

HCS HB 179 -- FEES AND EXPENSES RELATED TO CIVIL ACTIONS

SPONSOR: Parker

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 179.

This bill repeals from the definition of "reasonable fees and expenses", as it relates to civil actions or agency proceedings, the prohibition on attorneys being awarded more than \$75 per hour unless the court determines that a special factor justifies a higher fee.

The bill also repeals the sunset on the Basic Civil Legal Services Fund.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that the bill sets attorneys' fees at \$75 an hour for proceedings, and the amount has not been changed since 1989. This is to correct a problem. Licensed professionals have to hire an attorney to defend their license and, because the attorneys' fees are set at such a low rate, these licensed professionals are not finding attorneys willing to take these cases. They want to ensure that attorneys are compensated fairly. Licensees should be able to pick their own attorneys and this cap limits their choice. This is a legislative priority for the Missouri Bar.

Testifying in person for the bill were Representative Parker; Andy Briscoe, The Missouri Bar.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say they think this was last raised in 1983 and they expressed concern about potential fiscal impact.

Testifying in person on the bill was Arnie Dienoff.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.