

Initiative Petition 51 Talking Points

- Many Oregon trial lawyers charge from 30% to 50% of the financial recovery as their contingent fees. The typical fee is 35% to 40% of the recovery. Complete statistics are not available because these fees are presently not directly regulated.
- This is a consumer protection measure because it protects lawyers' clients from being gouged. These are people who believe they have a legal claim and are desperate for legal representation. Standards should be set to protect them at this vulnerable time.
- Oregon already limits lawyers' contingent fees for workers' compensation claims. The limit is even lower than the limit in this initiative. The workers' compensation limit is 25% of the first \$15,000 and 10% of the additional recovery. The workers' compensation limit is not affected by this petition. This is just an example of how the proposed limits are reasonable.
- Some lawyers are willing to bring lots of frivolous claims on the basis that they will occasionally "hit the jackpot," with some settlement, where they will recover 40% or more in fees. This initiative will force lawyers to be more judicious about forcing people to defend against frivolous claims.