

Lynne Liberato Law360 Guest Article: How to Support Atty Fee Claims in Texas

October 31, 2013 Lynne Liberato

PRACTICES Litigation

To support a claim for fees in Texas, an attorney should provide documentation or some other type of contemporaneous record of the work he performed, and, if the opposing party objects to the award, she had better challenge the evidence supporting the fee claim in the trial court. These lessons come from recent cases in which the Texas Supreme Court has considered the proof necessary to support awards of attorney's fees.

In *City of Laredo v. Montano*, the Supreme Court considered the level of proof necessary to support an award of attorney's fees made under a fee-shifting provision of the Property Code applicable in eminent domain proceedings.

The plaintiff in that case chose to prove up attorney's fees using the "lodestar" method, which involves multiplying the total hours that an attorney has reasonably spent on a matter by a reasonable hourly rate, then adjusting this amount as necessary to reach a reasonable fee.

Excerpted from Law360, October, 31, 2013. To view full article, [click here](#) (subscription required).