

SENATE JUDICIARY COMMITTEE

345

MINUTES

Meeting was called to order at 9:15 a. m. by Chairman Monroe on March 26, 1969. All committee members present.

SB 468 - Exempts certain persons from paying state bar dues.

Senator Swobe explained this would exempt judges from paying dues into the State Bar Association.

Senator Dodge felt this should be between the judges and the State Bar. The legislature should not interfere with any dues schedule, particularly with professional people.

Senator Swobe moved to "Bucket"
Senator Christensen seconded the motion
Motion carried.

AB 53 - Bases allownace of attorney's fees to plaintiff in civil action upon amount recovered.

Senator Monroe asked is there wasn't a previous arrangement between client and attorney as to what the attorney fees would be before he was hired.

Senator Swobe stated it was just as expensive, if not more so, to handle a case under the \$10,000 limit. An attorney usually takes a case on a contingency basis. This would be beneficial to the cases for small collections. The theory of this would be that the Court would allow attorney fees in addition to the amount allowed in the suit when it is for under \$10,000. In any settlement over \$10,000 the client must pay his own attorney fees.

Senator Young felt this might help to keep the number to trials or cases filed to a minimum. Leaving the decision to the court as to who, plaintiff or defendent, would have the attorney fees and court costs added to the amount they had to pay. They would think twice before filing a suit.

There being no futher time for discussion left the meeting adjourned to hear General Westmoreland speak to a joint meeting of Senate and Assembly.