

INFORMATION BRIEF  
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## Attorney Fee Awards in Minnesota Statutes

This information brief outlines the attorney fee provisions found in Minnesota Statutes. After a summary of the various features of attorney fee statutes, a chart lists key features of statutory provisions on the award of attorney fees in private actions as of the end of the 2018 regular session.

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Attorney fees are the monetary charge for legal work performed by a lawyer on behalf of a client. Generally speaking, each party to a civil lawsuit is responsible for paying its own attorney fees, unless a statutory or contractual provision provides otherwise.<sup>1</sup> This principle is known as the “American Rule.” By requiring each party to pay its fees individually, the American Rule seeks to discourage unnecessary litigation and abuse of the legal system. It also helps ensure that court proceedings are focused on the actual damages at issue in the litigation; the fees being charged by an attorney are not technically a part of a party’s damages.

### Statutory Attorney Fee Awards: Background

Attorney fee statutes are an exception to the common law American Rule that every litigant pays his or her own fees.

It has been increasingly common for statutory causes of action, regulatory enforcement proceedings, and defenses to provide for an award of attorney fees. When the legislature requires a loser to pay a winner’s attorney fees, it does so to further a public policy interest in the

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<sup>1</sup> *Fownes v. Hubbard Broadcasting, Inc.*, 246 N.W.2d 700, 702 (Minn. 1976).

winning party's position. In some contexts, this is known as encouraging individuals to act as "private attorneys general."

A statute may provide for whoever loses to pay the winner's attorney fees. More often, a statute specifies that only a particular kind of winning party will be awarded attorney fees. A statute may award fees only to a winning plaintiff, because the legislature wants to encourage the enforcement of a specific kind of right. On the other hand, a statute may provide for awarding attorney fees only to a winning defendant, if the desired public policy is to discourage the bringing of unfounded lawsuits of a particular kind. Further, sometimes the statutes only authorize an award of attorney fees against a particular class of winners, such as the employee but not the employer or the government or nongovernment party in a given kind of suit. These choices reflect decisions about the policy interests the legislature seeks to further by providing for an award of attorney fees.

Although the statutes generally require that the designated party simply prevail in order to be eligible for attorney fees, occasionally there is an additional requirement. For example, in some cases the winner may only recover attorney fees if the loser acted in bad faith in bringing or defending the action.

Minnesota statutory provisions on attorney fees are more likely to authorize rather than require the court to award the fees, thus leaving the final decision in individual cases up to the court. However, nearly half the statutes mandate an award in specified situations.

The amount of attorney fees that can be awarded is sometimes limited in the statutes by use of the word "reasonable." In rare instances the statutes specify a fee formula or an actual maximum dollar amount or hourly rate that may be awarded as attorney fees. Some attorney fee statutes do not provide any guidance on the appropriate amount of fees to award. Except when a specific amount or formula is provided, the usual practice is for the court to review the statements submitted by the attorney and decide whether the amount requested is reasonable given the complexity of the case, the amount of damages at issue and the result, the actual amount of work required, the experience, reputation, and ability of the attorney, and the customary fee charged for similar services.<sup>2</sup>

A provision that sets a specific limit or rigid fee formula is at risk of being held unconstitutional under the state separation of powers doctrine. Under this doctrine, the Minnesota Supreme Court, in its role as the branch of government responsible for regulating attorneys, reserves final authority over attorney fee determinations.<sup>3</sup> A specific limit or formula is most likely to be upheld if it includes the possibility of judicial review and departure from the limit or formula where the amount would not otherwise adequately compensate the attorney. Courts also have the authority to award attorney fees to a party even without a statutory provision. The Minnesota Rules of Civil Procedure permit an award of fees as a sanction against a party for misleading or otherwise interacting improperly with the court or another party to the litigation.

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<sup>2</sup> *State by Head v. Paulson*, 188 N.W.2d 424 (Minn. 1971).

<sup>3</sup> *Irwin v. Surdyk's Liquor*, 599 N.W.2d 132, 141 (Minn. 1999); *cf. David v. Bartel Enter.*, 856 N.W. 2d 271 (Minn. 2014) (distinguishing *Irwin* and finding that the legislature's formula was presumptively reasonable, and when correctly calculated, judicial review of the attorney fee award is unnecessary, barring exceptional circumstances).

The following chart summarizes attorney fee provisions in Minnesota Statutes through the 2018 legislative session. The chart provides a citation to each statute that provides for a fee award and identifies the kind of civil lawsuit involved, whether the statute mandates or permits the court to award fees, which party will have its attorney fees paid, and whether the statute specifies any limit on the amount of fees that can be paid. A statute is considered to “mandate” an award if the text directs a court to award fees or indicates that a party is entitled to fees. A statute is considered “permissive” if it grants the court discretion to determine on a case-by-case basis whether an award of fees is appropriate.

Statutory sections are categorized based upon their subject matter; some sections are included in more than one category.

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### Attorney Fee Provisions in Minnesota Statutes

Statute Section	Type of Action	Mandatory (M) or Permissive (P)	Who Gets Fees	Limit on Fees
<b>Actions Involving Government</b>				
3.736, subd. 9	Settlement of tort claims against the state	M	Employee who incurred attorney fees defending a tort in the scope of employment	Reasonable
3.7365	Defense of criminal charges against a state officer or state employee in the course of employment	P	State officer or employee	Reasonable
13.08, subsd. 1 and 4	Government Data Practices Act: actions for damages or to compel compliance	P	Aggrieved person or representative of a dead person who was damaged; government entity if court determines claim is frivolous	Reasonable
13.085, subd. 6	Compelling compliance with Government Data Practices Act through the Office of Administrative Hearings	P/M	Substantially prevailing complainant	Reasonable, not to exceed \$5,000
13.82, subd. 14	Government Data Practices Act: withholding public data	P	Any person from whom data was unreasonably withheld	None
13D.06, subd. 4	Open meeting law violation	M/P, depending on circumstances at issue	Prevailing party, except a defendant can recover only if the plaintiff's action was frivolous	Reasonable, with a \$13,000 maximum
15.471-15.474	Civil action or contested case brought by or against the state	M	Prevailing party other than the state if the state's position was not substantially justified and special circumstances do not make an award unjust	None
15C.12	Minnesota False Claims Act (claims against the state)	M	Prevailing party, except the state or a political subdivision may not be required to pay fees	Reasonable
16A.124, subd. 5	Vendor seeking prompt payment of state agency bills	M	Any vendor who prevails in a civil action against a state agency	None
16A.1245	Subcontractor suing a contractor for interest granted by statute for late payments under state agency contracts	M	Subcontractor	None

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">16B.24</a> , subd. 5b	Claims arising from state employee fitness and wellness activities; persons conducting classes and activities required to hold state harmless	M	State	None
<a href="#">60A.031</a> , subd. 9	Action for defamation or other tort against the commerce commissioner for examining an insurance company	P	Prevailing commerce commissioner	None
<a href="#">115B.444</a> , subd. 1	State action against insurer for recovery of environmental response costs incurred by the state	M	State	None
<a href="#">117.031</a>	Eminent domain proceeding	M/P, depending on size of damage award	Property owner	Reasonable
<a href="#">117.043</a> , subd. 2	Action for failure to deliver possession of real estate in an eminent domain case	P	Entity exercising eminent domain	Only attorney fees incurred by the petitioner in getting possession of the real estate
<a href="#">117.045</a>	Person compelling an acquiring entity to initiate eminent domain proceedings	P	Petitioner	Reasonable
<a href="#">117.105</a> , subd. 2	Action against a commissioner who fails to file a report in eminent domain proceedings	M	Owner of the property if proceedings are set aside as to that owner	Reasonable
<a href="#">117.195</a> , subd. 2	Dismissal of eminent domain case	P	Owner	Reasonable
<a href="#">123B.02</a> , subd. 20	Reimbursement by school board to independent school district employee for defense of criminal charges brought against employee relating to employment	P	District employee	Reasonable
<a href="#">147.38</a> , art. XVII	Action by Interstate Commission for enforcement of Interstate Medical Licensure Compact	M	Prevailing party	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">155A.33</a> , subd. 6	Violation of laws and rules enforced by the Cosmetologist Examiners Board	M	Cosmetologist Examiners Board	None
<a href="#">176.183</a> , subd. 2	Actions involving workers' compensation from the special compensation fund for uninsured and self-insured employers	M	Special compensation fund	All funds paid to the employee's attorney through the special compensation fund
<a href="#">192.30</a>	Action against a state military officer	P	State	Reasonable
<a href="#">260.515</a> , article XI	Enforcement of Interstate Compact for Juveniles	M	Prevailing party	Reasonable
<a href="#">270C.63</a> , subd. 15	Erroneous lien not released within 14 days after erroneous determination	M	Property owner	Reasonable
<a href="#">282.40</a>	Cancellation of tax-forfeited land installment sale contracts by the state	M	The county	None
<a href="#">326B.89</a> , subd. 17	Recovering compensation paid by the state from the contractor recovery fund due to false or misleading information	P	State	Reasonable
<a href="#">327C.095</a> , subd. 12 (d)	Compelling a manufactured home park owner to make owed payments to the Minnesota Manufactured Home Relocation Trust Fund	P	Prevailing party	Reasonable
<a href="#">363A.42</a> , subd. 3	Demand for equal access to government records for individuals with disabilities	M	Plaintiff – qualified disabled person	May not exceed \$15,000
<a href="#">363A.43</a> , subd. 2	Demand for equal access for individuals with disabilities to continuing education, professional development courses, offerings, materials or activities administered by a unit of government	M	Plaintiff – qualified disabled person	May not exceed \$15,000
<a href="#">471.425</a> , subd. 4	Vendor seeking payments delayed in bad faith by a municipality	M	Vendor	None
<a href="#">471.425</a> , subd. 4a	Subcontractor seeking interest from a prime contractor of a municipality	M	Subcontractor	None

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">473.142</a>	Subcontractor action for interest penalties against a prime contractor of a municipality	M	Subcontractor	None
<a href="#">524.5-707</a>	Unjustifiable conduct that results in the appointment of a guardian or the issuance of a protective order by the state for adult guardianship	P	State	Reasonable
<a href="#">574.26</a> , subd. 2	Action to enforce claims under the Public Contractors Performance and Payment Bond Act	P	Successful plaintiff	Reasonable
<b>Agriculture and Farm Business</b>				
<a href="#">17.94</a>	Implied promise of good faith in agricultural contracts	P	Party to an agricultural contract damaged by the contract	None
<a href="#">18D.315</a> , subd. 2	To enforce payment of a penalty for chemical liability	P	Agriculture commissioner	None
<a href="#">35.95</a> , subd. 6	Actions brought by the attorney general or county attorney against a person who violates the animal health statute	M	State	Reasonable, with consideration for the economic circumstance of the defendant
<a href="#">325E.065</a>	Action against a farm equipment manufacturer for violating trade practices law	P	Farm equipment dealer	Reasonable
<a href="#">325E.167</a> , subd. 2	Tampering with clock-hour meter on farm tractor	M	Injured person	Reasonable
<a href="#">325F.6656</a> , subd. 6	Action against a person who violated the farm equipment warranty compliance law	P	Damaged consumer	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">500.245</a> , subd. 1, para. (n)	Action against a person who sells farmland under certain circumstances	M	Person damaged by sale	Reasonable
<a href="#">514.945</a> , subd. 8	Agricultural producer's lien	M	Prevailing party	None
<a href="#">550.42</a> , subd. 2	Action against a person, corporation, or financial institution for requiring a waiver of an agricultural debtor's rights not authorized by law	M	Debtor	None
<a href="#">583.27</a> , subd. 1	Mediation in farm mortgage and contract for deed actions	M	Court may assess fees among the parties	None
<a href="#">583.27</a> , subd. 3	Creditor who has not participated in farm mortgage mediation in good faith	M	Debtor, if the creditor does not mediate in good faith	None
<a href="#">609.551</a> , subd. 4	Action for rustling and livestock theft	P	Injured person	Reasonable
<b>Alcohol, Tobacco, and Firearms</b>				
<a href="#">97B.066</a> , subd. 11	Enforcement of a civil penalty against an intoxicated hunter	P	Political subdivision that imposed the civil penalty, if the penalty is not paid 30 days after it is imposed	None
<a href="#">181.938</a> , subd. 4	Action against an employer for refusing to hire or for discharging an employee for consuming or using lawful products such as tobacco and alcoholic beverages during nonwork hours	M	Prevailing party	Reasonable
<a href="#">181.956</a> , subd. 2	Action against an employer for violating drug and alcohol testing policy	P	Injured employee	Reasonable
<a href="#">325B.08</a>	Action by a wholesaler against a beer brewer who engages in prohibited conduct	P	Wholesaler	None
<a href="#">325D.40</a> , subd. 1	Action against a violator of the Cigarette Sales Act	M	Plaintiff	Reasonable
<a href="#">325D.421</a> , subd. 2	Action relating to unlawful cigarette trade practices (economic damages/commercial injury)	P	Injured person	Reasonable



<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">325F.78</a>	Action for an injunction prohibiting violation of tobacco products distribution law	P	Attorney general	Reasonable
<a href="#">327.742</a> , subd. 2a	Smoking in nonsmoking hotel room	M	Innkeeper	Reasonable; not more than \$500
<a href="#">340A.802</a> , subd. 3	Action against a claimant who gave notice of a dram shop action to a liquor licensee in bad faith	M	Licensee	Reasonable
<a href="#">624.714</a> , subd. 8	Denial of petition by sheriff to revoke permit to carry	M	Permit holder	None
<a href="#">624.714</a> , subd. 12(d)	Petition by permit holder to appeal revocation of permit	M	Prevailing permit holder	Reasonable
<a href="#">624.714</a> , subd. 16(c)	Denial of petition by sheriff to revoke out-of-state permit to carry	M	Permit holder	Reasonable
<b>Banking, Business, and Commerce</b>				
<a href="#">13B.06</a> , subd. 10	Action against a financial institution for malicious use of data	M	Account holder	Reasonable
<a href="#">47.20</a> , subd. 13a	Usury by specified financial corporations	P	Persons who paid interest	None
<a href="#">47.69</a> , subd. 5	Action against a financial corporation for violating the privacy of a customer's account	M	Customer	Reasonable
<a href="#">48.185</a> , subd. 7	Open-end loan account arrangements by banks and trust companies	P	Any bank or savings bank injured by violation of this section by another institution	None
<a href="#">53A.13</a> , subd. 3	Action against a currency exchange for false ads or failure to give notice	P	Person damaged by a violation	Reasonable
<a href="#">60A.031</a> , subd. 9	Action for defamation or other tort against the commerce commissioner for examining an insurance company	P	Prevailing commerce commissioner	None

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">62N.29</a> , subd. 7	Protection, defense, or enforcement of a guarantee agreement between guaranteeing organization and community networks	M	Commissioner of Commerce	Reasonable
<a href="#">80A.76</a>	Civil action against a person who violates securities sale or purchase law	M	Specified persons damaged by a violation related to the purchase or sale of a security	Reasonable
<a href="#">80C.146</a> , subd. 3, and <a href="#">80C.17</a> , subd. 3	Service station franchise law violations	P	Attorney general or any aggrieved party who institutes an action	Reasonable
<a href="#">80D.13</a> , subd. 1	Action against any person who enters into a contract for a continuing care facility without having first delivered a disclosure statement meeting the requirements of section 80D.04	M	Person seeking the continuing care	Reasonable
<a href="#">80E.05</a>	Action to require motor vehicle makers to indemnify franchised dealers in damage actions	M	Dealer	Reasonable
<a href="#">80E.17</a>	Motor vehicle franchise law violation	P	Any person whose business or property is injured by a franchise law violation	Reasonable
<a href="#">80F.17</a>	Motor vehicle fuel franchises; violation of provisions	M	Prevailing party (dealer or supplier, depending on what is in marketing agreement)	None
<a href="#">116J.994</a> , subd. 11	State or local agency noncompliance with business subsidy law	P	Prevailing party	Reasonable
<a href="#">270C.445</a> , subd. 7	Civil action for unfair, deceptive, unlawful trade practice relating to tax preparation services	M	Prevailing plaintiff	Reasonable
<a href="#">302A.461</a> , subd. 4a	Corporation seeking nondisclosure of corporate proceedings	M	Prevailing shareholder, beneficial owner, or holder of voting trust certification	Reasonable
<a href="#">302A.467</a>	Action against a corporation, officer, or director who violates a business corporation law	P	Shareholder	Reasonable
<a href="#">302A.521</a> , subd. 2	Indemnification by corporation (with certain limitations)	M	Person acting in former/present official capacity	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">302A.521</a> , subd. 2	Third-party indemnification by a corporation	M	Person threatened to be made party to a proceeding by reason of his or her official capacity	Reasonable
<a href="#">302A.751</a> , subd. 4	Equitable corporate dissolution and other remedies	P	Any party, if another party did not act in good faith	Reasonable
<a href="#">308A.941</a> , subd. 4	Equitable dissolution of a cooperative and other remedies	P	Any party, if another party did not act in good faith	Reasonable
<a href="#">308B.471</a> , subd. 2	Indemnification by cooperative (with certain limitations)	M	Person acting in former/present official capacity	Reasonable
<a href="#">308B.501</a> , subd. 4	Refusal by cooperative of right of member to inspect cooperative records	P	Prevailing party	Reasonable
<a href="#">308B.931</a> , subd. 4	Action brought under Cooperative Associations Act	P	Any other aggrieved party to the dispute, where one party is found to have acted in bad faith	Reasonable
<a href="#">321.1005</a>	Derivative action under the Uniform Limited Partnership Act	P	Plaintiff	Reasonable
<a href="#">323A.0701</a>	Action against partnership relating to disassociated partner's interest	P	Any party, if another party did not act in good faith	Reasonable
<a href="#">325A.09</a> , subd. 5	Civil action against an invention developer	P	Injured party	Reasonable
<a href="#">325B.08</a>	Action by a wholesaler against a beer brewer who engages in prohibited conduct	P	Wholesaler	None
<a href="#">325C.04</a>	Misappropriation of a trade secret	P	Prevailing party, if the opponent acted in bad faith	Reasonable
<a href="#">325D.40</a> , subd. 1	Action against a violator of the Cigarette Sales Act	M	Plaintiff	Reasonable
<a href="#">325D.421</a> , subd. 2	Action relating to unlawful cigarette trade practices (economic damages/commercial injury)	P	Injured person	Reasonable
<a href="#">325D.45</a> , subd. 2	Action against a person engaging in a deceptive trade practice	P	Prevailing party	None
<a href="#">325D.57</a>	State antitrust law	M	Injured person, governmental body, or the state	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">325D.67</a> , subd. 3	Petroleum discrimination between localities	P	Purchaser	Reasonable, not less than \$25
<a href="#">325E.0684</a>	Action against a manufacturer for damages from violations of trade practice law	P	Equipment dealer	Reasonable
<a href="#">325E.1251</a> , subd. 2	Violation of battery requirements by a manufacturer	P	State	Reasonable
<a href="#">325E.16</a> , subd. 3	Civil action concerning trade practices relating to odometers	M	Injured person	Reasonable
<a href="#">325F.694</a> , subd. 7	Civil action relating to false/misleading commercial electronic mail messages	P	Prevailing party	Reasonable
<a href="#">325F.78</a>	Action for an injunction prohibiting violation of distribution of tobacco products law	P	Attorney general	Reasonable
<a href="#">325G.34</a>	Violation of the Plain Language Contract Act, class action	P	Consumer class, unless party made good faith and reasonable effort to comply with law	\$10,000 in costs and attorney fees
<a href="#">325G.44</a>	Action for damages under the credit card disclosure law	P	Any injured person	Reasonable
<a href="#">325K.18</a> , subd. 2	Action to recover from the principal the amount of a qualified right to payment under the Elections Authentication Act	P	Claimant on a bond or letter of credit	Reasonable
<a href="#">325N.06</a>	Foreclosure consultant violations	M	Foreclosed homeowner	Reasonable
<a href="#">332.60</a>	Action against a credit services organization for violating the Credit Service Organization Act	P	Damaged buyer	Reasonable
<a href="#">332.70</a> , subd. 5	Business screening service; data violation	M	Violated individual	Reasonable
<a href="#">332A.18</a> , subd. 2	Debt management services; deceptive practices	M	Prevailing plaintiff or class	Reasonable
<a href="#">333.29</a>	Action to enjoin the use of a trademark	P	Prevailing party if other party acted knowingly or in bad faith	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">336.4A-211</a>	Cancellation of a payment order sent to a bank	M	The bank	Reasonable
<a href="#">336.4A-305</a>	Action against a receiving bank if a demand is refused	P	Sender of demand, under specified conditions	Reasonable
<a href="#">336.4A-404</a>	Bank refuses demand for interest	P	Beneficiary of payment, as specified	Reasonable
<a href="#">336.5-111</a>	Action for damages for breach connected with a letter of credit	M	Prevailing party	Reasonable
<a href="#">336.7-601</a> , para. (a)	Action to recover against lost, stolen, or destroyed documents of title	P	Bailee	None
<a href="#">336.9-623</a>	Debtor's redemption of collateral in a secured transaction	M	Secured party	Reasonable
<a href="#">507.403</a> , subd. 5a	Wrongfully executed mortgage satisfaction certificate	M	Mortgagee/assignee	Reasonable
<a href="#">545.05</a> , subd. 12	Expedited review of financing statements	P	Prevailing party	None
<a href="#">550.42</a> , subd. 2	Action against a person, corporation, or financial institution for requiring a waiver of an agricultural debtor's rights where waiver is not authorized by law	M	Debtor	None
<a href="#">551.04</a> , subd. 11	Judgment creditor using a misleading form	M	Judgment debtor	Reasonable
<a href="#">582.03</a> , subd. 1	Foreclosure redemption costs claimed by holder of sheriff's sale certificate	M, if claimed by certificate holder	Holder of sheriff's certificate of sale or certificate of redemption by junior creditor	Reasonable fees incurred after the sale; not more than one-half the amount authorized by section 582.01
<a href="#">582.08</a>	Possession of mortgaged premises	M	Receiver	Reasonable
<a href="#">583.27</a> , subd. 1	Mediation in farm mortgage and contract for deed actions	M	Assessed among the parties	None
<a href="#">583.27</a> , subd. 3	Creditor who has not participated in farm mortgage mediation in good faith	M	Debtor, if the creditor does not mediate in good faith	None

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">604.113</a> , subd. 2	Civil liability for issuance of a worthless check	M	Holder of the check, if issuer issued more than \$1,250 in dishonored checks within a six-month period	Reasonable
<a href="#">604.17</a> , subd. 2	Fraudulent financing statements	M	Injured parties	Reasonable
<a href="#">609.911</a> , subd. 4	Racketeering	M	Prosecuting authority	Reasonable
<b>Campaigns and Elections</b>				
<a href="#">10A.20</a> , subd. 15	Failure to timely file campaign reports (or follow notice provisions)	P	Prevailing party	None
<a href="#">204C.35</a> , subd. 2, and <a href="#">204C.36</a> , subd. 4	Discretionary election recount request by losing candidate	M	Governing body conducting the recount	None
<a href="#">211B.36</a> , subd. 3	Frivolous complaint of a local campaign finance law or fair campaign practices violation	P	Respondent	Reasonable
<b>Consumer Protection and Debt Collection</b>				
<a href="#">8.31</a> , subd. 3a	Various consumer fraud, business, and trade regulations	P	Any person injured by violation of the law	Reasonable
<a href="#">47.601</a> , subd. 6	Violation of laws governing short-term loan contracts	M	Short-term loan borrower	Reasonable
<a href="#">149A.98</a>	Funeral provider fee collection	P	Funeral provider	Reasonable
<a href="#">270C.445</a> , subd. 7	Civil action for unfair, deceptive, unlawful trade practice relating to tax preparation services	M	Prevailing plaintiff	Reasonable
<a href="#">270C.63</a> , subd. 15	Erroneous lien not released within 14 days after erroneous determination	M	Property owner	Reasonable
<a href="#">325D.45</a> , subd. 2	Action against a person engaging in a deceptive trade practice	P	Prevailing party	None
<a href="#">325F.665</a> , subd. 8	Action against party who delayed settlement in consumer protection action by asserting a frivolous claim	M	Prevailing party	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">325F.694</a> , subd. 7	Civil action relating to false/misleading commercial electronic mail messages	P	Prevailing party	Reasonable
<a href="#">325F.71</a> , subd. 4	Civil action against a person who fraudulently deceived a senior citizen or handicapped person	P	Injured person	Reasonable
<a href="#">325F.755</a> , subd. 7	Intentional violation of prize notices and solicitations law	M	Person suffering pecuniary loss	Reasonable
<a href="#">325F.784</a> , subd. 2	Violation of regulations relating to prescription drug discount cards	P	Plaintiff	Reasonable
<a href="#">325F.791</a> , subd. 8	Pet dealer regulation	M	Prevailing party	Reasonable and not exceeding \$500
<a href="#">325F.795</a> , subd. 4	Action to recover damages for unauthorized possession of merchandise pallets	P	Any person injured	Reasonable
<a href="#">325F.992</a>	Illegal assignment of military benefits	P	Military beneficiaries injured under the law	Reasonable
<a href="#">325G.11</a>	Violation of home solicitation sales law	P	Injured party	Reasonable
<a href="#">325G.207</a> , subd. 3	Action for violation of law on assistive devices	M	Consumer	Reasonable
<a href="#">325G.28</a> , subd. 2	Civil action against a health, social referral, or buying club for violating the club contract law	P	Injured person	Reasonable
<a href="#">325G.34</a>	Violation of the Plain Language Contract Act, class action	P	Consumer class, unless party made good faith and reasonable effort to comply with law	Cost of investigation and attorney fees may not exceed \$10,000
<a href="#">325G.44</a>	Action for damages under the credit card disclosure law	P	Any person injured	Reasonable
<a href="#">325I.03</a>	Wrongful disclosure of video customer records	M	Consumer	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">327.665</a> , subd. 4	Action to repossess property following debtor default	M	Secured party	Greater of \$150 or one-half the amount authorized by section 582.01
<a href="#">332.60</a>	Action for violation of the Credit Service Organization Act	P	Damaged buyer	Reasonable
<a href="#">332A.18</a> , subd. 2	Debt management services; deceptive practices	M	Prevailing plaintiff or class	Reasonable
<a href="#">332B.13</a> , subd. 2	Class action suit against debt settlement services providers for unfair or deceptive trade practices	M	Plaintiff or class	Reasonable
<a href="#">336.9-623</a>	Debtor's right to redeem collateral in a secured transaction	M	Secured party	Reasonable
<a href="#">481.13</a>	Enforcement of a lien for attorney fees	P	The attorney	None
<a href="#">550.135</a> , subd. 5	Levy on personal property	P	Judgment creditor in extraordinary cases	Reasonable
<a href="#">550.135</a> , subd. 12	Bad faith claim of exemption on a personal property levy action	M	Judgment creditor	Reasonable
<a href="#">550.143</a> , subd. 10	Bad faith claim of exemption of bank funds by a debtor	M	Judgment creditor	Reasonable
<a href="#">550.42</a> , subd. 2	Action against a person, corporation, or financial institution for requiring a waiver of an agricultural debtor's rights when waiver is not authorized by law	M	Debtor	None
<a href="#">551.04</a> , subd. 5	Attorney summary execution	P	Judgment creditor in extraordinary cases	Reasonable
<a href="#">551.04</a> , subd. 11	Judgment creditor's use of a misleading form	M	Judgment debtor	Reasonable
<a href="#">551.04</a> , subd. 13	Bad faith claim of exemption in attorney summary executions	M	Judgment creditor	Reasonable
<a href="#">551.05</a> , subd. 8	Bad faith claim of earnings exemption from a creditor's claim	M	Judgment creditor	Reasonable
<a href="#">571.72</a> , subd. 6	Bad faith garnishment claim	M	Creditor	Reasonable
<a href="#">571.72</a> , subd. 7	Creditor's use of a misleading form	M	Debtor	Reasonable



<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">571.76</a>	Wage garnishment summons	P	Garnishee	Reasonable
<a href="#">571.90</a>	Against a creditor for serving a garnishment summons before entry of judgment	M	Debtor	Reasonable
<a href="#">571.931</a> , subd. 5	Motion for prejudgment garnishment	M	Debtor, if motion made in bad faith	Reasonable
<b>Data and Privacy</b>				
<a href="#">13.08</a> , subs. 1 and 4	Action for damages or to compel compliance with Government Data Practices Act	P	Aggrieved person or representative of a dead person who was damaged; government entity if court determines claim is frivolous	Reasonable
<a href="#">13.085</a> , subd. 6	Compelling compliance with Government Data Practices Act through the Office of Administrative Hearings	P/M	Substantially prevailing complainant	Reasonable, not to exceed \$5,000
<a href="#">13.82</a> , subd. 14	Withholding public government data	P	Any person from whom data was unreasonably withheld	None
<a href="#">13B.06</a> , subd. 10	Action against a financial institution for malicious use of data	M	Account holder	Reasonable
<a href="#">47.69</a> , subd. 5	Action against a financial corporation for violating the privacy of a customer's account	M	Customer	Reasonable
<a href="#">144.298</a> , subd. 2	Unauthorized release of health information or intentional, unauthorized access	M	Patient	Reasonable
<a href="#">181.935</a>	Action against an employer for retaliating against an employee whistleblower	P	Injured employee	Reasonable
<a href="#">181.9641</a>	Department of Labor enforcement of employee personnel records laws against employer	P	State	None
<a href="#">181.965</a> , subd. 1	Action against an employer for retaliating against an employee asserting the right to review personnel records	P	Aggrieved employee	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">181.974</a> , subd. 3	Unlawful use of protected genetic information	P	Aggrieved person	Reasonable
<a href="#">181.980</a> , subd. 6	Noncompliance with access and use provisions relating to employee assistance records	P	Recipient of employee assistance services	Reasonable
<a href="#">325I.03</a>	Wrongful disclosure of video customer records	M	Consumer	Reasonable
<a href="#">325M.07</a>	Violation of Internet privacy laws relating to disclosure of personal information	P	Prevailing party	Reasonable
<a href="#">332.70</a> , subd. 5	Business screening service; data violation	M	Violated individual	Reasonable
<a href="#">363A.42</a> , subd. 3	Demand for equal access to government records for individuals with disabilities	M	Plaintiff – qualified disabled person	May not exceed \$15,000
<a href="#">626A.391</a> , subd. 1	Violation of privacy using trap and trace device and mobile tracking device	P	Injured party	Reasonable
<b>Education</b>				
<a href="#">81A.16</a> , subd. 1	Violation of Uniform Athlete Agents Act by athlete agent or former student athlete	P	Educational institution	Reasonable
<a href="#">123B.02</a> , subd. 20	Reimbursement by school board to independent school district employee for defense of criminal charges brought against employee relating to employment	P	District employee	Reasonable
<a href="#">136A.131</a> , subd. 4	Debt collection; civil action to reimburse the Office of Higher Education for overpayment	P	Office of Higher Education	Reasonable
<a href="#">137.36</a>	Civil action by a subcontractor to collect interest penalties from a prime contractor on a University of Minnesota contract	M	Prevailing subcontractor	None

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">325E.33</a> , subd. 5	Action to void an illegal student athletic contract	M	Student athlete	Reasonable
<b>Employment and Workers' Compensation</b>				
<a href="#">123B.02</a> , subd. 20	Reimbursement by school board to independent school district employee for defense of criminal charges brought against employee relating to employment	P	District employee	Reasonable
<a href="#">144.4196</a>	Employment discrimination against employee previously subject to health quarantine	M	Prevailing employee	Reasonable
<a href="#">176.061</a> , subd. 3	In a workers' compensation case, action against a party to recover attorney fees on behalf of the special compensation fund	P	Employer or attorney general	Reasonable
<a href="#">176.081</a>	Action under workers' compensation in general	P	Employee or attorney representing employee	Statutory formula
<a href="#">176.135</a> , subd. 1	Action against an employer for failing to provide medical appliances under workers' compensation	P	Employee	None
<a href="#">176.183</a> , subd. 2	Actions involving workers' compensation from the special compensation fund for uninsured and self-insured employers	M	Special compensation fund	All funds paid to the employee's attorney through the special compensation fund
<a href="#">176.185</a> , subd. 8a	Workers' compensation claims; failure to provide files and data to Insurance Guaranty Association in a timely manner	M	Insurance Guaranty Association	Reasonable

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<a href="#">176.191</a> , subd. 1	Dispute between two or more employers or insurers regarding workers' compensation liability	M	Prevailing party	Reasonable
<a href="#">176.511</a> , subd. 3	Workers' compensation appeal	P	Prevailing party on appeal	Reasonable
<a href="#">176.82</a>	Action for civil damages for obstructing an employee seeking workers' compensation benefits	M	Employee	Reasonable
<a href="#">177.27</a> , subd. 10	Violation of minimum wage law	M	Employee	Reasonable
<a href="#">181.145</a> , subd. 4	Salesperson action against an employer over disputed commission	M	Salesperson	Reasonable
<a href="#">181.171</a> , subd. 3	Action against an employer who pays an employee less than the wages and overtime compensation to which employee is entitled	M	Employee	Reasonable
<a href="#">181.635</a> , subd. 3	Damages for violation of law requiring disclosures to food processing employees	P	Any person injured by a violation	Reasonable
<a href="#">181.65</a>	Action against any person, firm, association, or corporation for inducing a person to enter employment using false statements	M	Employee	Reasonable
<a href="#">181.68</a> , subd. 2	Action by an employee against an employer for a rate of pay based on sex discrimination	M	Employee	Reasonable
<a href="#">181.721</a> , subd. 4	Action against a construction bidder who fails to provide workers' compensation	P	Person injured	None
<a href="#">181.722</a> , subd. 4	Misrepresentation of employment relationship by employer; construction workers	P	Plaintiff construction worker	Reasonable
<a href="#">181.75</a> , subd. 4	Action for damages due to polygraph tests of employees or prospective employees	P	Any person injured by a violation	Reasonable

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<a href="#">181.81</a> , subd. 2	Action against an employer by an employee for age discrimination	P	Employee	Reasonable
<a href="#">181.89</a> , subd. 2	Action by migrant worker against an employer for wage violations	P	Worker	Reasonable
<a href="#">181.935</a>	Action against an employer for retaliating against an employee whistleblower	P	Injured employee	Reasonable
<a href="#">181.937</a>	Action against an employer for retaliation against an employee who declines to make a charitable contribution	P	Injured employee	None
<a href="#">181.938</a> , subd. 4	Action against an employer for refusing to hire or for discharging an employee for consuming or using lawful products such as tobacco and alcoholic beverages during nonwork hours	M	Prevailing party	Reasonable
<a href="#">181.944</a>	Action against an employer for violating parts of the wage disclosure protection law, nursing mother's accommodations, or the Pregnancy and Parenting Leave Act	P	Person injured by the violation	Reasonable
<a href="#">181.956</a> , subd. 2	Action against an employer for violating drug and alcohol testing policy	P	Injured employee	Reasonable
<a href="#">181.9641</a>	Enforcement by Department of Labor for violations by employers relating to employee personnel records	P	State	None
<a href="#">181.965</a> , subd. 1	Action against an employer who retaliated against an employee for asserting the right to review personnel records	P	Aggrieved employee	Reasonable
<a href="#">181.980</a> , subd. 6	Noncompliance with access and use provisions relating to employee assistance records	P	Recipient of employee assistance services	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">182.669</a>	Civil action against an employer for discharging or discriminating against an employee for exercising a right under the state Occupational Safety and Health Act	P	Injured employee or the Commissioner of Labor and Industry	None
<a href="#">185.13</a>	Injunction arising from a labor dispute	M	Defendant	Reasonable
<a href="#">268.057</a> , subd. 4	Unemployment insurance tax collection	M	Department of Employment and Economic Development	None
<a href="#">268.184</a> , subd. 1	Enforcement of subpoena related to the administration of the Minnesota unemployment insurance program	M	Commissioner of Revenue	None
<a href="#">325E.37</a> , subd. 5	Wrongful termination of sales representatives	P	Prevailing sales representative; prevailing other party if complaint was frivolous	Reasonable
<a href="#">524.5-501</a>	Workers' compensation; insurer or self-insured employer to pay attorney fees associated with the appointment of a guardian or conservator	M	Attorney	None
<a href="#">571.76</a>	Wage garnishment summons	P	Garnishee	Reasonable
<a href="#">593.50</a> , subd. 3	Action for wrongful termination due to jury duty	M	Employee	Reasonable
<a href="#">626.557</a> , subs. 10 and 17	Action against an employer or a county for retaliating against an employee for reporting maltreatment of a vulnerable adult	M	Employee	Reasonable
<b>Energy and Utilities</b>				
<a href="#">216B.16</a> , subd. 3	Action against a public utility that has failed to make rate refunds within the time period prescribed by the Public Utilities Commission	M	Public Utilities Commission	Reasonable
<a href="#">216B.164</a> , subd. 5	Dispute between a qualifying facility and an electric utility	M	Prevailing party; a utility may recover only if the qualifying facility acts in bad faith	Reasonable

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<a href="#">237.075</a> , subd. 3	Action against a phone company for failing to make refunds	M	Public Utilities Commission	Reasonable
<a href="#">238.18</a> , subd. 3	Unfair preferences by a cable company	P	Prevailing party	Reasonable
<a href="#">325D.67</a> , subd. 3	Petroleum discrimination between localities	P	Purchaser	Reasonable, at least \$25
<a href="#">504B.221</a>	Action against a landlord for unlawful termination of utilities	P	Tenant	Reasonable
<b>Environment, Natural Resources, and Land Use</b>				
<a href="#">82A.19</a> , subd. 3	Membership camping disclosure or unfair or prohibited practices violations	P	Purchaser of a membership camping contract	Reasonable
<a href="#">84.66</a> , subd. 11	Violation of Forests for the Future program easement	M	Attorney general	None
<a href="#">103D.545</a> , subd. 3	Watershed district enforcement action	P	Prevailing party	Reasonable
<a href="#">103E.097</a>	Drainage law appeals by the Department of Natural Resources (DNR)	P	Prevailing party; the DNR may not recover attorney fees	None
<a href="#">103E.812</a> , subd. 6	Transfer of drainage system from drainage authority to water management authority following expiration of lien payment period	M	Drainage authority	None
<a href="#">103F.515</a> , subd. 9	Action against a landowner who violates a conservation easement or agreement	P	State	None
<a href="#">103I.235</a> , subd. 2	Liability for failure to disclose a well on sale of property	M	Buyer of property	Reasonable
<a href="#">103I.241</a> , subd. 2	Action for well contamination	P	Injured owner of real property	Reasonable
<a href="#">115.55</a> , subd. 6	Damages for failure to disclose existence of an individual sewage treatment program	M	Buyer of property	Reasonable
<a href="#">115A.30</a>	Civil action regarding waste management	M	Prevailing nongovernmental party if an action is frivolous or in bad faith	Reasonable
<a href="#">115A.86</a> , subd. 6	Violation of a waste management ordinance	P	County	None

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<a href="#">115A.882</a> , subd. 4	Civil action against a person violating environmental protection waste management law	P	Prevailing county	Reasonable
<a href="#">115A.965</a> , subd. 5	Prohibition on selected toxics in packaging	P	State	None
<a href="#">115B.14</a>	Action for release of hazardous substance from a facility	P	Prevailing party	Reasonable
<a href="#">115B.17</a> , subd. 6	Action to protect the public against release of pollutants from a facility	P	State	Reasonable
<a href="#">115B.37</a>	Any claim brought before Minnesota Pollution Control Agency	M	Claimant	Agency may by rule limit fee amount
<a href="#">115B.41</a> , subd. 1	Landfill cleanup cost recovery	M	Applicable commissioner	Reasonable
<a href="#">115B.412</a> , subd. 2	Landfill regulation enforcement action	P	Applicable commissioner	None
<a href="#">115B.414</a>	Defense of third-party claims related to landfill cleanup	M	The third party	\$75 per hour up to a maximum of 75 percent of the fees incurred
<a href="#">115B.444</a> , subd. 1	State action against insurer for recovery of environmental response costs incurred by the state	M	State	None
<a href="#">116.072</a> , subd. 9	Administrative penalties for hazardous waste violations	P	State	None
<a href="#">117.031</a>	Eminent domain proceeding	M/P, depending on size of damage award	Property owner	Reasonable
<a href="#">117.043</a> , subd. 2	Action for failure to deliver possession of real estate in an eminent domain case	P	Entity exercising eminent domain; only attorney fees incurred by the petitioner in acquiring possession of the real estate may be recovered	None
<a href="#">117.045</a>	Person compelling an acquiring entity to initiate eminent domain proceedings	P	Petitioner	Reasonable



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<a href="#">117.105</a> , subd. 2	Action against a commissioner who fails to file a report in eminent domain proceedings	M	Owner of the property if proceedings are set aside as to that owner	Reasonable
<a href="#">117.195</a> , subd. 2	Dismissal of eminent domain case	P	Owner	Reasonable
<a href="#">299A.52</a> , subds. 1 and 2	Action involving hazardous materials incident	P	Regional hazardous materials response team	Reasonable
<a href="#">299K.10</a> , subd. 7	Hazardous chemical emergency enforcement	P	Prevailing party	Reasonable
<a href="#">473.849</a>	Enforcement of solid waste disposal law	P	Metropolitan county	None
<b>Family Issues and Human Services</b>				
<a href="#">252A.20</a> , subd. 1	Action to protect a developmentally disabled individual	M	A court-appointed lawyer for the ward	Reasonable
<a href="#">256.9695</a> , subd. 2	Action against a hospital that transfers a Medical Assistance patient to another hospital without the other hospital's consent	M	Receiving hospital	Reasonable
<a href="#">256.015</a> , subd. 5	Public assistance lien; judgment, award, settlement attorneys' fees deducted first	M	Attorney	None
<a href="#">256B.042</a> , subd. 5	Third-party public assistance lien; judgment, award, settlement attorneys' fees deducted first	M	Attorney	None
<a href="#">256B.121</a>	Action against a vendor of medical care who willfully submits a false cost-reimbursement report	M	The state or any political subdivision	Reasonable
<a href="#">256B.35</a> , subd. 6	Action against a nursing home for denying a Medical Assistance personal allowance	P	Injured person	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">256B.50</a> , subd. 1e	Contested case or appeal by a provider regarding a determination of a payment rate	M	Prevailing party	(1) Department of Human Services fees and actual costs (2) Provider fees are limited to the lesser of the attorney's normal fee or \$100 per hour
<a href="#">257.69</a> , subd. 2	Action to establish parentage; fees of court-appointed counsel limited to party's ability to pay	M	Attorney	Party's ability to pay
<a href="#">257.75</a> , subd. 4	Action to vacate a recognition of parentage	P	Prevailing defendant	Reasonable
<a href="#">259.58</a>	Action to enforce an agreed-upon order regarding communication with adopted children	P	Prevailing party	Reasonable
<a href="#">259.75</a>	Appointment of an attorney in adoption proceeding	P	Appointed attorney of adopting parents	Costs of services rendered
<a href="#">260.515</a> , <a href="#">article XI</a>	Enforcement of Interstate Compact for Juveniles	M	Prevailing party	Reasonable
<a href="#">260.56</a>	Appointed attorney of indigent minor may have reasonable fee paid by county	P	Attorney of juvenile	Reasonable
<a href="#">260B.331</a> , subd. 5	Juvenile delinquency petition, after court inquires into parents' ability to pay	P	The attorney or county representing the minor may receive payment from parents	None
<a href="#">260C.331</a> , subd. 5	Action for juvenile placement; court may order parents to pay attorney fees	P	Attorney of juvenile	None
<a href="#">289A.50</a> , subd. 5	Action to determine or collect child support	M	Public agency, parent, or guardian is reimbursed by support obligor's tax refund	None

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<a href="#">325F.71</a> , subd. 4	Civil action against a person who deceived by fraud a senior citizen or handicapped person	P	Injured person	Reasonable
<a href="#">518.131</a> , subd. 1	Temporary order in a marriage dissolution action	P	Either party	Reasonable
<a href="#">518.14</a> , subd. 1	Dissolution proceeding; action seeking funds to pay attorney fees	M	Party needing the money to carry on the proceedings; a party who causes unreasonable delay may also be required to pay fees to opposing party	None
<a href="#">518.175</a> , subd. 6	Action to enforce compliance with a visitation order	P	Party aggrieved by the other's wrongful failure to comply with the order	Reasonable
<a href="#">518A.28</a> , subd. 9	Failure to disclose income or employment information for child support	P	Party wrongfully deprived of the income or employment information	Reasonable
<a href="#">518A.38</a> , subd. 7	Party wrongly claims income tax dependency exemption for child support	P	Party wrongfully deprived of the income tax dependency exemption	Reasonable
<a href="#">518A.735</a>	Enforcement of child support	M	Obligee, in specified circumstances	Reasonable
<a href="#">518A.53</a> , subd. 5	Action against an employer or financial institution failing to withhold child support	M	Obligee or public authority	Reasonable
<a href="#">518C.305</a>	Interstate child support enforcement	P	Either party	Reasonable
<a href="#">518C.313</a>	Action for interstate child support enforcement	P M, if a hearing was requested primarily for delay	Prevailing obligee	Reasonable
<a href="#">518D.208</a>	Interstate child custody dispute	P	If an action seeking custody is dismissed because the court declines to exercise jurisdiction due to unjustifiable conduct, the opposing party may be awarded fees	Necessary and reasonable
<a href="#">518D.312</a>	Interstate child custody dispute	M	Prevailing party	Necessary and reasonable

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<a href="#">518E.103</a>	Motion for noncompliance with Uniform Deployed Parents Custody and Visitation Act	P	The party aggrieved by another party's bad faith action or intentional failure to comply with a court order	Reasonable
<a href="#">524.5-707</a>	Unjustifiable conduct that results in the appointment of a guardian or the issuance of a protective order by the state for adult guardianship	P	State	Reasonable
<a href="#">588.02</a>	Motion for contempt of court for willful disobedience of a child support order	P	State	Reasonable
<a href="#">626.556</a> , subd. 4	Civil action against a person who has immunity from prosecution for reporting child maltreatment	P	Person who made report of maltreatment	None
<a href="#">626.556</a> , subd. 5	Knowing or reckless false report of child maltreatment	M	Person wrongly reported to have committed child maltreatment	Reasonable
<a href="#">626.557</a> , subd. 6	Damages for injury caused by a false vulnerable adults abuse report	M	Subject of false report	None
<a href="#">626.557</a> , subds. 10 and 17	Action against an employer or a county for retaliating against an employee for reporting maltreatment of a vulnerable adult	M	Employee	Reasonable
<a href="#">626.557</a> , subd. 20	Action for financial exploitation against person who committed financial exploitation against a vulnerable adult	M	Vulnerable adult who was exploited	Reasonable
<b>Health Care and Related Professions</b>				
<a href="#">62Q.74</a> , subd. 5	Health care provider against a network organization	P	Health care provider	Reasonable
<a href="#">80D.13</a> , subd. 1	Action against any person who enters into a contract for a continuing care facility without having first delivered a disclosure statement meeting the requirements of section 80D.04	M	Person seeking the continuing care	Reasonable

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<a href="#">144.298</a>	Unauthorized release of health information	M	Patient	Reasonable
<a href="#">144.4195</a> , subd. 5	Appeal by nonindigent person quarantined for health reasons	P	Department of Health or local public health board	None
<a href="#">144.4196</a>	Employment discrimination against employee previously subject to health quarantine or caring for a person subject to a health quarantine	M	Prevailing employee	Reasonable
<a href="#">144.4805</a> , subd. 4	Health order issued by commissioner of health to unrepresented tuberculosis carrier or respondent; attorney paid for by court	M	Appointed attorney	None
<a href="#">144.991</a> , subd. 7	Civil action against a person who fails to pay health department administrative penalties	P	State	None
<a href="#">145.4247</a> , subd. 3	Failure to comply with regulations governing abortion procedures	M	Plaintiff; defendant if suit found to be frivolous/made in bad faith	Reasonable
<a href="#">145.682</a> , subd. 7	Malpractice; if a plaintiff or attorney signs a false affidavit of expert review	M	Defendant	Reasonable
<a href="#">146B.08</a> , subd. 4	Imposition of a civil penalty by the commissioner of health for body art law violations	P	Commissioner of Health	Total civil penalty may not exceed \$10,000
<a href="#">148B.175</a> , subd. 6	Disciplinary action against a therapist	P	Licensing board	None
<a href="#">149A.10</a>	Disciplinary action against a person subject to mortuary science laws and rules	P	Department of Health	None
<a href="#">149A.98</a>	Funeral provider fee collection	P	Funeral provider	Reasonable
<a href="#">151.061</a> , subd. 2	Unfair price discrimination in pharmaceutical sales	P	Purchaser	Reasonable
<a href="#">153A.15</a> , subd. 2	Action against a hearing instrument dispenser	P	Commissioner of Health	None
<a href="#">154.161</a> , subd. 6	Disciplinary action against a barber	P	Board of Barber Examiners	None

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<a href="#">155A.33</a> , subd. 6	Violation of laws and rules enforced by the Cosmetologist Examiners Board	M	Cosmetologist Examiners Board	None
<a href="#">181.974</a> , subd. 3	Unlawful use of protected genetic information	P	Aggrieved person	Reasonable
<a href="#">256.9695</a> , subd. 2	Action against a hospital that transfers a Medical Assistance patient to another hospital without the other hospital's consent	M	Receiving hospital	Reasonable
<a href="#">256B.121</a>	Action against a vendor of medical care who willfully submits a false cost-reimbursement report	M	The state or any political subdivision	Reasonable
<a href="#">256B.35</a> , subd. 6	Action against a nursing home for denying a Medical Assistance personal allowance	P	Injured person	Reasonable
<a href="#">256B.50</a> , subd. 1e	Contested case or appeal by a provider regarding a determination of a payment rate	M	Prevailing party	(1) Department of Human Services fees and actual costs  (2) Provider fees are limited to the lesser of the attorney's normal fee or \$100 per hour
<a href="#">325F.784</a> , subd. 2	Violation of regulations relating to prescription drug discount cards	P	Plaintiff	Reasonable
<a href="#">325G.207</a> , subd. 3	Action for violation of law on assistive devices	M	Consumer	Reasonable
<a href="#">514.71</a>	Action for release of a hospital lien	P	Prevailing claimant	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">604.175</a>	Action to enjoin collection actions taken by a nonprofit hospital if hospital failed to provide a plain language summary of its financial assistance policy	M	Prevailing patient	Reasonable
<a href="#">609.7495</a> , subd. 4	Action for physical interference with safe access to health care	M	Prevailing party	None
<b>Housing and Real Property</b>				
<a href="#">83.28</a> , subd. 2	Voiding a purchase of a sales contract for subdivided land	M	Purchaser	Reasonable
<a href="#">83.37</a> , subd. 4	Remedies for purchase of a contract for sale of certain subdivided lands	P	Purchaser	Reasonable
<a href="#">93.055</a>	Action to quiet title to state lands covered by a mineral release	M	State	Reasonable
<a href="#">103I.235</a> , subd. 2	Liability for failure to disclose a well on sale of property	M	Buyer of property	Reasonable
<a href="#">117.031</a>	Eminent domain proceeding	M/P, depending on size of damage award	Property owner	Reasonable
<a href="#">117.043</a> , subd. 2	Action for failure to deliver possession of real estate in an eminent domain case	P	Entity exercising eminent domain	Only attorney fees incurred by the petitioner in getting possession of the real estate
<a href="#">117.045</a>	Person compelling an acquiring entity to initiate eminent domain proceedings	P	Petitioner	Reasonable
<a href="#">117.105</a> , subd. 2	Action against a commissioner who fails to file a report in eminent domain proceedings	M	Owner of the property if proceedings are set aside as to that owner	Reasonable
<a href="#">117.195</a> , subd. 2	Dismissal of eminent domain case	P	Owner	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">152.0275</a> , subd. 2(n)	Property seller's failure to disclose on-site methamphetamine production; collection of cleanup costs by buyer	M	Buyer/transferee	Reasonable
<a href="#">216C.437</a>	Violations of the residential PACE home loan program	P	Homeowner	Reasonable
<a href="#">282.40</a>	Cancellation of tax-forfeited land installment sale contracts by the state	M	The county	None
<a href="#">325N.06</a>	Foreclosure consultant violations	M	Foreclosed homeowner	Reasonable
<a href="#">325N.18</a> , subd. 6	Stay of eviction action	P	Foreclosed homeowner, if defendant acted in bad faith or without merit	Reasonable
<a href="#">327C.095</a> , subd. 12 (d)	Compelling a manufactured home park owner to make owed payments to the Minnesota Manufactured Home Relocation Trust Fund	P	Prevailing party	Reasonable
<a href="#">327C.11</a> , subd. 1	Redemption by a resident after eviction from manufactured home park for nonpayment of rent	M	Park owner for the third or subsequent redemption within a 12-month period	Reasonable
<a href="#">336.2A-108</a>	Lease contract found to be unconscionable	P	Lessee	Reasonable
<a href="#">462.358</a> , subd. 4a	Action against a land seller for not disclosing certain information about a subdivision	P	Buyer	Reasonable
<a href="#">469.1771</a> , subd. 1	Taxable property owner's claim for damages or equitable relief related to tax financing system	M	Prevailing party	Reasonable
<a href="#">500.245</a> , subd. 1, para. (n)	Action against a person who sells farmland under certain circumstances	M	Person damaged by sale	Reasonable
<a href="#">504B.165</a>	Action for willful and malicious destruction of leased residential property	P	Prevailing party	Reasonable



<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">504B.172</a> <sup>4</sup>	Recovery of fees expended by a tenant to enforce a lease between tenant and landlord, if fees are permitted for landlord in lease agreement	M	Tenant	As specified in lease terms
<a href="#">504B.173</a> , subd. 4	Civil action against landlord for violations relating to applicant screening fees	M	Applicant	Reasonable
<a href="#">504B.173</a> , subd. 4	Violation of laws governing applicant screening fees by a residential landlord or prospective tenant	M	Landlord or prospective tenant	Reasonable
<a href="#">504B.204</a>	Action against a landlord for accepting rent or a security deposit on condemned residential premises	M	Tenant	None
<a href="#">504B.205</a> , subd. 5	Action against a landlord for barring a tenant from calling 911 for assistance	P	Tenant	Reasonable
<a href="#">504B.221</a>	Action against a landlord for unlawful termination of utilities	P	Tenant	Reasonable
<a href="#">504B.231</a>	Action against a landlord for unlawfully ousting a tenant	P	Tenant	Reasonable
<a href="#">504B.271</a> , subd. 2	Action against a landlord or agent for failing to allow the tenant to retake the tenant's stored possessions	M	Tenant	Reasonable
<a href="#">504B.291</a> , subd. 1	Action by landlord to evict delinquent tenant	M	Landlord	\$5
<a href="#">504B.425</a> , para. (g)	Action against a landlord of a building with various violations	P	Tenant or neighborhood organization	\$500
<a href="#">507.235</a> , subd. 5	Action to compel the recording of a contract for deed	P	City or county attorney	Reasonable
<a href="#">507.403</a> , subd. 5a	Wrongfully executed mortgage satisfaction certificate	M	Mortgagee/assignee	Reasonable

<sup>4</sup> This section is effective for leases entered on or after August 1, 2011, or renewed on or after August 1, 2012.

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">508.70; 508A.70</a>	Action to register land acquired by adverse possession	P	Any person as the court deems just	Reasonable
<a href="#">513.75</a>	Violation of prohibition on private transfer fees in real property transactions	M	Any party to the transfer	None
<a href="#">514.011</a> , subd. 3	Action against a contractor who fails to supply the name and address of an owner to a subcontractor	M	Subcontractor	Reasonable
<a href="#">514.02</a> , subd. 1a	Nonpayment for improvement to real estate	P	Injured person	Reasonable
<a href="#">514.99</a> , subs. 3, 5	Common law liens; failure to appear; court determination of invalid lien; penalty for forged or groundless lien	P/M (depending on subsection)	Prevailing party	Reasonable
<a href="#">515A.3-115</a>	Uniform Condominium Act lien for assessment	M	Prevailing party	Reasonable
<a href="#">515A.4-115</a>	Violation of the Uniform Condominium Act	P	Person adversely affected by the violation	Reasonable
<a href="#">515B.3-111</a>	Action against a declarant for tort and contract liability under the Common Interest Ownership Act	M	Damaged association or unit owner	Reasonable
<a href="#">515B.3-1151</a>	Enforcement of laws governing common interest communities (including collection of assessments)	P	Common interest community associations	Reasonable
<a href="#">515B.3-116</a>	Common Interest Ownership Act; foreclosure of a lien for assessment	M	Association	Limit of \$500
<a href="#">515B.4-116</a>	Action against a person who violates a provision of the Common Interest Ownership Act	P	Prevailing party	Reasonable
<a href="#">559.217</a> , subd. 6	Action to suspend cancellation of purchase agreement	P	Prevailing party	Not more than \$3,000, including court filing fees and cost of notice

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">580.09</a>	Action for foreclosure of installment	P	Foreclosing party	Limited to the amount permitted by law for a mortgage of the same amount <sup>5</sup>
<a href="#">582.01</a>	Attorneys' fee limitations in foreclosures by advertisement	P	The mortgagee	Varies depending on the amount of the original principal amount secured by the mortgage <sup>6</sup>
<a href="#">582.02</a>	Attorneys' fees allowed in mortgage foreclosure	P	Mortgagee or the mortgagee's heirs, personal representatives, or assigns	Varies depending on the amount of the original principal amount secured by the mortgage or as ordered by the court <sup>7</sup>

<sup>5</sup> See [Minn. Stat. § 582.01](#); this statute provides the allowed amounts for attorneys' fees in foreclosures by advertisement. [Minnesota Statutes, section 582.01](#), subdivision 2, provides that the court shall set the attorney's fees awards in a foreclosure by action.

<sup>6</sup> Id.

<sup>7</sup> Id.

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">582.03</a> , subd. 1	Foreclosure redemption costs claimed by holder of sheriff's sale certificate	M, if claimed by certificate holder	Holder of sheriff's certificate of sale or certificate of redemption by junior creditor	Reasonable fees incurred after the sale; not more than one-half the amount authorized by section 582.01
<a href="#">582.08</a>	Action for possession of mortgaged premises	M	Receiver	Reasonable
<a href="#">582.043</a> , subd. 7	Action by mortgagor to enjoin or set aside a sale	M	Prevailing mortgagor	Reasonable
<a href="#">583.27</a> , subd. 1	Mediation in farm mortgage and contract for deed actions	M	Assessed among the parties	None
<a href="#">583.27</a> , subd. 3	Creditor who has not participated in farm mortgage mediation in good faith	M	Debtor, if the creditor does not mediate in good faith	None
<b>Insurance</b>				
<a href="#">59A.10</a> , subd. 2	Action against insured to collect on default of premium finance agreement when outside counsel is retained for collection	P	Insurer (insurance premium finance company)	Statutorily allowed attorneys' fees
<a href="#">60A.031</a> , subd. 9	Action for defamation or other tort against the commerce commissioner for examining an insurance company	P	Prevailing defendant	None
<a href="#">60A.0789</a> , subd. 1	Violation of laws governing distribution of death benefits under a life insurance policy/"stranger-originated life insurance" (STOLI)	P	Any party entitled to recover damages	Reasonable
<a href="#">60A.21</a> , subd. 4	Action against an unauthorized foreign or alien insurer upon insurance issued or delivered in this state	P	Plaintiff wronged by the insurer	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">60A.097</a> , subd. 5	Reinsurance agreement provisions may provide for attorneys' fees	P	Insurer	None
<a href="#">60B.32</a> , subd. 10	Reexamination of fees in liquidation of insurer	P	Attorney; any unreasonable fees recovered by liquidator are for the benefit of estate	Reasonable
<a href="#">60B.365</a>	Reinsurer's liability	M	Plaintiff	None
<a href="#">60B.48</a> , subd. 2	Insurers Rehabilitation and Liquidation Act (denial of application by others for order from the court)	M	Liquidator	Reasonable
<a href="#">60B.191</a> , subd. 2	Health maintenance organization liquidation; allows attorneys' fees in a malpractice judgment or settlement to be paid	P	Claimant	Reasonable
<a href="#">62A.095</a> , subd. 2	Health and accident insurance; subrogation of claims cannot include attorneys' fees	M	Insured; fees must be paid directly by health insurer	Reasonable
<a href="#">62N.29</a> , subd. 7	Protection, defense, or enforcement of a guarantee agreement between guaranteeing organization and community networks	M	Commissioner of Commerce	Reasonable
<a href="#">66A.41</a> , subds. 14, 16	Mutual company conversion to stock company; petition by challenging party for security for attorneys' fees	P	Challenging party to conversion	Reasonable
<a href="#">176.185</a> , subd. 8a	Workers' compensation claims; failure to provide files and data to Insurance Guaranty Association in a timely manner	M	Insurance Guaranty Association	Reasonable
<a href="#">176.191</a> , subd. 1	Dispute between two or more employers or insurers regarding workers' compensation liability	M	Prevailing party (see limitation in subd. 8)	Reasonable
<a href="#">604.18</a> , subd. 3	Denial of insurance coverage without reasonable basis	P	Insured, with some conditions	Reasonable; not more than \$100,000

Statute Section	Type of Action	Mandatory (M) or Permissive (P)	Who Gets Fees	Limit on Fees
<b>Manufacturing and Construction</b>				
137.36	Civil action by a subcontractor to collect interest penalties from a prime contractor on a University of Minnesota contract	M	Prevailing subcontractor	None
181.721, subd. 4	Action against a construction bidder who fails to provide workers' compensation	P	Person injured	None
181.722, subd. 4	Misrepresentation of employment relationship by employer; construction workers	P	Plaintiff construction worker	Reasonable
325E.065	Action against a farm equipment manufacturer for violating trade practices law	P	Farm equipment dealer	Reasonable
325E.0684	Action against a manufacturer for damages from violations of trade practice law	P	Equipment dealer	Reasonable
325E.1251, subd. 2	Violation of battery requirements by a manufacturer	P	State	Reasonable
325F.18, subd. 4	Action against a manufacturer or builder for using building materials with formaldehyde gases	P	Consumer	Reasonable
325F.24, subd. 3	Action against a manufacturer for violating formaldehyde gases provision	P	Attorney general	Reasonable
326B.89, subd. 17	Recovering compensation paid by the state from the contractor recovery fund due to false or misleading information	P	State	Reasonable
337.10, subd. 3	Civil action by a subcontractor to collect interest from a prime contractor	M	Prevailing party	None
471.425, subsd. 4; 4a	Subcontractor seeking interest from a prime contractor of a municipality	M	Subcontractor	None

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">473.142</a>	Subcontractor action for interest penalties against a prime contractor of a municipality	M	Subcontractor	None
<a href="#">574.26</a> , subd. 2	Action to enforce claims under the Public Contractors Performance and Payment Bond Act	P	Successful plaintiff	Reasonable
<a href="#">604.04</a> , subd. 3	Against a claimant, attorney, or person in the chain of manufacturing and distribution who violates the products liability notice provision	P	Injured person	Reasonable
<b>Miscellaneous Civil Actions</b>				
<a href="#">81A.16</a> , subd. 1	Violation of Uniform Athlete Agents Act by athlete agent or former student athlete	P	Educational institution	Reasonable
<a href="#">148.10</a> , subd. 3	Action against individual licensed by the State Board of Chiropractic Examiners	P	State	None
<a href="#">148.941</a> , subd. 2	Action against individual licensed by State Board of Psychology	P	State	None
<a href="#">192.30</a>	Action against a state military officer	P	State	Reasonable
<a href="#">256B.15</a> , subd. 1h	Claims against estates for medical assistance benefits; court may award reasonable attorneys' fees for sanctions or enforcement of a court order	P	State (Department of Human Services)	Reasonable
<a href="#">325E.55</a>	Action to recover damages for music royalty violations	P	Injured person	Reasonable
<a href="#">325F.46</a> , subd. 1	Action against a person who produced imitation American Indian-made goods without required labeling	P	Injured person	Reasonable
<a href="#">325F.755</a> , subd. 7	Intentional violation of prize notices and solicitations law	M	Person suffering pecuniary loss	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">325F.791</a> , subd. 8	Pet dealer regulation	M	Prevailing party	Reasonable and not exceeding \$500
<a href="#">325F.795</a> , subd. 4	Action to recover damages for unauthorized possession of merchandise pallets	P	Any person injured	Reasonable
<a href="#">326.111</a> , subd. 6	Action against a person who commits the unauthorized practice of architecture, engineering, or land surveying	P	Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design	None
<a href="#">327.742</a> , subd. 2a	Smoking in nonsmoking hotel room	M	Innkeeper	Reasonable; not more than \$500
<a href="#">346.56</a> , subd. 3	Action for releasing an animal used for scientific purposes	M	A person damaged by the release	Reasonable
<a href="#">363A.29</a> , subd. 2	Minnesota Human Rights Act “180 day” hearing	P	Charging party	Reasonable
<a href="#">363A.29</a> , subd. 4	Minnesota Human Rights Act; unfair discriminatory practices administrative hearing	P	Aggrieved party	Reasonable
<a href="#">363A.33</a> , subd. 7	Court action under the Minnesota Human Rights Act	P	Prevailing party; fee award not permitted if the award would be a hardship for the respondent	Reasonable
<a href="#">363A.42</a> , subd. 3	Demand for equal access to government records for individuals with disabilities	M	Plaintiff – qualified disabled person	May not exceed \$15,000
<a href="#">363A.43</a> , subd. 2	Demand for equal access for individuals with disabilities to continuing education, professional development courses, offerings, materials or activities administered by a unit of government	M	Plaintiff – qualified disabled person	May not exceed \$15,000
<a href="#">481.13</a>	Enforcement of a lien for attorney fees	P	The attorney	None
<a href="#">481.14</a>	Attorney may retain money of client owed to attorney; court determines amount	P	The attorney	None
<a href="#">500.215</a> , subd. 4	Enforcement of right to display American flag on owner’s property	M	Property owner	Reasonable



