

Approved by Committee
on Highways & Transportation

1 H BILL NO. 473
2 INTRODUCTION BY W. Barth
3 BY REQUEST OF THE DEPARTMENT OF HIGHWAYS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE AND PROVIDE A
6 MANNER FOR COMPUTING THE AMOUNT OF NECESSARY EXPENSES OF
7 LITIGATION REQUIRED BY SECTION 93-9921.1, R.C.M. 1947."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Necessary expenses of litigation. (1)
11 Necessary expenses of litigation as authorized by 93-9921.1
12 mean reasonable and necessary attorney fees, expert witness
13 fees, exhibit costs, and court costs.

14 (2) Reasonable and necessary attorney fees are the
15 customary rates for an attorney's services in the county in
16 which trial is held, provided that reasonable and necessary
17 attorney fees may not exceed \$50 an hour. Reasonable and
18 necessary attorney fees may not be computed on the basis of
19 any contingent fee contract entered into after July 1, 1977.

20 (3) Reasonable and necessary expert witness fees may
21 not exceed the customary rate for the services of a witness
22 of such expertise in the county in which trial is held.

-End-

HB 483

SECOND READING

1 H BILL NO. 473
2 INTRODUCED BY H. Smith

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HB473

THIRD READING

February 21, 1977

STANDING COMMITTEE REPORT

Senate Committee on Judiciary

That House Bill No. 483, be amended as follows:

1. Amend page 1, section 1, line 15.

Following: "customary"

Insert: "hourly"

2. Amend page 1, section 1, lines 16 and 17.

Following: "held"

Strike: ", provided that reasonable and necessary attorney fees
may not exceed \$50 an hour"

3. Amend page 1, section 1, line 18.

Following: "fees"

Insert: "shall be computed on an hourly basis and"

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 15 customary HOURLY rates for an attorney's services in the
 16 county in which trial is held, ~~provided that reasonable and~~
 17 ~~necessary attorney fees may not exceed \$50 an hour.~~
 18 reasonable and necessary attorney fees SHALL BE COMPUTED ON
 19 AN HOURLY BASIS AND may not be computed on the basis of any
 20 contingent fee contract entered into after July 1, 1977.

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-end-

REFERENCE BILL

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