

S 1836

Legal Expense Equity Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Nov 6, 2003

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Nov 6, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/1836>

Sponsor

Name: Sen. Graham, Lindsey [R-SC]

Party: Republican • State: SC • Chamber: Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cornyn, John [R-TX]	R · TX		Nov 6, 2003
Sen. Grassley, Chuck [R-IA]	R · IA		Nov 6, 2003

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Nov 7, 2003

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
108 HR 4430	Identical bill	<b>Jun 28, 2004:</b> Referred to the Subcommittee on Courts, the Internet, and Intellectual Property.

Legal Expense Equity Act of 2003 - Amends the Federal judicial code to authorize parties in civil diversity litigation to serve written settlement offers on an adverse party at any time not less than 10 days before trial.

Authorizes the court, at any time before judgment is entered, to exempt from settlement any claim that presents a novel and important question of law or fact that substantially affects nonparties. Voids all settlement offers made by the parties with respect to such exempted claims.

Authorizes an offeror whose proposed settlement was declined by an offeree to file a petition with the court seeking payment by the offeree of costs and fees, including attorney's fees, from the date of the last settlement offer by either party if the ultimate judgment or order is not more favorable to the offeree than the proposed settlement. Requires the court to order payment by the offeree in such circumstances unless requiring payment would be manifestly unjust.

Limits attorney's fees ordered under this Act to: (1) the actual attorney's fees incurred by the offeree in connection with the claim; or (2) if no such cost was incurred due to a contingency fee agreement, a reasonable cost that would have been incurred by the offeree absent a contingency fee agreement.

States that this Act does not apply to claims seeking equitable remedies.

### **Actions Timeline**

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