SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 2781 (Committee on Judiciary)
Version: April 8, 2026
Hearing Date: June 16, 2026
Fiscal: Yes
Urgency: No
ME

SUBJECT

Civil cases: filing fees

DIGEST

This bill adjusts the filing fee statutes to reflect the current amounts in controversy that were enacted through SB 71 (Umberg, Ch. 861, Stats. 2023). Specifically, this bill updates Government Codes sections 70613, 70613.5, 70614, and 70621, and Code of Civil Procedure section 116.23.

EXECUTIVE SUMMARY

Civil matters in California courts are broken up into three separate tiers. The jurisdiction of each is largely determined by the amount in controversy in the underlying case. The lower tiers, small claims court and limited civil cases, provide for restricted discovery and representation rights. The goal of maintaining these lower tiers is to expeditiously, inexpensively, and fairly resolve more minor civil disputes. SB 71 (Umberg, Ch. 861, Stats. 2023) was enacted to increase the jurisdictional limits which had not been updated in decades. SB 71 increased the threshold for cases within the jurisdiction of the small claims court brought by a natural defendant from $10,000 to $12,500, as specified. The bill also raised the limit for small claims court jurisdiction in other specified actions. The bill raised the current jurisdictional limit for most limited civil cases from $25,000 to $35,000.

The author brings this bill on behalf of its sponsor, the Superior Court of Los Angeles County, which asserts that the courts have experienced a revenue loss since they are collecting filing fees based on prior amount in controversy levels. This bill adjusts the filing fee statutes to reflect the current amounts in controversy that were enacted through SB 71. Specifically, this bill updates Government Codes sections 70613, 70613.5, 70614, and 70621, and Code of Civil Procedure section 116.23.

There is no known opposition to this bill. Should the bill pass out of this Committee, it will then be referred to the Senate Appropriations Committee.

PROPOSED CHANGES TO THE LAW

Existing law:

1) Establishes, through the Small Claims Act, small claims divisions in each superior court and establishes procedural guidelines for minor civil disputes in order to expeditiously, inexpensively, and fairly resolve such matters. (Code Civ. Proc. §§ 116.110 et seq.)

2) Provides that small claims courts have jurisdiction over specified cases, including for recovery of money, enforcement of delinquent tax payments, if the amount demanded does not exceed specified amounts ranging from $3,125 to $8,125. In addition to this jurisdiction, the small claims court has jurisdiction over actions brought by a natural person that do not seek more than $12,500. (Code Civ. Proc. §§ 116.220, 116.221.)

3) Requires each county to make available individual assistance to advise small claims litigants and potential litigants without charge. (Code Civ. Proc. § 116.260.)

4) Provides that small claims actions do not require formal pleadings outside of a simplified claim form and do not permit pretrial discovery. Plaintiffs may not be represented by an attorney and have a limited right to appeal. The hearing and disposition must be informal with the object to dispense justice promptly, fairly, and inexpensively. (Code Civ. Proc. §§ 116.310-116.330, 116.510-116.530, 116.710.)

5) Provides that notwithstanding any law, including but not limited to, a law that classified an action or special proceeding as a limited civil case, an action or special proceeding shall be treated as a limited civil case only if all of the following conditions are satisfied, as specified:
    a) The amount in controversy does not exceed $35,000;
    b) The relief sought may be granted in a limited civil case; and
    c) The relief sought is exclusively of a type described in one or more laws that classify an action or special proceeding as a limited civil case or that provide that an action or special proceeding is within the original jurisdiction of the superior court, including, but not limited to, 22 specified provisions. (Code Civ. Proc. § 85.)

6) Designates a series of specific civil cases that are to be deemed limited civil cases where the amount in controversy is no more than $35,000. Additional cases in equity are also identified. (Code Civ. Proc. § 86.)

7) Provides that a civil action or proceeding other than a limited civil case may be referred to as an unlimited civil case. (Code Civ. Proc. § 88.)

8) Provides that in limited civil cases the pleadings allowed are complaints, answers, cross–complaints, answers to cross-complaints, and general demurrers. Special demurrers are not allowed, and motions to strike are only allowed on the ground that the damages or relief sought are not supported by the allegations of the complaint. (Code Civ. Proc. § 92.) A plaintiff may serve, and a defendant must then also complete, case questionnaires to elicit fundamental information regarding each party's case. (Code Civ. Proc. § 93.)

9) Imposes limits on discovery in limited civil cases. The court may authorize a party to conduct additional discovery as provided. The parties may also stipulate to additional discovery. (Code Civ. Proc. §§ 94, 95.)

10) Authorizes any party to appeal any judgment or final order in limited cases in accordance with the law governing appeals. (Code Civ. Proc. §§ 99-100.)

11) Provides that the uniform fee for filing the first paper in a limited civil case is $330, except in a case where the amount demanded, excluding attorney's fees and costs, is $10,000 or less, in which case the uniform fee for filing the first paper is $205. The first page of the first paper shall state whether the amount demanded exceeds or does not exceed $10,000. (Gov. Code § 70613.)

12) Provides that the uniform fee for filing the first paper in a limited civil case on behalf of any party other than a plaintiff is $330, except in a case where the amount demanded, excluding attorney's fees and costs, is $10,000 or less, in which case the uniform fee for filing the first paper is $205. (Gov. Code § 70614.)

13) Provides that if the amount demanded in the limited civil case, excluding attorney's fees and costs, is $10,000 or less, the fee for filing a petition for a writ or a notice of appeal to the appellate division of the superior court is $205. (Gov. Code § 70621.)

14) Requires a filing fee of $50 in a small claims case where the demand is more than $1500 but less than or equal to $5,000, and a filing fee of $75 if a small claims case is more than $5,000. (Code Civ. Proc. § 116.230.)

15) Requires that, if a plaintiff or petitioner files an amended complaint or other initial pleading that increases the amount demanded to an amount that exceeds $10,000 but does not exceed $25,000, a fee equal to the difference between the original filing fee and the filing fee for the new amount demanded to be charged to make up the difference between the filing fees. (Gov. Code § 70613.5 (a).)

16) Requires, if a party files a cross-complaint, amended cross-complaint, or amendment to a cross-complaint demanding an amount that exceeds $10,000 but does not exceed $25,000, a fee equal to the difference between the original filing fee and the filing fee for the new amount to be charged to make up the difference between the filing fees. (Gov. Code § 70613.5 (b).)

This bill:

1) Provides that the uniform fee for filing the first paper in a limited civil case is $330, except in a case where the amount demanded, excluding attorney's fees and costs, is $12,500 or less, in which case the uniform fee for filing the first paper is $205. The first page of the first paper shall state whether the amount demanded exceeds or does not exceed $12,500.

2) Provides that the uniform fee for filing the first paper in a limited civil case on behalf of any party other than a plaintiff is $330, except in a case where the amount demanded, excluding attorney's fees and costs is $12,500 or less, the uniform fee for filing the first paper is $205.

3) Provides that if the amount demanded in the limited civil case, excluding attorney's fees and costs, is $12,500 or less, the fee for filing a petition for a writ or a notice of appeal to the appellate division of the superior court is $205.

4) Requires a filing fee of $50 for small claims cases with a demand of more than $1,500 but less than or equal to $6,250, and a filing fee of $75 for cases if the amount of the demand is more than $6,250.

5) Requires that, if a plaintiff or petitioner files an amended complaint or other initial pleading that increases the amount demanded to an amount that exceeds $12,500 but does not exceed $35,000, a fee equal to the difference between the original filing fee and the filing fee for the new amount demanded to be charged to make up the difference between the filing fees.

6) Requires that, if a party files a cross-complaint, amended cross-complaint, or amendment to a cross-complaint demanding an amount that exceeds $12,500 but does not exceed $35,000, a fee equal to the difference between the original filing fee and the filing fee for the new amount to be charged to make up the difference between the filing fees.

COMMENTS

1. Updates the codes regarding filing fees that were impacted by SB 71

This bill is a technical clean-up bill that adjusts the filing fee statutes to reflect the current amounts in controversy that were enacted through SB 71 (Umberg, Ch. 861, Stats. 2023). Civil matters in California courts are broken up into three separate tiers. The jurisdiction of each is largely determined by the amount in controversy in the underlying case. The lower tiers, small claims court and limited civil cases, provide for restricted discovery and representation rights. The goal of maintaining these lower tiers is to expeditiously, inexpensively, and fairly resolve more minor civil disputes. SB 71 was enacted to increase the jurisdictional limits which had not been updated in decades. SB 71 increased the threshold for cases within the jurisdiction of the small claims court brought by a natural defendant from $10,000 to $12,500, as specified. The bill raised the limit for small claims court jurisdiction in other specified actions. The bill raised the current jurisdictional limit for most limited civil cases from $25,000 to $35,000.

The author, the Assembly Committee on Judiciary, brings this bill on behalf of its sponsor, the Superior Court of Los Angeles County, which asserts that the courts have experienced a revenue loss since they are collecting filing fees based on prior amount in controversy levels. This bill adjusts the filing fee statutes to reflect the current amounts in controversy that were enacted through SB 71.

According to the author:

> When the Legislature enacted SB 71 to raise the amount in controversy levels that guide filings in various civil cases, the Legislature did not make the corresponding adjustment to the amount in controversy references in various filing fee statutes. This has resulted in revenue losses for the courts as they are currently collecting filing fees based on the prior amount in controversy levels. In these difficult budget times, when every dollar matters for state agencies, this bill would adjust the filing fees to reflect accurate jurisdiction for filing civil matters.

The Superior Court of Los Angeles County, sponsor of the bill, writes the following in support of AB 2781:

> Senate Bill 71 increased jurisdictional limits for small claims and limited civil cases, expanding small claims jurisdiction to $6,250 or $12,500 for actions filed by a natural person, and raising the limited civil jurisdictional cap from $25,000 to $35,000. These changes took effect on January 1, 2024.
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> However, several statutes governing civil filing fees, including Government Code Sections 70613, 70613.5, 70621, as well as Code of Civil Procedure Section

116.23, still reference outdated monetary thresholds. As a result, the current law contains conflicting fee triggers based on the amount in controversy rather than case designation. This inconsistency creates uncertainty for litigants, complicates processing for court staff, and risks inconsistent fee application across California. AB 2781 addresses these issues by updating and harmonizing filing fee statutes to reflect the jurisdictional structure established by SB 71. Specifically, the bill ensures that limited civil filing fees apply uniformly to all cases with amounts in controversy of $35,000 or less and eliminates outdated and confusing monetary thresholds.

These technical amendments will eliminate conflicting statutory language, promote consistent statewide application of filing fees regardless of county, reduce confusion for litigants, including self-represented litigants, and lessen administrative burdens on courts by reducing the risk of erroneous fee collection.

SUPPORT

Superior Court of Los Angeles County (sponsor)

OPPOSITION

None known

RELATED LEGISLATION

Pending legislation: AB 1827 (Chen, 2026) increases the small claims amount in controversy level to $15,000. AB 1827 is currently in this Committee.

Prior legislation: SB 71 (Umberg, Ch. 861, Stats. 2023) increased the threshold for cases within the jurisdiction of the small claims court brought by a natural defendant from $10,000 to $12,500. The bill also raised the limit for small claims court jurisdiction in other specified actions. The bill raised the jurisdictional limit for limited civil cases, as specified, from $25,000 to $35,000.

PRIOR VOTES:

Assembly Floor (Ayes 73, Noes 0)
Assembly Appropriations Committee (Ayes 13, Noes 0)
Assembly Judiciary Committee (Ayes 12, Noes 0)
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