



VERMONT LEGISLATIVE  
**Joint Fiscal Office**

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**Fiscal Note**

May 5, 2023

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**S.33 – An act relating to miscellaneous judiciary procedures**

As recommended by the House Committee on the Judiciary<sup>1</sup>

**Bill Summary**

This bill makes miscellaneous changes to various Judiciary provisions, including increasing the jurisdictional limit for small claims court cases from \$5,000 to \$10,000. Cases involving credit card transactions and medical debt would retain the jurisdictional limit of \$5,000.

**Fiscal Impact**

JFO estimates the bill would have an indeterminate negative General Fund revenue impact in fiscal year 2024 and in future years. This impact comes from the increase in the jurisdictional limit in small claims cases from \$5,000 to \$10,000, except for cases involving credit card transactions and medical debt. The limit was last increased in 2007, when it was raised from \$3,500 to \$5,000.

The limit increase would allow for more cases to be filed in small claims court. Plaintiffs would pay a \$90 filing fee for small claims court cases rather than the \$295 filing fee for cases adjudicated by the Superior Courts. Each case filed in small claims court instead of the Superior Courts following this change would result in a General Fund loss of \$205. However, the Vermont Judiciary does not collect information on claim amounts for civil and small claim actions so JFO cannot estimate the total revenue loss.

*Table 1: Filing Fees in Small Claims and Superior Courts<sup>2</sup>*

Fee Description <sup>3</sup>	Fund of Deposit	Claim Limit- Current Law	Claim Limit- Proposed by S.33	Filing Fee	Number of Filings
Small Claims	General Fund	Less than \$1,000	Less than \$1,000	\$65	864
Small Claims	General Fund	\$1,000 to \$5,000	\$1,000 to \$10,000	\$90	2,779
Superior Court	General Fund	Greater than \$5,000	Greater than \$10,000	\$295	4,716

<sup>1</sup>[https://legislature.vermont.gov/Documents/2024/WorkGroups/House%20Judiciary/Bills/S.33/Drafts,%20Amendments,%20and%20Legal%20Documents/S.33~Erik%20Fitzpatrick~House%20Committee%20on%20Judiciary%20Committee%20Report%20\(10-0-1\)~5-3-2023.pdf](https://legislature.vermont.gov/Documents/2024/WorkGroups/House%20Judiciary/Bills/S.33/Drafts,%20Amendments,%20and%20Legal%20Documents/S.33~Erik%20Fitzpatrick~House%20Committee%20on%20Judiciary%20Committee%20Report%20(10-0-1)~5-3-2023.pdf)

<sup>2</sup> <https://jfo.vermont.gov/assets/Meetings/Joint-Fiscal-Committee/2022-12-14/db916c10b0/E.106-Executive-Branch-Fees-and-Fund-Deficits.pdf>

<sup>3</sup> Note the two small claims fee entries are the same fee but the fee amount changes depending on the amount of the claim.