

STAND. COM. REP. NO.

1126

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 1333
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1333, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the
maximum monetary claim that may be filed in small claims court
from a maximum of \$3,500 to a monetary claim that is not equal to
or more than \$5,000, exclusive of interests and costs.

Your Committee received testimony in support of this measure
from the Judiciary and the Collection Law Section of the Hawaii
State Bar Association.

Your Committee finds that this measure will provide a number
of benefits to the parties of small claims cases, including
control of where the case is heard, earlier trial dates, more
timely access to any monetary awards, and the opportunity to
resolve differences through mediation.

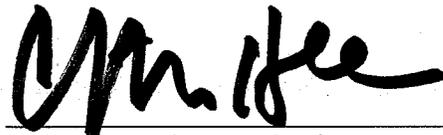
Your Committee also notes that the less than \$5,000 amount
proposed in this measure does not affect the right of trial by
jury for civil cases with a value in controversy that exceeds
\$5,000, as afforded by article I, section 13, of the Hawaii State
Constitution.



Your Committee has amended this measure by changing the effective date to July 1, 2011.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1333, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1333, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 1333, HD1	Committee Referral: JDL	Date: 4-7-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
TOTAL	5	-	-	-
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes