



Superior Court of California  
County of Orange

# MEMO

**Date:** June 12, 2008  
**To:** Court Community  
**Subject:** Attorney Fee Schedule

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Please be advised that the following local rule of the Superior Court of Orange County has been revised and will become effective July 1, 2008:

Rule 366. Attorney Fees on Judgment by Default

A copy of the revised rule is attached for your reference.

**RULE 366. ATTORNEY FEES ON JUDGMENT BY DEFAULT**

When a promissory note or contract provides for the recovery of, or a statute authorizes the clerk to enter, a reasonable attorney fee the following schedule will be applied to the amount of the default judgment exclusive of costs:

- \$5,000.00 or less, 10% with a minimum of \$400.00;
- \$5,000.01 to \$25,000.00, \$500.00 plus 6% of the excess over \$5,000.00;
- \$25,000.01 to \$60,000.00, \$1,700.00 plus 3% of the excess over \$25,000.00;
- \$60,000.01 to \$100,000.00, \$2,750.00 plus 2% of the excess over \$60,000;
- \$100,000.01 or more, \$3,550.00 plus 1% of the excess over \$100,000.00.

In any case where an attorney claims he or she is entitled to a fee in excess of any of the above amounts, the attorney may apply to the court and present proof to support a higher award. The court will determine the reasonable fee amount according to proof.

(Renumbered effective March 15, 1984; revised eff. January 1, 1988; revised and renumbered eff. July 1, 1998; revised eff. July 1, 1999; revised eff. January 1, 2006; revised eff. January 1, 2008; revised effective July 1, 2008)