

2005 DRAFTING REQUEST

Senate Substitute Amendment (SSA-AB149)

Received: **03/07/2006**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Glenn Grothman (608) 266-7513**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

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Subject: **Courts - costs and fees**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Grothman@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Attorneys fees in court

Instructions:

See Attached

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>
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FE Sent For:

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FE Sent For:

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50639/1
STAYS

SENATE SUBSTITUTE AMENDMENT,
TO 2005 ASSEMBLY BILL 149

Reagan ✓

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:

