



State of Wisconsin
2011 – 2012 LEGISLATURE

September 2011 Special Session



LRBs0253/1
PJH:cmh:jf

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 12**

November 3, 2011 – Offered by Representatives STASKUNAS and HEBL.

1 **AN ACT to create** 814.045 of the statutes; **relating to:** factors for determining
2 the reasonableness of attorney fees.

Analysis by the Legislative Reference Bureau

Under current law, in certain civil actions a court may grant reasonable attorney fees to a prevailing party or may be asked to determine whether attorney fees sought by a party are reasonable. Under this substitute amendment, to determine whether attorney fees are reasonable, the court must consider several factors set forth by a rule established by the supreme court.

Under the substitute amendment, the factors that the court must consider are the time and labor required by the attorney, the novelty and difficulty of the questions involved, and the skills needed to perform the legal service properly; the likelihood that the acceptance of the particular case will or did prevent the attorney from accepting other work; the fee customarily charged in the locality for similar legal services; the amount involved in the legal dispute and the results obtained; the time limitations imposed by the client or by the circumstances; the nature and length of the professional relationship with the client; the experience, reputation, and

