

April 9, 1980

LB 694

SENATOR KOCH: Okay, fine.

CLERK: Okay. Mr. President, Senator Nichol has an amendment to the bill.

SPEAKER MARVEL: 694.

CLERK: It reads as follows, Senator: (Read the Nichol amendment as found on page 1768 of the Journal.)

SENATOR NICHOL: Mr. Chairman, this is just a typographical error and I move for the amendment.

SPEAKER MARVEL: All those in favor of the Nichol amendment...the motion is the adoption of the Nichol amendment to 694. All those in favor of that motion vote aye, opposed no. We are voting on the Nichol amendment to 694. Have you all voted? Record.

CLERK: 26 ayes, 1 nay, Mr. President, on adoption of the Nichol amendment.

SPEAKER MARVEL: The Nichol amendment is adopted.

CLERK: Mr. President, Senator Koch now moves to amend the bill and those amendments are on page 1260 of the Journal.

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Mr. Speaker and members of the body, many times individuals are concerned about the professional fees that are charged when probates, estates are handled, and what this amendment does it establishes guidelines for attorneys' fees. The proposed amendment is taken from Colorado law and I understand it works well. Those who sometimes feel as though they had been imposed upon by excessive fees, under this proposal the court can by comparability establish a fair fee that should be awarded to the attorney or attorneys handling the estate. It merely provides for time allotments. It provides for employment in relationship to unemployment time taken and similarity to other kinds of services or cases which have been carried forth in an area. So you arrive at some degree of equity in terms of what is fair both to the party being served and to the individual performing the professional service. I ask for the adoption of the amendment.

SPEAKER MARVEL: Senator Nichol, do you wish to speak to the amendment?