

**Senate File 255 - Introduced**

SENATE FILE 255

BY DANIELSON

(COMPANION TO HF 40 BY SALMON)

**A BILL FOR**

1 An Act relating to calculation of attorney fees for attorneys  
2 representing personal representatives in administration of  
3 estates.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 633.198, Code 2019, is amended to read  
2 as follows:

3 **633.198 Attorney fee.**

4 There shall also be allowed and taxed as part of the costs of  
5 administration of estates as an attorney fee for the personal  
6 representative's attorney, such reasonable fee as may be  
7 determined by the court, for services rendered, but not in  
8 excess of the attorney's normal hourly rate or the schedule of  
9 fees herein provided for personal representatives, whichever  
10 is less.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with  
13 the explanation's substance by the members of the general assembly.

14 This bill relates to the calculation of attorney fees  
15 for attorneys representing personal representatives in  
16 administration of estates. Current law allows a reasonable  
17 attorney fee for the personal representative's attorney, as  
18 may be determined by the court, to be taxed as part of the  
19 costs of administration of estates. The current fee may not  
20 be in excess of the schedule of fees provided for personal  
21 representatives, which sets a maximum fee based on certain  
22 percentages of the gross assets of the estate. The bill  
23 provides that the attorney fee may not be in excess of the  
24 schedule of fees provided for personal representatives or the  
25 attorney's normal hourly rate, whichever is less.