

### **Rule 281. Definition of Small Claim**

For the purpose of the application of Rules 281 through 288, a small claim is a civil action based on either tort or contract for money not in excess of \$10,000, exclusive of interest and costs.

The order entered December 6, 2005, amending Rule 281 and effective January 1, 2006, shall apply only to cases filed after such effective date.

Amended effective December 15, 1966; amended May 27, 1969, effective July 1, 1969; amended January 5, 1981, effective February 1, 1981; amended December 3, 1996, effective January 1, 1997; amended December 6, 2005, effective January 1, 2006; [amended Sept. 29, 2021, eff. Jan. 1, 2022](#).

#### Committee Comments (Revised January 1, 2022)

This rule was based on paragraph A of former Rule 9-1 which was in effect from January 1, 1964, to January 1, 1967. The only changes of substance made by the 1967 revision were increasing the upper limit of a small claim from \$200 to \$500, including tax-collection cases in the definition, and adding the phrase “based on either tort or contract.” The limit was further increased to \$1,000 by the 1969 amendment, and to \$2,500 by amendment in 1981.

Rule 281 was amended in 2005 to increase the jurisdictional limit from \$5,000 to \$10,000. As the change will require a modification to the allocation of judicial resources, the change was made applicable only to new cases and does not apply to pending cases.

Rule 281 was amended effective January 1, 2022, to remove tax collection cases up to \$10,000 from being filed as a small claims case.