

2A:6-34 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA 2A:6-34 et al; 2A:15-62; 2A:18-62 (County District Courts--increase monetary jurisdiction to \$5000)

LAWS 1981 CHAPTER 223

Bill No. A1887

Sponsor(s) McEnroe, Thompson and Garvin

Date Introduced June 26, 1980

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Judiciary

Amended during passage Yes  No  Amendments during passage denoted by asterisks

Date of Passage: Assembly March 2, 1981

Senate June 18, 1981

Date of approval July 20, 1981

Following statements are attached if available:

Sponsor statement Yes  No

Committee Statement: Assembly Yes  No

Senate Yes  No

Fiscal Note Yes  No

Veto Message Yes  No

Message on signing Yes  No

Following were printed:

Reports Yes  No

Hearings Yes  No

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7-20-81  
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[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1887

STATE OF NEW JERSEY

INTRODUCED JUNE 26, 1980

By Assemblymen McENROE, THOMPSON and  
Assemblywoman GARVIN

Referred to Committee on Judiciary, Law, Public Safety and Defense

AN ACT concerning the jurisdiction of the county district court,  
amending P. L. 1965, c. 103 and sections 2A:6-34, 2A:6-35,  
2A:6-43, 2A:6-44, 2A:15-62 and 2A:18-62 of the New Jersey  
Statutes.

1 BE IT ENACTED by the Senate and General Assembly of the State  
2 of New Jersey:

1 1. N. J. S. 2A:6-34 is amended to read as follows:

2 2A:6-34. (a) Every action of a civil nature at law, other than a  
3 proceeding in lieu of a prerogative writ, and every action to recover  
4 any penalty imposed or authorized by any law of this State, where  
5 the debt, balance, penalty, damage or other matter in dispute does  
6 not exceed, exclusive of costs, the sum or value of **[\$3,000.00]**  
7 *\$5,000.00*, exclusive of costs, shall be cognizable in the county dis-  
8 trict courts of this State.

9 (b) County district courts shall also have jurisdiction in actions  
10 between landlords and tenants; in actions of replevin where the  
11 value of the goods or chattels of which replevin is sought does not  
12 exceed the value of **[\$3,000.00]** *\$5,000.00*, exclusive of costs; and in  
13 actions of attachment, for a sum not exceeding **[\$3,000.00]**  
14 *\$5,000.00*, exclusive of costs.

15 (c) County district courts shall have jurisdiction of actions by or  
16 against boards of chosen freeholders, quasi, domestic, foreign and  
17 municipal corporations, equally with natural persons, of actions by  
18 creditors of a decedent against the heirs or devisees of the decedent  
19 where the amount in dispute, exclusive of costs, does not exceed the  
19A sum or value of **[\$3,000.00]** *\$5,000.00*, and of such other actions or  
20 proceedings as are now or may hereafter be given by law.

21 (d) In any action transferred to the county district court from  
22 the Superior Court**[**, or from any County Court**]**, the county district

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.**

7 jurisdiction shall be coextensive with the county district court  
 8 where the debt, balance, penalty or other contractual or negligence  
 9 matter in dispute does not exceed, exclusive of costs, the sum of  
 10 ~~[\$500.00]~~ ~~[\$2,000.00]~~ \*\$1,000.00\*. Jurisdiction under this article  
 11 shall be limited to debts, claims and demands held by the person  
 12 with whom or for whose benefit such debt, claim or demand arose,  
 13 and shall not extend to debts, claims or demands held by assignment  
 14 or transfer; except that, any corporation may transfer or assign  
 15 any debt, claim or demand held by it to one of its officers for the  
 16 purpose of bringing action thereon only, and, when so transferred  
 17 or assigned, shall be within the jurisdiction of the division of small  
 18 claims of the county district court. All defenses, setoffs and counter-  
 19 claims available against the corporation may be asserted in any  
 20 action brought by the corporate officer on any debt, claim or demand  
 21 so transferred or assigned.

