

ENGROSSED HOUSE  
BILL NO. 1772

By: Toure and Braddock of  
the House

and

Henry of the Senate

An Act relating to attorneys and state bar; amending  
5 O.S. 1991, Section 8, which relates to attorney  
liens; modifying procedures; deleting references;  
and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 5 O.S. 1991, Section 8, is amended  
to read as follows:

Section 8. Should the party to any action or proposed action,  
whose interest is adverse to the client contracting with an attorney  
settle or compromise ~~the~~ a cause of action, ~~or~~ claim or judgment  
wherein ~~is involved~~ any lien perfected under Sections 6 and 7 of  
this title is involved and such settlement or compromise is made  
without the consent of the attorney holding such lien, as mentioned  
~~in the preceding section thereof,~~ such adverse party shall thereupon  
become liable to such attorney for the fee that was due ~~him~~ or ~~to~~  
would have become due ~~him~~ under ~~his~~ a contract of employment but for  
the settlement. After judgment in any court of record, the  
attorney's lien, provided for herein may also be effective against  
the judgment debtor, ~~by entering same in the judgment docket~~  
~~opposite the entry of the judgment, and such~~ upon endorsement of the

words "subject to the attorney's lien in favor of [insert name]" on the judgment. An attorney may enforce any lien provided for by this act in any court of competent jurisdiction by action filed within one (1) year after ~~he~~ the attorney becomes aware of such compromise or payment of such judgment, or judgment may be rendered on ~~his~~ motion in the case in the court in which the suit was brought.

SECTION 2. This act shall become effective November 1, 1997.

Passed the House of Representatives the 25th day of February, 1997.

Speaker of the House of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1997.

President of the Senate