

**2005 DRAFTING REQUEST**

**Bill**

Received: 01/04/2005

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Jean Hundertmark (608) 266-3794

By/Representing:

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Courts - costs and fees

Extra Copies:

Submit via email: YES

Requester's email: Rep.Hundertmark@legis.state.wi.us

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Costs in default actions.

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**Instructions:**

Repeal 814.04 (6)

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rnelson2 01/05/2005	wjackson 01/15/2005	jfrantze 01/20/2005	_____	lnorthro 01/20/2005	lnorthro 02/28/2005	

FE Sent For:

<END>

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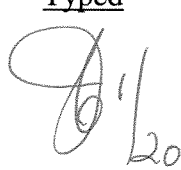
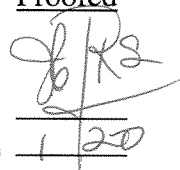
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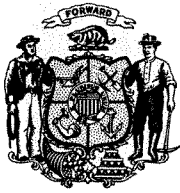
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/1	rnelson2 01/05/2005	lrb_editor 1/15					

FE Sent For:

<END>



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1484/P1

RPN:.....

WJ

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

OTHER

Gen

1 AN ACT ...; relating to: ~~???~~ attorney fees in civil 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 the action is voluntarily dismissed by the adverse party.

This bill removes the provision that reduces the attorney fees when there is a default judgment or when 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:**

2 SECTION 1. 799.25 (10) (a) of the statutes is amended to read:  
3 799.25 (10) (a) Attorney fees as provided in s. 814.04 (1) and (6), except if the  
4 amount of attorney fees is otherwise specified by statute.

**History:** 1971 c. 32; Sup. Ct. Order, 67 Wis. 2d 585, 773 (1975); 1977 c. 187, 449; 1979 c. 32 ss. 66, 92 (16); 1979 c. 176; Stats. 1979 s. 799.25; 1981 c. 317 ss. 85sn to 85sz, 2202; 1981 c. 365, 391; 1987 a. 208; 1989 a. 359; 1993 a. 490.



**Northrop, Lori**

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**From:** Eng, Peter  
**Sent:** Monday, February 28, 2005 10:51 AM  
**To:** LRB.Legal  
**Subject:** LRB-1484/1

Good morning.

My name is Peter Eng, and I am the Legislative Assistant for State Representative Jean Hundertmark.

I request that LRB jacket our bill draft, LRB-1484/1, for introduction.

If there are any further questions, please reply by e-mail or call me at 266-3794.

Thank you and have a great day.

Pete Eng  
Legislative Assistant  
State Representative Jean Hundertmark  
40th Assembly District