

OFFER OF JUDGMENT IN CIVIL CASES

2013 GENERAL SESSION

STATE OF UTAH

LONG TITLE

General Description:

This bill provides authority for the supreme court to allow the recovery of attorney and witness fees in cases settled pursuant to a settlement offer.

Highlighted Provisions:

This bill:

- ▶ provides statutory authority for attorney and witness fees in cases settled pursuant to a settlement offer.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78B-5-825.1, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78B-5-825.1** is enacted to read:

78B-5-825.1. Attorney fees -- Witness fees -- Settlement offers.

If the supreme court authorizes by rule a party making a settlement offer to recover costs from the offeree when the ultimate award is not more favorable than the offer, the costs recoverable by the offeror include, in addition to the costs defined by rule, the offeror's attorney fees and witness fees, including expert witness fees.