HB 522 INTRODUCED BY ASAY, ET AL. REGULATE AMOUNT OF CONTINGENT ATTORNEY FEES

- 1/29 INTRODUCED
- 1/29 REFERRED TO BUSINESS & LABOR
- 1/30 REREFERRED TO JUDICIARY
- 2/09 HEARING
- 2/23 TABLED IN COMMITTEE

1	House BILL NO.
2	INTRODUCED BY Chian Buch
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING THE AMOUNT
5	OF CONTINGENT FEES THAT AN ATTORNEY MAY RECEIVE; AMENDING
6	SECTION 25-10-301, MCA; AND INCLUDING AN APPLICABILITY
7	PROVISION."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 25-10-301, MCA, is amended to read:
11	"25-10-301. Determining compensation of attorneys. (1)
12	The measure and mode of compensation of attorneys and
13	counselors-at-law is left to agreement, express or implied,
L 4	of the parties, except that:
L5	(a) in probate proceedings the court may fix and allow
16	the compensation of attorneys representing administrators,
L7	executors, guardians, trustees, and agents appointed by the
18	court; and
19	(b) in all claims for personal injury, property
20	damages, or wrongful death, a plaintiff's attorney may not
21	contract for, charge, collect, or receive a contingent fee
22	exceeding:
23	(i) 40% of the first \$25,000 recovered;
24	(ii) 33 1/3% of the next \$75,000 recovered;
25	(iii) 30% of the next \$150,000 recovered;

1	(iv) 25% of the next \$250,000 recovered;
2	(v) 20% of the next \$500,000 recovered;
3	(vi) 15% of the next \$250,000 recovered; and
4	(vii) 10% of any amount over \$1,250,000 recovered.
5	(2) But-parties Parties to actions or proceedings are
6	entitled to costs and disbursements as provided by law."
7	NEW SECTION. Section 2. Applicability. This act does
8	not apply to a contingent fee contracted for or charged
9	prior to the effective date of this act.
	-End-