revise the Small Claims Law.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 14 MRSA § 7462, sub-§ 2, as enacted by PL 1979, c. 700, § 4, is amended to read:

2. **Small claim.** "Small claim" means a right of action cognizable by a court, if the debt or damage does not exceed ~~800~~ \$1,500, exclusive of interest and costs. It shall not include an action involving the title to real estate.

Sec. 2. 14 MRSA § 7464, sub-§ 5, as enacted by PL 1979, c. 700, § 4, is amended to read:

5. **Hearing.** On receiving a claim, the clerk shall set a date for hearing. The date may not be less than 14 days nor more than 45 days from the date notice is mailed to the defendant.

Sec. 3. 14 MRSA § 7471, sub-§ 2, as enacted by PL 1979, c. 700, § 4, is amended to read:

2. **Costs.** If the plaintiff prevails, he shall be awarded costs excluding attorney's fees in addition to his judgment.

STATEMENT OF FACT

The purpose of this bill is to increase the amount of debt or damage recoverable through Small Claims Court to \$1,500 and to make other necessary revisions in the Small Claims Law.