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Statement of Brian S. Becker
State Representative for the 19th Assembly District
before the
Judiciary Committee of the Connecticut General Assembly
March 13, 2013
in support of
HB 6479

An Act Concerning the Maximum Amount of Money Damages in a Small Claims Action

Chairman Coleman, Chairman Fox, Ranking Member Kissel, Ranking Member Rebimbas, and the other distinguished members of the Judiciary Committee, thank you for raising and taking the time to hear testimony on HB 6479, An Act Increasing the Amount of Damages That May Be Alleged in a Small Claims Action.

A constituent of mine, who is a lawyer who often represents consumers with claims against contractors and vendors, suggested I submit a bill to increase the maximum amount of money damages in small claims actions (this was HB 5679). My constituent said that often times he is unable to take cases for consumers because it would not be cost effective. For smaller matters (even up to \$10,000), the legal fees could exceed the amount of the judgment. Accordingly, he often encourages his clients to reduce the amount of their claim to \$5,000 so that they can bring the cases in Small Claims Court.

I would like to draw the committee's attention to one difference between HB 5679 and the bill before you today. In addition to raising the limit on monetary damages in a small claims action, HB 5679 proposed adding a second level of filing fee for those cases with damage claims above \$5,000. The proposed filing fee is \$150, which is still \$200 less than the filing fee for an action brought in Superior Court, and equals the *per diem* pay of a small claims magistrate. Therefore, if a magistrate were to hear just one case on a given day, the expense for that magistrate would be covered. If the proposed change leads to a much greater volume of small claims cases, more magistrates could be hired and the expense of each magistrate would be covered by the filing fee.

When my constituent approached me with this idea, I thought it was a good one. I hope you, too, agree that increasing access to the courts is good public policy and that you will support this bill. Thank you.