

**Fifty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2003**

HOUSE BILL NO. 1195
(Representative Klemin)
(Senator Trenbeath)

AN ACT to amend and reenact section 35-20-08 of the North Dakota Century Code, relating to attorney's liens.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 35-20-08 of the North Dakota Century Code is amended and reenacted as follows:

35-20-08. Attorney's lien ~~—On papers - On money - Against a judgment.~~ An attorney has a lien for a general balance of compensation in and for each case upon:

1. ~~Any papers belonging to his client which have come into his hands in the course of his professional employment in the case for which the lien is claimed.~~
2. Money in ~~his~~ the attorney's hands belonging to ~~his~~ the attorney's client in the case.
3. ~~2.~~ Money due ~~his~~ the attorney's client in the hands of the adverse party, or attorney of such party, in an action or proceeding in which the attorney claiming the lien was employed, from the time of giving notice in writing to ~~such~~ the adverse party, or the attorney of such party if the money is in the possession or under the control of such attorney, which notice must state the amount claimed and in general terms for what services. After judgment in any court of record, the notice may be given and the lien made effective against the judgment debtor by entering the same in the judgment docket opposite the entry of the judgment.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1195.

House Vote: Yeas 89 Nays 0 Absent 5

Senate Vote: Yeas 43 Nays 0 Absent 4

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2003.

Approved at _____ M. on _____, 2003.

Governor

Filed in this office this _____ day of _____, 2003,

at _____ o'clock _____ M.

Secretary of State