

HOUSE RESEARCH

Bill Summary

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Overview

Either party in a conciliation court action may appeal the decision of the conciliation court by removal to the district court for a new trial. If the removing party prevails in district court, the removing party may recover costs from the opposing party. If the removing party does not prevail, the court must order an additional \$50 to be paid to the opposing party as costs. The legislature has outlined requirements in statute to determine when a removing party "prevails" in district court. This bill modifies those requirements by striking the following clauses:

- the removing party recovers at least \$500 or 50 percent of the amount the removing party requested on removal, whichever is less, when the removing party was denied recovery in conciliation court; or
- the amount the opposing party recovers in district court is reduced from the amount recovered in conciliation court by at least \$500 or 50 percent, whichever is less.

For the removing party to prevail in district court, the following would still apply: (1) the opposing party does not recover any amount in district court when the opposing party recovered some amount in conciliation court; or (2) the removing party recovers an amount in district court that exceeds the amount recovered in conciliation court by at least \$500 or 50 percent, whichever is less.