

**Fifty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 7, 2003**

HOUSE CONCURRENT RESOLUTION NO. 3059  
(Representatives Koppelman, DeKrey, Grande, S. Kelsh, Maragos)  
(Senator Dever)

A concurrent resolution directing the Legislative Council to study small claims court.

**WHEREAS**, small claims court provides inexpensive access to informal proceedings to resolve minor claims for the recovery of money or for the cancellation of an agreement; and

**WHEREAS**, an election by the plaintiff to proceed in small claims court is irrevocable and the plaintiff waives the right of appeal; and

**WHEREAS**, a defendant who elects not to remove the action from small claims court waives the right of appeal; and

**WHEREAS**, an appeal mechanism has been requested by the legal and business communities and by the public; and

**WHEREAS**, because of the restrictions on the right to appeal, many residents are bypassing small claims court because of the finality of decisions, thereby burdening the resources of district court with minor disputes;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Council study small claims court; and

**BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly.

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2003,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State