



**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO 2005 ASSEMBLY BILL 149**

April 12, 2005 - Offered by Representative KESSLER.

1 **AN ACT to amend** 814.04 (6) of the statutes; **relating to:** attorney fees in civil
2 actions.

Analysis by the Legislative Reference Bureau

Under current law, generally in civil actions the amount a prevailing party may recover in attorney fees is limited by law. If the amount recovered is greater than \$5,000, the attorney fees are \$500. If the amount recovered is from \$1,000 to \$5,000, the attorney fees are \$300. If the amount recovered is less than \$1,000, the attorney fees are \$100. If there is no specific amount recovered or if the action does not involve property, the attorney fees are \$300. Current law reduces these attorney fee awards by half if there is a default judgment or if the action is voluntarily dismissed by the adverse party.

This substitute amendment reduces the attorney fees by half when the action is brought by a debt collector who has purchased the debt and there is a default judgment or the action is voluntarily dismissed by the adverse party.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 814.04 (6) of the statutes is amended to read:

