

LEGISLATION REPORT

REPORT NO. 27

April 10, 2001

S. 1082
A. 1007

By: Senator Volker
By: M. of A. Schimminger

Senate Committee: Codes
Assembly Committee: Judiciary
Effective Date: On the first day of
January next succeeding
the date on which it
shall have become a law

AN ACT to amend the civil practice law and rules, in relation to simplified case resolution; and providing for the repeal of such provisions upon expiration thereof

LAW AND SECTION REFERRED TO: Article 30-A of the civil practice law and rules

THIS BILL IS APPROVED

It has become more evident in recent years that many middle-income consumers in New York State feel shut-out of the civil justice system. The system has grown increasingly complex and costly. As a result, many people simply abandon efforts to enforce their rights in some civil cases because it is impracticable to pursue litigation.

This bill would establish a simplified case resolution procedure, subject to the consent of the parties, where the amount in dispute is \$75,000 or less. The procedure would provide full access to the civil justice system and keep costs low for consumers of legal services.

It would provide an alternative procedure in appropriate cases to keep dispute resolution within the court system and encourage the pursuit of claims which might not otherwise be adjudicated through ordinary litigation or arbitration procedures.

Based on the foregoing, this bill, which is an affirmative legislative proposal of the New York State Bar Association, is **APPROVED**.