

LEGISLATIVE HISTORY OF R.S.2A:6-34,35
(Jurisdiction of county district court - \$3,000)
(1969 amendment)

Similar bills introduced, 1965-1969.

COPY NO. 2

- 1965 - A140 (Rimm and others).
- 1965 - A335 (Keith).
- 1965 - S49 (Sarcone).
- 1966 - S268 (Guarini and others).
- 1967 - A649 (Yesko and others).
- 1968 - A609 (Thomas).

L. 1969 - C177 - A572.

- February 17 - Introduced by Laskin, Caffero, Selecky and Hurley.
- March 24 - Passed in Assembly, amended.
- April 21 - Passed in Senate.
- Amended during passage (copy enclosed of original bill and amendment).
- No statement.

No legislative hearings or reports were located.

See:

Burns, John V.
 Why not increase the jurisdictional limits of
 the District Court?
 91 NJLJ 313, May 16, 1968.

Young Lawyers propose ... increase in District Court
 Jurisdiction ...
 91 NJLJ 329, May 23, 1969.

See also, in the years preceding 1969, reports of the New Jersey
 Supreme Court Committee on District Courts, and the New
 Jersey State Bar Association District Court Committee.

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ASSEMBLY, No. 572

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 17, 1969

By Assemblyman LASKIN

Referred to Committee on Judiciary

AN Act concerning the jurisdiction of county district courts, and amending sections 2A:6-34, 2A:6-35, 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. Section 2A:6-34 of the New Jersey Statutes is amended to
2 read as follows:

3 2A:6-34. (a) Every action of a civil nature at law, other than a
4 proceeding in lieu of a prerogative writ, and every action to recover
5 any penalty imposed or authorized by any law of this State, where
6 the debt, balance, penalty, damage or other matter in dispute does
7 not exceed, exclusive of costs, the sum or value of **[\$1,000.00]**,
8 ***[\$5,000.00** except that in actions for damages resulting from negli-
9 gence such sum shall not exceed]* \$3,000.00, exclusive of costs, shall
10 be cognizable in the county district courts of this State.

11 (b) County district courts shall also have jurisdiction in actions
12 between landlords and tenants; in actions of replevin where the
13 value of the goods or chattels of which replevin is sought does not
14 exceed the value of **[\$1,000.00]** ***[\$5,000.00** in actions for damages
15 resulting from negligence where the amount in dispute does not
16 exceed]* \$3,000.00, exclusive of costs; and in actions of attachment,
17 for a sum not exceeding **[\$1,000.00]** ***[\$5,000.00**, exclusive of costs,
18 except that in actions of attachment for damages resulting from
19 negligence, the sum shall not exceed]* \$3,000.00 exclusive of costs.

20 (c) County district courts shall have jurisdiction of actions by or
21 against boards of chosen freeholders, quasi, domestic, foreign and
22 municipal corporations, equally with natural persons, of actions by
23 creditors of a decedent against the heirs or devisees of the decedent,
24 where the amount in dispute, exclusive of costs, does not exceed the

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

25 sum or value of ~~[\$1,000.00]~~ *~~[\$5,000.00]~~ except that in actions for
 26 damages resulting from negligence, such sum shall not exceed]*
 27 \$3,000.00, and of such other actions or proceedings as are now or
 28 may hereafter be given by law.

29 (d) In any action transferred to the county district court from
 30 the Superior Court or from any County Court, the county district
 31 court shall have jurisdiction to enter judgment in such amount as
 32 the judge or jury shall determine the damages to be, notwithstand-
 33 ing that such damages exceed the sum of ~~[\$1,000.00]~~ *~~[\$5,000.00,~~
 34 or]* \$3,000.00 *~~[in actions arising out of negligence]*~~; provided
 35 that such jurisdiction shall not be considered in determining
 36 whether costs shall be denied in the Superior or County Court
 37 pursuant to section 2A:15-62 of the New Jersey Statutes.

1 2. Section 2A:6-35 of the New Jersey Statutes is amended to
 2 read as follows:

3 2A:6-35. (a) Where the debt, balance or other matter in dispute,
 4 or the amount really due or recoverable, exceeds, exclusive of costs,
 5 the sum or value of ~~[\$1,000.00]~~ *~~[\$5,000.00]~~ *\$3,000.00*, either
 6 plaintiff or defendant may recover in a county district court a sum
 7 not exceeding *~~[[~~\$1,000.00] \$5,000.00 and costs, except that in
 8 actions for damages resulting from negligence, either plaintiff or
 9 defendant may recover in a county district court a sum not exceed-
 10 ing]* \$3,000.00 and costs. Such recovery shall bar the recovery of
 11 the residue of such debt, balance or other matter in dispute in any
 11A court whatsoever.

12 (b) The plaintiff in a complaint or the defendant in a counter-
 13 claim or third party complaint may waive the excess over
 14 *~~[[~~\$1,000.00] \$5,000.00, or, in actions for damages resulting from
 15 negligence, the excess over]* \$3,000.00, in order to bring the respec-
 16 tive claim within the jurisdiction of the county district court.

