

2011 Se1 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-SB12)

Received: 11/02/2011

Received By: phurley

Wanted: As time permits

Companion to LRB:

For: Gary Hebl (608) 266-7678

By/Representing: Mike

May Contact:

Drafter: phurley

Subject: Courts - costs and fees

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Hebl@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Reasonableness of attorney fees; supreme court rule factors

Instructions:

Just like 11s0239

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:

<END>

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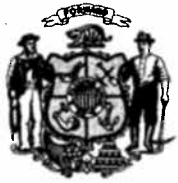
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State of Wisconsin
2011 - 2012 LEGISLATURE

September 2011 Special Session



LRBs0239A
PJH:cmh:jf

Stays
50253/1
RMNR

ASSEMBLY SUBSTITUTE AMENDMENT,
TO ASSEMBLY BILL 12

by Mich

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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

