

CHAPTER 8

ATTORNEY FEES – DEFAULT AND UNCONTESTED MATTERS

8.01 SCHEDULE OF ATTORNEY FEES

If the obligation sued upon provides for the recovery of a reasonable attorney's fee, the fee in each default case and in each case where judgment is rendered pursuant to section 585(a) of the Code of Civil Procedure, may be fixed pursuant to the following schedule:

<u>Principal Amount of Judgment</u>	<u>Attorney's Fee</u>
Under \$2,000	25 percent
Under \$2,000.01 to \$5,000.00	20 percent or \$500.00 – whichever is greater
\$5,000.01 to \$10,000.00	15 percent or \$1,000.00 – whichever is greater
\$10,000.01 to \$25,000.00	12 percent or \$1,500.00 – whichever is greater

On judgments in excess of \$25,000.00 the attorney's fee may be ten percent (10%) of the principal amount between \$25,000.00 and \$50,000.00, and five percent (5%) of any additional sum.

Plaintiff shall have the right, in accordance with section 585(a) of the Code of Civil Procedure, to have the attorney fee fixed by the court in an amount different than as set forth above.

(Adopted October 1, 1998)

8.02 REQUEST FOR ATTORNEY FEES IN UNLAWFUL DETAINER ACTIONS

If the obligation sued upon provides for recovery of reasonable attorney fees, the court may allow a \$450.00 fee to the prevailing party in an unlawful detainer default hearing. In unusual cases, attorneys may apply to the court, by motion, for increased fees.

(Adopted October 1, 1998; Amended July 1, 2017)