

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 428

SPONSOR: Committee on Judiciary

SUBJECT: Trial Court Jurisdiction

DATE: December 14, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Matthews</u>	<u>Johnson</u>	<u>JU</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill raises the county court jurisdictional threshold amount in controversy from \$15,000 to \$25,000 or less, exclusive of interest, costs, and attorney's fees, for causes of action accruing on or after July 1, 2000. A court rule cross-reference is also updated to reflect the proper rule cite.

This bill substantially amends the following section of the Florida Statutes: 34.01.

II. Present Situation:

This bill is based on one of several recommendations by the Senate Committee on Judiciary to shift some trial court jurisdiction responsibility between circuit and county courts. *See Examination of the Jurisdiction of Florida Trial Courts*, Senate Committee on Judiciary, Interim Project Report 2000-58, August 1999. Preliminary review of the jurisdictional threshold amounts of a few states with the most similar court structure indicates that Florida's jurisdictional threshold amount is slightly less than the median.

The Florida Constitution and the statutes set forth the trial courts' jurisdictions. Circuit courts have general trial court jurisdiction not assigned by law to county courts, and appellate jurisdiction over county court cases. *See* art. V., s. 5, Fla. Const., and ch. 26, F.S. County courts are courts of limited jurisdiction based on an amount in controversy and subject matter. *See* art. V., s. 6, Fla. Const., and ch. 34, F.S. A number of other statutory provisions confer jurisdiction upon county or circuit courts over specific matters.

Currently, county courts have exclusive jurisdiction of actions at law in which the matter in controversy is \$15,000, or less, exclusive of interest, costs, and attorney's fees, except for those matters that lie within the exclusive jurisdiction of the circuit courts. s. 34.01, F.S. In 1990, the Florida Legislature revised and expanded the county court's jurisdiction. *See* ch. 90-269, L.O.F. The county court jurisdiction was expanded to include: 1) simplified or uncontested dissolution of marriage proceedings, 2) equity cases within the court's jurisdictional amount, 3) declaratory

judgement matters within the court's jurisdictional amount, and 4) matters pled within the revised monetary jurisdictional threshold of \$15,000 (increased incrementally from \$5,000), exclusive of interest, costs and attorney's fees.

III. Effect of Proposed Changes:

The bill increases the county court jurisdictional threshold amount in controversy for matters accruing on or after July 1, 2000, from \$15,000 to \$25,000, or less, exclusive of interest, costs, and attorney's fees. Consequently, the county courts will have original jurisdiction of all actions at law, not otherwise within the exclusive jurisdiction of the circuit courts, in which the pled amount in controversy does not exceed the new jurisdictional threshold amount.

The bill also updates a cross-reference to the proper rules of court governing simplified dissolution of marriage proceedings.

The Act becomes effective on July 1, 2000.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Since the jurisdictional amount is initially pled as a baseline for actual damages, an increase in the jurisdictional threshold might provide party litigants with a preferable option to file in county court versus circuit court.

C. Government Sector Impact:

It is indeterminate at this time what percentage of cases would be diverted from circuit to county courts as a result of the increase in jurisdictional amount. However, the increase may

provide a more equitable distribution of caseloads between the trial courts. It may also better maximize judicial resources for most of the judicial circuits by reducing the amount of administrative paper and time currently expended by county court judges already exercising circuit court duties under temporary judicial assignments.

The bill may require some administrative and operational re-organization and re-allocation in the county and circuit courts to accommodate the anticipated shift in caseload and workload.

Additionally, the bill may impact the filing fee collection in circuit and county courts. Filing fees are slightly lower in county versus circuit courts.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.