17 (c) The provisions of this section shall not apply to any action
 18 transferred to a county district court pursuant to P. L. 1953, c. 394
 19 (C. 2A:15-47.1).

1 3. Section 2A:15-62 of the New Jersey Statutes is amended to
 2 read as follows:

3 2A:15-62. If an action cognizable before the county district court
 4 of any county is brought in the County Court of the county or the
 5 Superior Court and the venue is laid in the county, and if the
 6 plaintiff obtains judgment for an amount not exceeding ~~[\$1,000.00]~~
 7 *~~[\$5,000.00]~~ exclusive of costs, except that in actions for damages
 8 resulting from negligence, such sum shall not exceed]* \$3,000.00, ex-
 9 clusive of costs, he shall not be entitled to costs, unless the parties
 10 resided in different counties when the action was commenced, in

11 which event he may be allowed costs, but not exceeding the amount
12 allowable in the county district court.

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

1 4. Section 2A:18-62 of the New Jersey Statutes is amended to
2 read as follows:

3 2A:18-62. A writ of attachment may issue out of a county
4 district court, upon the application of any plaintiff whose claim
5 does not exceed ~~[\$1,000.00]~~ *~~[\$5,000.00]~~, exclusive of costs, except
6 that in actions for damages resulting from negligence, the claim
7 shall not exceed]* \$3,000.00, exclusive of costs, against the per-
8 sonal property, located within the county, of any person, corpora-
9 tion or organization against whom or which a summons might issue.

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

1 5. This act shall take effect immediately.

ASSEMBLY, No. 572

STATE OF NEW JERSEY

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 9 in a county district court a sum not exceeding \$3,000.00 and costs.
 10 Such recovery shall bar the recovery of the residue of such debt,
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5 does not exceed ~~【\$1,000.00】~~ \$5,000.00, exclusive of costs, except that
6 in actions for damages resulting from negligence, the claim shall
7 not exceed \$3,000.00, exclusive of costs, against the personal prop-
8 erty, located within the county, of any person, corporation or organ-
9 ization against whom or which a summons might issue.

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

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ASSEMBLY COMMITTEE AMENDMENTS TO
ASSEMBLY, No. 572

—◆—
STATE OF NEW JERSEY
—◆—

ADOPTED MARCH 17, 1969

Amend page 1, section 1, line 8, omit entire line.

Amend page 1, section 1, line 9, omit "geuce such sum shall not exceed".

Amend page 1, section 1, line 14, omit "\$5,000.00 in actions for damages".

Amend page 1, section 1, line 15, omit entire line.

Amend page 1, section 1, line 16, omit "exceed".

Amend page 1, section 1, line 17, omit "\$5,000.00, exclusive of costs,".

Amend page 1, section 1, line 18, omit entire line.

Amend page 1, section 1, line 19, omit "negligence, the sum shall not exceed".

Amend page 2, section 1, line 25, omit "\$5,000.00 except that in actions for".

Amend page 2, section 1, line 26, omit entire line.

Amend page 2, section 1, line 33, omit "\$5,000.00, or".

Amend page 2, section 1, line 34, omit "in actions arising out of negligence".

Amend page 2, section 2, line 5, omit "\$5,000.00" insert "\$3,000.00".

Amend page 2, section 2, lines 7 and 8, omit entire lines.

Amend page 2, section 2, line 9, omit "in a county district court a sum not exceeding".

Amend page 2, section 2, line 14, omit entire line.

Amend page 2, section 2, line 15, omit "negligence, the excess over".

Amend page 2, section 3, line 7, omit entire line.

Amend page 2, section 3, line 8, omit "resulting from negligence, such sum shall not exceed".

Amend page 3, section 4, line 5, omit "\$5,000.00, exclusive of costs, except that".

Amend page 3, section 4, line 6, omit entire line.

Amend page 3, section 4, line 7, omit "not exceed".

FROM: OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE: OCTOBER 14, 1969

Governor Richard J. Hughes today signed the following bills:

Assembly Bill No. 328 - which amends "The Professional Service Corporation Act", allowing a name descriptive of the type of professional service in which the corporation will be engaged to be used rather than the last name of all or some of the shareholders. The purpose of the bill is to simplify and make more meaningful the identification of the role which these professional corporations will play.

Assembly Bill No. 572 - which increases the jurisdictional limits of the County District Courts to \$3,000 in all actions. Presently, such jurisdiction is limited to \$1,000 except in negligence actions. The purpose of the bill is to increase the number of cases in which litigants may have their smaller actions disposed of quickly.

Assembly Bill No. 897 - which requires the State Board of Higher Education to prepare, on an annual basis, a concise report listing all sources of financial assistance available to the citizens of New Jersey continuing their studies at institutions of higher education. Copies of this report will be distributed to all secondary schools in the State and to any New Jersey citizen upon request. The bill appropriates \$15,000 for these purposes.

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