

**FIRST ENGROSSMENT**

Fifty-eighth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE CONCURRENT  
RESOLUTION NO. 3059**

Introduced by

Representatives Koppelman, DeKrey, Grande, S. Kelsh, Maragos

Senator Dever

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

2 **WHEREAS**, small claims court provides inexpensive access to informal proceedings to

3 resolve minor claims for the recovery of money or for the cancellation of an agreement; and

4 **WHEREAS**, an election by the plaintiff to proceed in small claims court is irrevocable

5 and the plaintiff waives the right of appeal; and

6 **WHEREAS**, a defendant who elects not to remove the action from small claims court

7 waives the right of appeal; and

8 **WHEREAS**, an appeal mechanism has been requested by the legal and business

9 communities and by the public; and

10 **WHEREAS**, because of the restrictions on the right to appeal, many residents are

11 bypassing small claims court because of the finality of decisions, thereby burdening the

12 resources of district court with minor disputes;

13 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**

14 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

15 That the Legislative Council study small claims court; and

16 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and

17 recommendations, together with any legislation required to implement the recommendations, to

18 the Fifty-ninth Legislative Assembly.