

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1120

H.P. 829 House of Representatives, April 7, 1987
Reference to the Committee on Judiciary suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative RACINE of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Require the Payment of Reasonable
2 Attorneys Fees in Successful Libel and
3 Slander Suits.
4

5 Be it enacted by the People of the State of Maine as
6 follows:

7 14 MRSA §154-A is enacted to read:

8 §154-A. Attorneys fees in libel and slander suits

9 If the plaintiff prevails in an action for libel
10 or slander, the court shall award the plaintiff his
11 reasonable attorneys fees and costs.

1

STATEMENT OF FACT

2 Because the "American rule" provides that each
3 party in a civil suit pays his attorney, the normal
4 practice in a civil suit is for an attorney to repre-
5 sent his client for a percentage of the award. In
6 action for libel and slander, attorneys will not
7 represent the plaintiff on a contingency basis since
8 it is customary for courts to award nominal amounts.
9 When there is a clear case of libel and slander and
10 damages are difficult to establish, aggrieved persons
11 are reluctant to spend huge amounts just to prove ac-
12 tual libel and slander.

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