

HB1421\_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB26-1421 be amended as follows:

1 Amend printed bill, page 9, after line 3 insert:

2 "(3) NOTHING IN THIS SECTION:

3 (a) PREVENTS A CLIENT FROM DIRECTING THE CLIENT'S LAWYER;

4 (b) PROHIBITS AN ARRANGEMENT IN WHICH ALL OF THE  
5 FOLLOWING ARE SATISFIED:

6 (I) THE CONTRACT FOR THE ARRANGEMENT PROVIDES FOR A  
7 SPECIFIC, PREDETERMINED DOLLAR AMOUNT FOR CLEARLY DEFINED LEGAL  
8 SERVICES;

9 (II) A PAYMENT IS NOT MADE, DIRECTLY OR INDIRECTLY, FOR THE  
10 REFERRAL OF LEGAL SERVICES OR THE PURCHASE OF A LEAD FOR A  
11 POTENTIAL CLIENT OR CASE;

12 (III) THE FEE UNDER THE ARRANGEMENT IS NOT CONTINGENT  
13 UPON, TIED TO, OR OTHERWISE DEPENDENT ON THE OUTCOME OF ANY  
14 MATTER OR THE AMOUNT RECOVERED AND IS NOT ADJUSTED, REFUNDED,  
15 CREDITED, OR OTHERWISE MODIFIED BASED ON THE OUTCOME OR  
16 RECOVERY;

17 (IV) THE PRIMARY PURPOSE OF THE ARRANGEMENT IS NOT THE  
18 PURSUIT OR RECOVERY OF MONETARY DAMAGES ON BEHALF OF A CLIENT;  
19 AND

20 (V) THE FEE UNDER THE ARRANGEMENT IS SOLELY FOR IDENTIFIED  
21 SERVICES AND IS NOT PART OF, CONDITIONED UPON, OR COMBINED WITH  
22 ANY OTHER ARRANGEMENT THAT PROVIDES FOR COMPENSATION BASED ON  
23 REFERRALS, CASE OUTCOMES, OR THE CLIENT'S RECOVERY; OR

24 (c) LIMITS OR REDUCES THE RIGHT OF A CLIENT OR EMPLOYER OF  
25 A LAWYER TO SEEK AND COLLECT OR SETTLE A PAYMENT ON ACCOUNT OF  
26 A STATUTORY OR CONTRACTUAL ENTITLEMENT TO ATTORNEY FEE  
27 REIMBURSEMENT."

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