

PREPARED BY: Kenneth Boggs  
 DATE PREPARED: January 11, 2023  
 PHONE: 402-471-0050

**LB 139**

Revision: 00

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2023-24</b>		<b>FY 2024-25</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	See Below		See Below	
CASH FUNDS		See Below		See Below
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

LB 139 is a bill relating to Small Claims Court, to change the jurisdictional amount from \$3,500 to \$10,000 from July 1, 2023, through June 30, 2025.

**Expenditures:**

Currently, in county court, a civil action is filed as a small claims case if damages or property value is under \$3,500 and filed as a civil case if above \$3,500. The increase in the jurisdictional limit from \$3,500 to \$10,000 would result in a reduction in court fee revenue according to the Supreme Court but the amount cannot be determined at this time. There would be an increase in court staff and judicial workload. The Supreme Court states that based on judicial weighted caseload information and civil cases below \$10,000 there is likelihood two additional county court judges would be required at minimum and estimates the total fiscal impact to be \$618,550 (FY23-24) and \$612,750 (FY23-25).

Statute Section 24-503, governing the number of county court judges in each judicial district, would have to be amended to increase the number of judges.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
<b>LB: 139</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Nebraska Commission on Law Enforcement and Criminal Justice (078)</b>
REVIEWED BY: Joe Wilcox	DATE: 01/11/2023	PHONE: (402) 471-4178
COMMENTS: Concur with the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) estimate of No Fiscal Impact to the Agency from LB 139.		

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
<b>LB: 139</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Nebraska Supreme Court (005)</b>
REVIEWED BY: Joe Wilcox	DATE: 02/28/2023	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of Potential, but Indeterminate Fiscal impact to the Agency from LB 139.		

Please complete ALL (5) blanks in the first three lines.

**2023**

**LB<sup>(1)</sup> 139**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Crime Commission

Prepared by: <sup>(3)</sup> Amanda Limbach Date Prepared: <sup>(4)</sup> 1/11/23 Phone: <sup>(5)</sup> 402-471-8799

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

No fiscal impact

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

2023

LB<sup>(1)</sup> 139

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 2/26/2023 Phone: <sup>(5)</sup> 402-326-9215

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	See below		See below	
CASH FUNDS		See below		See below
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

**Explanation of Estimate:**

LB139 increases the jurisdictional limit for small claims cases from \$3,500 to \$10,000.

Initial information. Currently, in county court, a civil action is filed as a small claims case if damages or personal property value is under \$3,500 and filed as a civil case if above \$3,500. Filing fee: small claims case \$29.00, civil case \$49.00. Typically, additional time is needed, by court staff and judges, to process cases where, as in small claims court, the parties represent themselves. Attorneys are not permitted to participate in small claims cases.

**Fiscal impact.**

1. Reduction in court fee revenue. The difference in filing fees will affect judges' retirement and several Cash Funds. A reasonable estimate of the impact cannot be determined at this time.
2. Increase in court staff and judicial workload. It is estimated that there will be a significant shift in cases from civil to small claims. This shift will increase the number of cases involving self-represented persons. In turn, this will increase case processing time and therefore increase court staff and judicial workload. Based on judicial weighted caseload information and data involving civil cases below \$10,000, there is a potential that, at a minimum, two additional county court judges would be required. Estimated General Fund impact: FY23-24 \$618,550, FY24-25 \$612,750.

Note: statute Section 24-503, governing the number of county court judges in each judicial district, would have to be amended to increase the number of judges.

Note. This fiscal note may be amended at a later date.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				