1 5. N. J. S. 2A:6-44 is amended to read as follows:

2 2A:6-44. Where the debt, balance or other matter in dispute, or  
 3 the amount really due or recoverable exceeds, exclusive of costs, the  
 4 sum or value of ~~[\$500.00]~~ ~~[\$2,000.00]~~ \*\$1,000.00\*, either  
 5 plaintiff or defendant may recover in the division of small claims  
 6 of the county district court a sum not exceeding ~~[\$500.00]~~  
 7 ~~[\$2,000.00]~~ \*\$1,000.00\*, and costs, which recovery shall bar the  
 8 recovery of the residue of such debt, balance or other matter in  
 8A dispute in any court whatsoever.

9 The plaintiff in a complaint or the defendant in the counterclaim  
 10 or third-party complaint may waive the excess over ~~[\$500.00]~~  
 11 ~~[\$2,000.00]~~ \*\$1,000.00\* in order to bring the respective claim  
 12 within the jurisdiction of the division of small claims of the county  
 13 district court.

1 6. N. J. S. 2A:15-62 is amended to read as follows:

2 2A:15-62. If an action cognizable before the county district court  
 3 of any county is brought in ~~[the County Court of the county or]~~  
 4 the Superior Court and the venue is laid in the county, and if the  
 5 plaintiff obtains judgment for an amount not exceeding ~~[\$3,000.00]~~  
 6 \$5,000.00, exclusive of costs, he shall not be entitled to costs, unless  
 7 the parties resided in different counties when the action was com-  
 8 menced, in which event he may be allowed costs, but not exceeding  
 9 the amount allowable in the county district court.

10 This section shall not extend to any action in which the title to  
 11 real estate may, in any way, come in question, nor to any action in  
 12 which the judge before whom it is tried shall, immediately after the  
 13 verdict or the finding, certify that, in his judgment, the action  
 14 should have been brought in the court in which it was instituted.

5 the personal property, located within the county, of any person,  
6 corporation or organization against whom or which a summons  
7 might issue.

8 All proceedings in the action shall conform as nearly as may be,  
9 to the provisions of chapter 26 of this Title.

1 8. This act shall take effect immediately.

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STATEMENT

This bill raises the jurisdictional limit of the county district courts from \$3,000.00 to \$5,000.00 in order to keep up with the rate of inflation. The limit has not been raised since 1969, and the maximum recovery in a negligence action has not been raised since 1957. Matters that would have fallen under the jurisdiction of county district court in 1969 must now be brought in the Superior Court because the dollar value of the disputed item has been greatly inflated.

Also because of inflation, the bill raises the jurisdictional limit of the small claims division of the county district court from \$500.00 to \$2,000.00.

A 1887 (1984)

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1887**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: FEBRUARY 19, 1981

This bill as amended extends the jurisdiction of the county district courts to amounts in controversy to a maximum value of \$5,000.00. The present maximum value within the court's jurisdiction is \$3,000.00. The sponsor indicates that this amount has not been increased since 1969 and inflationary circumstances make it necessary for such a change. For the same reason the bill also increases the county district court's small claims jurisdiction from matters in controversy valued at \$500.00 to matters valued at \$1,000.00.

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SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1887

**STATE OF NEW JERSEY**

DATED: JUNE 8, 1981

Presently, the civil jurisdiction of the county district courts is limited to amounts in controversy with a maximum value of \$3,000.00. The limitation on the small claims division of the county district court is matters in controversy with a value of up to \$500.00. Feeling that the rate of inflation has made these jurisdictional limitations out-of-date, Assembly Bill No. 1887 would increase the general jurisdiction for county district courts to \$5,000.00 and for the small claims division to \$1,000.00.

The last increase in small claims jurisdiction was in 1975, while the last increase in the general district court jurisdiction was in 1969.

Assembly Bill No. 1887 is supported by the Administrative Office of the Courts.

OK LWT

Senate Amendments

to

Assembly Bill No. 1618 OCR, SR

By Sen. Rodgers

ADOPTED

FEB 24 1983

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After "class" insert "that have established full-time municipal housing courts"

After "class" insert "that has established a full-time municipal housing court"

After "municipal" insert "housing"

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After "class" insert "that have established full-time municipal housing courts"

After "municipal" insert "housing"

STATEMENT

This amendment limits the application of the bill to those cities of the first class that have established full-time municipal housing courts.