

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

March 7, 2006 – Offered by Senators GROTHMAN, MILLER and RISSER.

1 **AN ACT** *to create* 814.04 (1) (b) of the statutes; **relating to:** attorney fees in court
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 bill allows the court to increase the amount of these attorney fees by not more than \$125 if the attorney appeared before the court, the case required an unusual amount of time, and the attorney submitted a statement of the time that the case required.

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

3 **SECTION 1.** 814.04 (1) (b) of the statutes is created to read:

