

REPORT BY THE  
AUDITOR GENERAL  
OF CALIFORNIA

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**ATTORNEY FEES PAID OR COLLECTED  
BY STATE AND LOCAL AGENCIES  
1980-1982**

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REPORT BY THE  
OFFICE OF THE AUDITOR GENERAL  
TO THE  
JOINT LEGISLATIVE AUDIT COMMITTEE

P-325

ATTORNEY FEES PAID OR COLLECTED  
BY STATE AND LOCAL AGENCIES, 1980-1982

DECEMBER 1983



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December 16, 1983

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Honorable Art Agnos, Chairman  
Members, Joint Legislative  
Audit Committee  
State Capitol, Room 3151  
Sacramento, California 95814

Dear Mr. Chairman and Members:

The Office of the Auditor General presents its report concerning the fees and hourly rates paid to private attorneys hired by state and local governments. It also shows the awards against governmental entities pursuant to Section 1021.5 of the Code of Civil Procedure. Finally, the report identifies the attorney fees collected by state and local governments.

Respectfully submitted,

  
THOMAS W. HAYES  
Auditor General

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## SUMMARY

California law permits state agencies to hire private attorneys when the Attorney General cannot provide the special services required or when an agency that is exempt from using the Attorney General cannot provide the support with its own attorneys. Local agencies such as district attorneys, city attorneys, and county counsels also hire private attorneys for special legal services. In addition, pursuant to Section 1021.5 of the Code of Civil Procedure, courts may require state and local agencies to pay fees to private attorneys who handle cases brought against the agencies. In other cases, courts may allow state and local agencies to collect attorney fees. This report provides information concerning the total fees and hourly rates paid to private attorneys by state and local agencies and collected by state and local agencies during calendar years 1980, 1981, and 1982.

### Fees Paid to Hire Private Attorneys

State agencies may hire private attorneys when the Attorney General cannot provide the special support needed or when an agency that is exempt from using the Attorney General cannot provide the support with its own attorneys. A state agency must obtain the Attorney General's approval before hiring private attorneys unless that agency is exempt by law from using the Attorney General. Of the 28 state agencies we surveyed, 19 reported hiring private attorneys during 1980, 1981, or 1982. These agencies paid private attorneys approximately \$2.64 million in 1980, \$2.67 million in 1981, and \$3.57 million in 1982. Hourly rates for the attorneys varied from \$23.75 per hour to \$275 per hour.

Six of the sixteen local agencies we surveyed reported hiring private attorneys. Three of the six reported the amount of the fees paid. The Santa Clara County Counsel, the Santa Clara District Attorney, and the Los Angeles City Attorney paid to private attorneys a total of

approximately \$308,000 in 1980, \$200,000 in 1981, and \$527,000 in 1982. These three agencies paid hourly rates ranging from \$25 to \$200 per hour.

### Fees Awarded by the Court

Section 1021.5 of the Code of Civil Procedure permits courts to award private attorney fees. These awards require state and local agencies to pay private attorney fees when court rulings result in the enforcement of an important right affecting the public interest and in a significant benefit to the general public or a large class of persons. Five state agencies reported 17 cases in which the courts required the State to pay attorney fees from 1980 to 1982. These fees totaled \$69,390, \$34,753, and \$34,437 in 1980, 1981, and 1982, respectively. In the majority of cases, the state agencies did not identify the hourly rate used to compute the attorney fees. In 4 cases, however, the agencies reported hourly rates of \$52, \$70, \$75 to \$100, and \$100.

Three local agencies reported five cases in which the court awarded fees to private attorneys. These awards totaled \$59,832, \$6,000, and \$91,864 in the three years covered by this report. The court-ordered rates reported by the three local agencies were \$25 to \$90 per hour, \$65 to \$90 per hour, \$75 per hour, \$80 per hour, and \$100 per hour.

### Fees Collected

State and local agencies may also collect attorney fees in court actions such as cases involving consumer fraud, workers' compensation, and county enforcement of family support payments. Three state agencies and four local agencies reported cases in which they collected attorney fees. The state agencies reported collecting a total of \$56,884, \$74,095, and \$47,720 during 1980, 1981, and 1982, respectively. The local agencies reported collecting \$63,220, \$70,475, and \$122,516 during the three years.

Agencies identified three methods that the courts used to determine the amount of the fees to be collected. The courts determined the amount of fees based on the hourly rate of an agency's own attorneys, the hourly rate charged by any private attorneys in the cases, or a set fee for similar cases.

## INTRODUCTION

To centralize the State's legal services, Section 11042 of the California Government Code prohibits state agencies from hiring any legal counsel other than the Attorney General. However, Section 11041 of the code exempts some state agencies from using the Attorney General if by law those agencies are authorized to employ their own legal staff. Furthermore, any state agency not exempt may hire private attorneys if the agency first obtains the Attorney General's written consent. The Attorney General has granted such approval in cases that required special expertise not available from the Attorney General or in cases that would have involved the Attorney General in a conflict of interest.

In addition to hiring private attorneys, agencies occasionally must pay private attorney fees when courts award fees pursuant to Section 1021.5 of the Code of Civil Procedure. Section 1021.5 authorizes courts to award attorney fees to parties that sue public agencies when the suit results in the enforcement of an important right affecting the public interest; the court can award attorney fees to the plaintiffs if the suit confers a significant benefit on the general public or large class of persons, if the necessity and financial burden of private enforcement make an award appropriate, and if the fees should not be paid out of the recovery, if any. For example, such an award was ordered in an appeal of a 1980 case challenging the State's policy of granting state employees time off with pay on Good Friday; the court ordered the State, as defendant, to pay the plaintiff \$51,600 for attorney fees.



Section 1021.5 does not entitle public agencies to receive attorney fees when the court rules against the plaintiffs.

Prior to fiscal year 1982-83, state agencies paid court-awarded attorney fees out of various sources. In some cases, agencies paid the fees out of their budgets. In other instances, the Legislature provided funds for the fees through budget appropriations for specific cases or by separate legislation. However, in the fiscal year 1982-83 Budget Act, the Legislature introduced a new procedure by appropriating \$400,000 to pay attorney fees awarded pursuant to Section 1021.5. This appropriation included \$200,000 from the State's General Fund, \$100,000 from special funds, and \$100,000 from nongovernmental costs funds. Further, the Legislature restricted the hourly rate for payments from this appropriation to not more than the hourly rate charged by the Attorney General; no single payment can exceed \$50,000.

State and local agencies also collect attorney fees in some types of court action initiated by the agencies. Such actions include cases involving consumer fraud, workers' compensation, county enforcement of family support payments, anti-trust litigation, and guardianship of estates.

#### SCOPE AND METHODOLOGY

This report identifies the total fees and hourly rates paid to private attorneys hired by the state and local agencies, total fees and

the hourly rates that state and local agencies paid to private attorneys pursuant to Section 1021.5 of the Code of Civil Procedure, and total fees and the basis for fees collected by state and local agencies. We report this information for calendar years 1980, 1981, and 1982.

To develop this information, we interviewed staff and reviewed documentation at the following agencies: the Attorney General, the Department of Finance, the State Board of Control, and the State Controller. We obtained information about the payment and collection of attorney fees from the responses to questionnaires we sent to 28 state agencies and 16 local agencies. Our sample of state agencies included both large agencies (such as the Health and Welfare Agency), divisions within large agencies, and small agencies (such as the Fair Political Practices Commission) that could have paid or collected attorney fees during the three years covered by our survey. In several instances, we contacted agencies before we included them in our sample to determine if they had paid or collected attorney fees. We selected the majority of the local agencies in our sample from cities and counties listed on the legislative request for this audit. (Appendix A lists the state and local agencies we surveyed.) Four of the 16 local agencies we surveyed did not respond to the questionnaire and four others provided only partial information. One state agency did not respond.

## ANALYSIS

### I

#### FEES PAID TO HIRE PRIVATE ATTORNEYS

Nineteen state agencies in our sample reported hiring private attorneys during 1980, 1981, and 1982. The attorney fees paid per case or by contract varied from less than \$16 for a youthful offender parole action to over \$1,171,000 for legal services provided to the University of California over a three-year period in a case involving labor relations and labor law. Six local agencies reported hiring private attorneys; three agencies reported the amount of fees they paid. Costs for attorney fees ranged from an average of approximately \$1,200 for cases involving worker compensation to \$219,000 for a case litigating Hoover Dam power reallocations.

Thirteen of the state agencies that reported hiring private attorneys required the approval of the Attorney General to do so. Agencies that hired private attorneys and did not require the Attorney General's approval included the Regents of the University of California, the California Public Utilities Commission, the State Department of Education, the State Lands Commission, the State Treasurer (with respect to state bonds), and the Youth and Adult Correctional Agency (with respect to parole hearings). At the Attorney General's office, we reviewed agencies' requests for approval to hire private attorneys; the majority of private attorneys required by state agencies during 1980,

1981, and 1982 were needed to support court cases. Other attorneys were required for such services as bond counsel, in connection with the issuance of revenue bonds, consultant services, and legal studies.

Table 1 on the following page shows the agencies that reported hiring private attorneys from January 1980 through December 1982, the number of such cases, and the total fees and hourly rates. Some agencies with multi-year contracts did not report the yearly fees for the contracts; in such cases we reported the total fees in the last year of the contract. Some agencies did not report the hourly rates in all cases.

TABLE 1

FEEES AND HOURLY RATES STATE AND LOCAL AGENCIES PAID  
TO HIRE PRIVATE ATTORNEYS  
JANUARY 1980 THROUGH DECEMBER 1982

Agency	1980			1981			1982		
	Number of Cases	Attorney Fees Paid	Hourly Rates	Number of Cases	Attorney Fees Paid	Hourly Rates	Number of Cases	Attorney Fees Paid	Hourly Rates
<u>State Agencies</u>									
Attorney General	11	\$ 312,150	\$25 to \$115	3	\$ 37,000	\$85 to \$125	0	\$ 0	\$0
Business, Transportation and Housing Agency	10	156,328	\$30 to \$120	4	47,657	\$70 to \$90	9	154,768	\$85 to \$100
California Energy Commission	3	221,712	\$40 to \$165	3	21,055	\$75 to \$165	2	210,200	\$75 to \$165
Health and Welfare Agency	1	876	\$60	1	4,494	\$60 to \$70	3	55,333	\$70 to \$132
State and Consumer Services Agency	3	17,668	\$65	5	60,134	\$60 to \$80	15	121,948	\$50 to \$165
State Controller	4	389,801	\$50 to \$140	7	530,820	\$50 to \$165	9	786,030	\$65 to \$185
State Department of Education	1	187,939	\$45 to \$110	2	232,619	\$55 to \$120	2	536,440	\$60 to \$125
State Lands Commission	2	7,145	\$25 to \$85	2	180,350	\$40 to \$250	2	131,877	\$50 to \$275
University of California	4	836,336	\$54 to \$220	7	876,235	\$45 to \$260	9	996,325	\$54 to \$185
Youth and Adult Correctional Agency (Parole Hearings)	1,640	293,858	\$23.75	1,787	345,251	\$23.75 to \$26.25	1,412	295,734	\$23.75 to \$26.25
(Nonparole Cases)	0	0	\$0	1	119,280	\$70 to \$150	3	40,119	\$65 to \$165
Nine other agencies*	9	219,857	\$70 to \$165	12	219,972	\$50 to \$130	19	238,573	\$75 to \$185
Total (State Agencies)	1,688	\$2,643,670		1,824	\$2,674,867		1,485	\$3,567,347	
<u>Local Agencies</u>									
Los Angeles City Attorney	7	\$ 213,687	\$70 to \$100	3	\$ 33,976	\$60 to \$100	12	\$ 428,330	\$50 to \$200
Santa Clara County Counsel**	78	94,067	\$60	138	166,044	\$60	59	112,347	\$70 to \$170
Santa Clara District Attorney	0	0	\$0	0	0	\$0	1	29,350	\$25 to \$200***
Total (Local Agencies)	85	\$ 307,754		141	\$ 200,020		72	\$ 570,027	

\*Agricultural Labor Relations Board, California State University, Department of Food and Agriculture, Department of Personnel Administration, Department of Finance, Office of Planning and Research, Resources Agency, State Treasurer, and the California Public Utilities Commission. Because these nine state agencies paid less than 10 percent of the total reported attorney fees during the three years, the table consolidates the data these agencies provided. Five of these agencies hired private attorneys in 1980, seven hired private attorneys in 1981, and seven hired private attorneys in 1982.

\*\*The Santa Clara County Counsel reported the total fees paid each year, the hourly rates, and stated an average cost per case of \$1,200. From these data we computed the approximate number of cases.

\*\*\*The \$200 was a fee per court appearance rather than hourly rate

As the table shows, state agencies in our sample reported that they hired private attorneys in 1,688 cases in 1980, in 1,834 cases in 1981, and in 1,485 cases in 1982. These agencies reported paying total fees of \$2,643,670 in 1980, \$2,674,867 in 1981, and \$3,567,347 in 1982. The three local agencies that reported the total amounts spent on private attorney fees hired private attorneys in 85 cases in 1980, in 141 cases in 1981, and in 72 cases in 1982. These agencies paid total fees of \$307,754 in 1980, \$200,020 in 1981, and \$570,027 in 1982.

As Table 1 shows, the hourly rates that state agencies paid to private attorneys varied considerably. For example, the Youth and Adult Correctional Agency paid private attorneys the lowest hourly rate that we found in our survey; this agency paid attorneys \$23.75 per hour to represent youths and adults in parole hearings. The State Lands Commission reported the highest hourly rate paid; the commission paid \$275 an hour in 1982 in a case involving the Internal Revenue Service and United States Treasury.

Rates paid by local agencies also varied widely. Four local agencies provided information on hourly rates. The Los Angeles City Attorney reported hiring private attorneys in 22 cases at rates ranging from \$50 to \$200 per hour. The Santa Clara County Counsel reported that private attorneys who worked on approximately 270 worker compensation cases were paid at \$60 per hour in 1980 and 1981, and at \$70 per hour in 1982. The Santa Clara County Counsel hired private attorneys in one case, paying \$80 to \$170 per hour in 1982 for legal services concerning a

Medi-Cal contract with the State of California. The San Francisco City Attorney said that he hired private attorneys only from "time to time" and that the range of \$60 to \$185 per hour is representative of his 1982 hourly rates.

In each of the three calendar years, most of the private attorneys hired by state agencies were hired by the Youth and Adult Correctional Agency to represent youths and adults in parole hearings. In 1980, this agency hired private attorneys in 1,640 parole hearing cases, paying attorneys a total of \$293,858. Fourteen additional state agencies reported hiring private attorneys in 48 cases in 1980 at a total cost of \$2,349,812.

In 1981, the Youth and Adult Correctional Agency paid private attorneys a total of \$345,251 for 1,787 parole hearings. Seventeen state agencies in our sample paid a total of \$2,329,616 to private attorneys in 47 cases. In 1982, the Youth and Adult Correctional Agency hired private attorneys in 1,412 parole cases, for a total cost of \$295,734. Sixteen agencies paid a total of \$3,271,613 to private attorneys in 73 cases. (Appendix B contains information on specific hourly rates paid by state agencies and the frequency that each rate was paid during each of the three years.)

II

FEES PAID TO PRIVATE ATTORNEYS  
PURSUANT TO SECTION 1021.5  
OF THE CODE OF CIVIL PROCEDURE

When a suit against a public agency results in enforcement of public rights, Section 1021.5 of the Code of Civil Procedure authorizes the court to award to the plaintiff the cost of the plaintiff's attorney fees. For the period January 1980 through December 1982, five state agencies reported a total of 17 cases in which the courts awarded attorney fees pursuant to Section 1021.5 of the Code of Civil Procedure. However, some agencies did not report the hourly rates in all cases. Total attorney fees awarded to the prevailing parties in these cases totaled \$138,580. In addition, three local agencies reported a total of five such cases, with a total award to plaintiffs of \$157,696.

Table 2 on the following page shows the agencies that paid attorney fees pursuant to Section 1021.5 of the Code of Civil Procedure, the number of such cases, the amount of fees awarded, and the hourly rates used to compute the attorney fees as reported by each agency. In the majority of individual cases reported by state agencies, the agencies could not identify the hourly rates that the courts used to compute the attorney fees. In four cases, however, the state agencies reported hourly rates of \$52, \$70, \$75 to \$100, and \$100. For the five cases reported by local agencies, fees were paid at the following hourly rates: \$25 to \$90, \$65 to \$90, \$75, \$80, and \$100.



TABLE 2

STATE AND LOCAL AGENCIES THAT REPORTED ATTORNEY FEES  
AND HOURLY RATES AWARDED PURSUANT TO SECTION 1021.5  
OF THE CODE OF CIVIL PROCEDURE  
JANUARY 1980 THROUGH DECEMBER 1982

Agency	1980			1981			1982		
	Number of Cases	Attorney Fees Awarded	Hourly Rates	Number of Cases	Attorney Fees Awarded	Hourly Rates	Number of Cases	Attorney Fees Awarded	Hourly Rates
<u>State Agencies</u>									
Department of Food and Agriculture	0	\$ 0	\$0	0	\$ 0	\$0	1	\$ 3,834	\$70
Health and Welfare Agency	5	69,390	\$75 to \$100*	3	\$31,150	unreported	2	13,724	unreported
Resources Agency	0	0	\$0	0	0	\$0	1	4,806	\$52
State and Consumer Services Agency	0	0	\$0	1	1,103	unreported	3	12,073	unreported
Youth and Adult Correctional Agency	0	0	\$0	1	2,500	unreported	0	0	\$0
Total (State Agencies)	5	\$69,390		5	\$34,753		7	\$34,437	
<u>Local Agencies</u>									
Los Angeles City Attorney	2	\$59,832	\$65 to \$90**	0	\$ 0	\$0	1	\$25,427	\$80
San Francisco City Attorney	0	0	\$0	0	0	\$0	1	66,437	\$25 to \$90
Santa Clara County Counsel	0	0	\$0	1	\$6,000***	\$100	0	0	\$0
Total (Local Agencies)	2	\$59,832		1	\$6,000		2	\$91,864	

\*Includes one case in which the hourly rates ranged from \$75 to \$100 and another case in which the hourly rate was \$100.

\*\*Includes one case in which the hourly rates ranged from \$65 to \$90 and another case in which the hourly rate was \$75.

\*\*\*The court assessed Santa Clara County \$7,500 for attorney fees; however, the county settled the case for \$6,000.

Some agencies reported that the fees were not based on an hourly rate; the court determined a total amount for the attorney fees. In some cases, the court used an hourly rate to compute a base fee, then adjusted the base fee by applying a "multiplier." The multiplier applied depended on the difficulty of the case, the quality of the work, results obtained, the risk of losing the case, and other pertinent factors. For example, one state agency reported a 1980 case in which the court used hourly rates of \$75 to \$100 to compute a base fee, then adjusted the base fee by applying a 400 percent multiplier. After the agency appealed, however, the court reduced the multiplier to 200 percent. Likewise, the San Francisco City Attorney reported a 1982 case in which the base fee was computed using hourly rates ranging from \$25 to \$90 per hour and adjusted with a 125 percent multiplier.

According to records at the Department of Finance, eight claims against the State were approved for payment in fiscal year 1982-83; these claims totaled \$75,210. The claims were computed using the Attorney General's hourly rate; none of the claims exceeded \$50,000. The amount and computation of these claims conform to the Legislature's criteria as provided in the fiscal year 1982-83 Budget Act.

### III

#### ATTORNEY FEES COLLECTED

Three state agencies and four local agencies in our survey reported collecting attorney fees in some court actions. The court awarded the fees to reimburse the agencies for legal services involved in cases such as consumer fraud, workers' compensation, county enforcement of family support payments, and guardianships and conservatorships of estates. Table 3 on the following page shows the agencies that collected attorney fees and the amounts collected from January 1980 through December 1982. The three state agencies reported that during the three years they collected a total of \$178,699; the four local agencies reported collecting \$256,211.

Some state and local agencies reported that the courts determined the amount of attorney fees to be collected by using an average hourly cost of the agency's own attorneys, an hourly rate charged by a private attorney used by the agency in the case, or a set fee for similar cases. For example, the Los Angeles District Attorney reported collecting attorney fees, in 50 consumer fraud cases, based on the hourly rate of his agency's attorneys. The hourly rate was approximately \$43 in 1980, \$46 in 1981, and \$51 in 1982.

TABLE 3

ATTORNEY FEES COLLECTED BY STATE AND LOCAL AGENCIES  
JANUARY 1980 THROUGH DECEMBER 1982

Agency	1980			1981			1982		
	Number of Cases	Attorney Fees Collected	Basis For Fees	Number of Cases	Attorney Fees Collected	Basis For Fees	Number of Cases	Attorney Fees Collected	Basis For Fees
<u>State Agencies</u>									
Business, Transportation and Housing Agency	0	\$ 0	\$0	2	\$13,500	set fee	2	\$ 4,500	set fee
Health and Welfare Agency*	numerous	56,884	set fee	numerous	60,595	set fee	numerous	33,220	set fee
State and Consumer Services Agency	0	0	\$0	0	0	\$0	1	10,000	\$51 to \$52/hr.
Total (State Agencies)		<u>\$56,884</u>			<u>\$74,095</u>			<u>\$47,720</u>	
<u>Local Agencies</u>									
Los Angeles City Attorney	0	\$ 0	\$0	0	\$ 0	\$0	1	\$ 26,729**	\$55/hr.
Los Angeles District Attorney	17	22,800	\$43/hr.	21	53,000	\$46/hr.	22	85,500	\$51/hr.
San Francisco District Attorney***	19	15,420	unreported	31	17,475	unreported	31	10,287	unreported
Santa Clara District Attorney****	1	25,000	unreported	0	0	\$0	0	0	\$0
Total (Local Agencies)	<u>37</u>	<u>\$63,220</u>		<u>52</u>	<u>\$70,475</u>		<u>54</u>	<u>\$122,516</u>	

\*The Health and Welfare Agency indicated only that the attorney fees collected were for "numerous" cases in each of the three years.

\*\*Fees awarded by the court but still under negotiation.

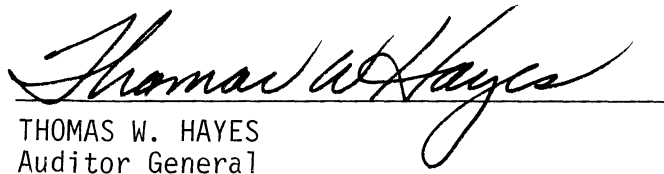
\*\*\*The San Francisco District Attorney reported attorney fees awarded rather than fees collected. The majority of the fees awarded to the San Francisco were based on set rates for similar cases.

\*\*\*\*Settlement was negotiated rather than based on attorney fees.

A representative of the San Francisco District Attorney told us that the courts awarded attorney fees to the district attorney based on a set fee. For example, the court usually awarded either \$100 or \$150 per case to the county in "Modification of Child Support" cases. Similarly, the Health and Welfare Agency reported that probate judges approved attorney fees of from \$150 to \$250 per case for numerous guardianships and conservatorships for which the Director of the Department of Developmental Services is guardian or conservator. In addition, the Business, Transportation and Housing Agency reported four cases wherein one of its divisions collected a total of \$18,000 in set fees.

We conducted this review under the authority vested in the Auditor General by Section 10500 et seq. of the California Government Code and according to generally accepted governmental auditing standards. We limited our review to those areas specified in the audit scope section of this report.

Respectfully submitted,

  
THOMAS W. HAYES  
Auditor General

Date: December 5, 1983

Staff: Eugene T. Potter, Audit Manager  
Murray Edwards

STATE AND LOCAL AGENCIES SURVEYED

State Agencies

Agricultural Labor Relations Board  
Attorney General  
Business, Transportation and Housing Agency  
California Energy Commission  
California Public Utilities Commission  
California State University  
California Transportation Commission  
Department of Finance  
Department of Food and Agriculture  
Department of Industrial Relations  
Department of Personnel Administration  
Environmental Affairs Agency  
Fair Political Practices Commission  
Health and Welfare Agency  
Military Department  
Office of Administrative Law  
Office of Criminal Justice Planning  
Office of Emergency Services  
Office of Planning and Research  
Public Utilities Commission  
Resources Agency  
Secretary of State  
State and Consumer Services Agency  
State Controller  
State Department of Education  
State Lands Commission  
State Treasurer  
University of California  
Youth and Adult Correctional Agency

Local Agencies

Los Angeles County District Attorney  
Monterey County District Attorney  
Nevada County District Attorney  
Sacramento County District Attorney  
San Francisco County District Attorney  
San Mateo County District Attorney  
Santa Clara County District Attorney  
  
Fresno City Attorney  
Los Angeles City Attorney  
Oakland City Attorney  
Sacramento City Attorney  
San Francisco City Attorney  
  
Los Angeles County Counsel  
Monterey County Counsel  
Sacramento County Counsel  
Santa Clara County Counsel

HOURLY RATES AND FEES STATE AGENCIES  
PAID TO HIRE PRIVATE ATTORNEYS, 1980-1982

The following tables show specific hourly rates state agencies paid to private attorneys during 1980, 1981, and 1982, together with the frequency at which each rate was paid, and the total fees paid at those rates. Nine state agencies reported this information for 1980, eleven reported these data for 1981, and twelve agencies provided these data for 1982. To present a more representative profile, the tables exclude fees paid to private attorneys for the Youth and Adult Correctional Agency parole hearings. Percents are rounded to the nearest tenth.

1980

<u>Hourly Rate</u>	<u>Frequency (Percent of Total)</u>	<u>Fees Paid at This Rate (Percent of Total)</u>
\$ 25	2 ( 6.5)	\$ 13,800 ( 2.0)
\$ 40	1 ( 3.2)	6,389 ( 0.9)
\$ 43	1 ( 3.2)	10,500 ( 1.6)
\$ 45	1 ( 3.2)	630 ( 0.1)
\$ 50	1 ( 3.2)	5,000 ( 0.7)
\$ 55	1 ( 3.2)	29,543 ( 4.4)
\$ 60	3 ( 9.7)	29,528 ( 4.4)
\$ 65	1 ( 3.2)	6,685 ( 1.0)
\$ 70	3 ( 9.7)	135,245 (20.1)
\$ 75	4 (12.9)	97,945 (14.5)
\$ 80	1 ( 3.2)	41,748 ( 6.2)
\$ 85	2 ( 6.5)	33,145 ( 4.9)
\$ 90	3 ( 9.7)	53,064 ( 7.9)
\$ 95	1 ( 3.2)	47,975 ( 7.1)
\$100	1 ( 3.2)	6,391 ( 1.0)
\$110	1 ( 3.2)	49,543 ( 7.4)
\$115	1 ( 3.2)	27,400 ( 4.1)
\$120	1 ( 3.2)	270 ( 0.0)
\$125	1 ( 3.2)	2,749 ( 0.4)
\$165	<u>1 ( 3.2)</u>	<u>76,725 (11.4)</u>
Total	<u>31</u>	<u>\$674,276</u>

1981

<u>Hourly Rate</u>	<u>Frequency (Percent of Total)</u>	<u>Fees Paid at This Rate (Percent of Total)</u>
\$ 51	1 ( 2.4)	\$ 5,228 ( 0.5)
\$ 52	1 ( 2.4)	5,031 ( 0.4)
\$ 60	3 ( 7.3)	62,292 ( 5.4)
\$ 65	2 ( 4.9)	4,747 ( 0.4)
\$ 70	2 ( 4.9)	5,912 ( 0.5)
\$ 75	3 ( 7.3)	121,923 (10.6)
\$ 80	1 ( 2.4)	184,466 (16.0)
\$ 85	3 ( 7.3)	23,536 ( 2.0)
\$ 90	6 (14.6)	91,205 ( 7.9)
\$ 95	1 ( 2.4)	421 ( 0.0)
\$100	13 (31.7)	352,835 (30.6)
\$120	1 ( 2.4)	208,970 (18.1)
\$125	2 ( 4.9)	7,707 ( 0.7)
\$165	1 ( 2.4)	75,405 ( 6.5)
\$275	<u>1 ( 2.4)</u>	<u>3,625 ( 0.3)</u>
Total	<u>41</u>	<u>\$1,153,303</u>

1982

<u>Hourly Rate</u>	<u>Frequency (Percent of Total)</u>	<u>Fees Paid at This Rate (Percent of Total)</u>
\$ 55	1 ( 3.6)	\$ 29,969 ( 6.6)
\$ 58	1 ( 3.6)	54,096 (11.9)
\$ 60	3 (10.7)	21,984 ( 4.8)
\$ 65	1 ( 3.6)	2,074 ( 0.5)
\$ 70	3 (10.7)	8,151 ( 1.8)
\$ 75	2 ( 7.1)	11,275 ( 2.5)
\$ 80	2 ( 7.1)	17,270 ( 3.8)
\$ 85	2 ( 7.1)	10,300 ( 2.3)
\$ 90	4 (14.3)	11,081 ( 2.4)
\$100	3 (10.7)	80,299 (17.6)
\$110	1 ( 3.6)	83,105 (18.3)
\$120	1 ( 3.6)	49,888 (11.0)
\$125	2 ( 7.1)	44,736 ( 9.8)
\$165	1 ( 3.6)	11,550 ( 2.5)
\$250	<u>1 ( 3.6)</u>	<u>19,187 ( 4.2)</u>
Total	<u>28</u>	<u>\$454,965</u>



cc: Members of the Legislature  
Office of the Governor  
Office of the Lieutenant Governor  
State Controller  
Legislative Analyst  
Director of Finance  
Assembly Office of Research  
Senate Office of Research  
Assembly Majority/Minority Consultants  
Senate Majority/Minority Consultants  
Capitol Press Corps