

HB 2463 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 2/4

WHAT THE MEASURE DOES:

The measure clarifies that the total amount of a claim can include identified prejudgment and preaward interest, fees and costs, when determining if the claim total exceeds \$750.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

When the value claimed is under \$750, an action can only be filed in a small claims department or small claims court. The Oregon Constitution provides a right to a jury trial if the amount in controversy is over that amount. Or. Const. Art VII, Sec. 3. Persons may opt to file in small claims court when the claimed value is \$10,000 or less, but the defendant may request a jury trial and have the case transferred to the regular circuit court. Small claims provide less formal hearings and trials than regular circuit court proceedings, with the object of providing prompt and economical conclusion of disputes. An attorney is not allowed participate in small claims court for a client absent the judge's consent. Judgments from small claims proceedings are not appealable and have the full force and effect as regular circuit court judgments.