

(S.B. 965)
(Conference)

(No. 196)

(Approved August 7, 1998)

AN ACT

To amend Rule 60 of the Rules of Civil Procedure of 1979, as amended, in order to increase to five thousand (5,000) dollars the maximum amount allowed for judicial claims transacted pursuant to said Rule.

STATEMENT OF MOTIVES

One of the basic responsibilities of the Government is to expedite and promote the speedy and economical solution of controversies between the citizens, especially in those cases in which are channeled through the judicial system. The Government of Puerto Rico is not unaware of this daily reality. Social peace and trust in all business transactions, as well as the stable relationship between financial and legal matters, shall be achieved to the degree that the judicial procedure is outlined and perceived as most expeditious and less complicated as possible. Some of the cases which best exemplify and expedite the promotion of these important goals involve the actions for the recovery of money handled under the special procedure provided in Rule 60 of the Rules of Civil Procedure of 1979.

The maximum permissible amount in such cases when said Rule was originally adopted, was of five hundred (500) dollars. Subsequently, Act No. 57 of July 1, 1988, provided several amendments to said Rule, including

the increase of the jurisdictional amount to two thousand (2,000) dollars. Recent experience suggests that the rapid development and the steady progress achieved during the past years in those business transactions and relations which characterize the ever growing complexity of contemporary Puerto Rican society, as well as the natural impact of inflation and the gradual increase in costs and transactions of all types, make it necessary and convenient to increase said amount to five thousand (5,000) dollars.

To such effect, the Legislature of Puerto Rico hereby approves this Act in order to accommodate this important procedural provision to our economic development.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Rule 60 of the Rules of Civil Procedure of 1979, as amended, is hereby amended to read as follows:

"Rule 60.-Claims of five thousand (5,000) dollars or less.

When an action is filed for the collection of an amount that not exceed five thousand (5,000) dollars, excluding interest, and when the suit does not specifically request that the case be handled under the regular procedure prescribed by these rules, the clerk shall immediately notify the defendant by mail or through any other means of written communication.

Should the defendant reside outside of Puerto Rico he/she shall be summoned by edict pursuant to Rule 4.5.

The notice shall specify the nature of the claim and the date scheduled for the hearing. Said hearing shall be held at the earliest possible date, but never prior to fifteen (15) days after the defendant has been served. The court shall take cognizance of all issues in litigation at the hearing and immediately pronounce judgement. Should the defendant fail to appear, the court, after finding that the latter was duly served and that a certain sum is

owed to the plaintiff, shall pronounce judgment. If it shown to the court that the defendant has a substantial claim, or in furtherance of justice, the court may order that the action be continued under the regular procedures prescribed by these rules."

Section 2.-This Act shall take effect immediately after its approval.

October 15, 1999

Luis G. Hidalgo, Director of the Office of Legislative Services of the Legislature of Puerto Rico, hereby certifies to the Secretary of State that he has duly compared the English and Spanish texts of Act No. 196 (S.B. 965) of the 3rd Session of the 13th Legislature of Puerto Rico, entitled:

AN ACT to amend Rule 60 of the Rules of Civil Procedure of 1979, as amended, in order to increase to five thousand (5,000) dollars the maximum amount allowed for judicial claims transacted pursuant to said Rule,

and finds the same are complete, true and correct versions of each other.

Luis G. Hidalgo