<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">501B.43</a> , subd. 1	Action against a trustee for intentional or grossly negligent breach	P	State	Reasonable
<a href="#">501C.1004</a>	Judicial proceeding involving administration of a trust	P	Any party that is the subject of the judicial proceeding	Reasonable
<a href="#">514.972</a> , subd. 5	Action for denial of access to certain items in self-storage	M	Occupant of the storage unit	None
<a href="#">523.26</a>	Action against an attorney-in-fact for failure to render an accounting to the principal or any person named by the principal in the power of attorney form	M	Principal or person named by the principal	Reasonable
<a href="#">524.3-720</a>	Expenses in estate litigation	M	Personal representative	Reasonable
<a href="#">524.5-502</a>	Conservator; attorney may be compensated from protected person's estate	M, unless not acting in good faith	Attorney rendering necessary services with regard to appointment of guardian or conservator of an estate	In case of indigent person, fee schedule recommended by Board of County Commissioners
<a href="#">545.05</a> , subd. 12	Expedited review of financing statements	P	Prevailing party	None
<a href="#">548.04</a>	Judgment in replevin	M	Prevailing plaintiff	Reasonable
<a href="#">548.251</a> , subd. 4	Adjustment of attorneys' fees for collateral source actions	M	Prevailing plaintiff	If plaintiff attorney using set percentage of the award then the amount is adjusted award
<a href="#">549.01</a>	A party and attorney can agree to any type of payment arrangement but the law may allow for costs to the prevailing party	P	Prevailing party	None

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
549.211, subd. 4	Reimbursement for costs in a civil action	P	Party who acted in bad faith may be required to pay the other party	Reasonable
554.04, subd. 1; 554.045	Motion or action to oppose a suit that stifles free speech activity	M	Person seeking to preserve free speech rights	Reasonable
570.025, subd. 5	Motion for a prehearing attachment order	M	Respondent, if motion made in bad faith	Reasonable
571.72, subd. 7	Action against a creditor who used a misleading form	M	Debtor	Reasonable
572B.14	Civil action against an arbitrator whose services were utilized, if the arbitrator is immune from liability or incompetent to testify	M	Arbitrator	Reasonable
572B.21	Arbitrator's award, where attorney fees would be permitted for the same claim in a civil action	P	Not specified	Reasonable
572B.25	Court action regarding an arbitration award	P	Prevailing party	Reasonable
588.11	Action for contempt	P	Party injured by the contempt	Reasonable
588.21	Action against a taxpayer for filing an incomplete and improper income tax return	P	State	Reasonable
604.113, subd. 2	Civil liability for issuance of a worthless check	M	Holder of the check, if issuer issued more than \$1,250 in dishonored checks within a six-month period	Reasonable
604.12, subd. 3	Action for damages for being excluded from a public accommodation because of riding a motorcycle or wearing organization insignia	P	Plaintiff	Reasonable, up to \$500
609.501, subd. 3	Disruption of funeral ceremony	P	Prevailing plaintiff (deceased person's family)	None

Statute Section	Type of Action	Mandatory (M) or Permissive (P)	Who Gets Fees	Limit on Fees
<b>Motor Vehicles/Transportation</b>				
53C.08, subd. 1	Action for delinquency collection on a motor vehicle installment contract allows for attorneys' fees when collection pursued by outside counsel, when the contract provides for such fees	P	Holder of a precomputed retail installment contract	Not exceeding 15 percent of the amount due on installment contract
53C.12	Civil action against a seller under the Motor Vehicle Retail Installment Sales Act	M	Buyer	Reasonable
80E.05	Action to require motor vehicle makers to indemnify franchised dealers in damage actions	M	Dealer	Reasonable
80E.17	Motor vehicle franchise law violation	P	Any person whose business or property is injured by a franchise law violation	Reasonable
80F.17	Motor vehicle fuel franchise violations	M	Prevailing party (dealer or supplier, depending on the marketing agreement)	None
219.10, subd. 2	Action to collect fines, costs, and disbursements resulting from a complaint by a road authority against a railroad	P	County attorney	\$100 for each prosecution
219.33	Negligence action against a railroad for failure to fence the road and erect crossings	P	Landowner of land abutting the railroad	Reasonable
219.761, subd. 1	Action against a railroad for refusing to reimburse a government agency or a nonprofit firefighting corporation after a fire	P	Local government or nonprofit firefighting corporation that extinguished fire	Reasonable
221.036, subd. 11	Action against a motor carrier failing to pay the assigned penalty for a violation	P	State	None

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">221.251</a> , subd. 3	Action against a motor carrier for overcharging for freight or baggage	P	Prevailing claimant	Reasonable
<a href="#">221.271</a>	Action for violation of motor carrier laws	M	Injured person	Reasonable
<a href="#">325E.16</a> , subd. 3	Civil action concerning trade practices relating to odometers	M	Injured person	Reasonable
<a href="#">325E.167</a> , subd. 2	Tampering with clock-hour meter on farm tractor	M	Injured person	Reasonable
<a href="#">325F.63</a> , subd. 1	Action against motor vehicle repair services	M	Customer	Reasonable
<a href="#">325F.6643</a>	Action for violating the new motor vehicle damage disclosure law	M	Injured person	Reasonable
<a href="#">325F.666</a> , subd. 3	Action against a person who violated the motor vehicle contract reassignment law	P	Injured person	Reasonable
<a href="#">604.12</a> , subd. 3	Action for damages for being excluded from a public accommodation because of riding a motorcycle or wearing organization insignia	P	Plaintiff	Reasonable, up to \$500
<a href="#">604.15</a>	Stolen motor fuel	M	Retailer	Reasonable; not more than \$500
<b>Nonprofit/Charitable Organizations</b>				
<a href="#">64B.08</a> , subd. 4	Indemnification for actions taken on behalf of fraternal benefit society	M	Officers and members	Reasonable
<a href="#">309.57</a> , subd. 1	Charitable solicitation law enforcement	P	State	Reasonable
<a href="#">317A.434</a> , subd. 3	Court-ordered meeting of a nonprofit corporation	P	Voting member of the nonprofit corporation	Reasonable
<a href="#">317A.439</a> , subd. 3	Suit to compel a nonprofit corporation to allow a member with voting rights to inspect a full list of voting members prior to a meeting	P	Plaintiff	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">317A.461</a> , subd. 7	Action by a director or member of nonprofit corporation wrongfully denied access to records	P	Wronged member or director	Reasonable
<a href="#">317A.467</a>	Action against a corporation, officer, or director if a nonprofit corporation violates the law	P	Member of the nonprofit corporation	Reasonable
<a href="#">317A.751</a> , subd. 8	Equitable remedies against a nonprofit corporation	P	Any party, if another party did not act in good faith	Reasonable
<a href="#">604.175</a>	Action to enjoin collection actions taken by a nonprofit hospital if hospital failed to provide a plain language summary of its financial assistance policy	M	Prevailing patient	Reasonable
<b>Public Safety and Crime-Related Civil Actions</b>				
<a href="#">3.7365</a>	Defense of criminal charges against a state officer or state employee in the course of employment	P	State officer or employee	Reasonable
<a href="#">123B.02</a> , subd. 20	Reimbursement by school board to independent school district employee for defense of criminal charges brought against employee relating to employment	P	District employee	Reasonable
<a href="#">152.0275</a> , subd. 2(f)	Collection of clandestine drug lab cleanup costs from contractor	M	Property owner	Reasonable
<a href="#">152.0275</a> , subd. 2(n)	Property seller's failure to disclose on-site methamphetamine production; collection of cleanup costs by buyer	M	Buyer/transferee	Reasonable
<a href="#">243.1605</a>	Action under Interstate Compact for Adult Offender Supervision	M	Prevailing party	Reasonable
<a href="#">299A.80</a> , subd. 6(c)	Payment of an administrative penalty relating to the Department of Public Safety	P	Attorney general	None

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">299A.80</a> , subd. 7	Judicial action brought by the attorney general for civil penalties, injunctive relief, or an action to compel performance for willful violation relating to administrative penalties imposed by the Department of Public Safety	P	Prevailing party (state or defendant)	Reasonable
<a href="#">299K.10</a> , subd. 7	Hazardous chemical emergency enforcement	P	Prevailing party	Reasonable
<a href="#">465.76</a>	Defense of charges of a criminal nature against an official acting in official capacity on behalf of a home rule charter or statutory city	P	Official	Reasonable
<a href="#">563.02</a> , subd. 4	Defense of a civil claim brought by an inmate	M	Defendant, if suit is dismissed under Rule 12 or Rule 56 of the Rules of Civil Procedure	Reasonable
<a href="#">604.15</a>	Stolen motor fuel	M	Retailer	Reasonable; not more than \$500
<a href="#">609.215</a> , subd. 6	Civil action against a person aiding a suicide	M	Plaintiff	Reasonable
<a href="#">609.501</a> , subd. 3	Disruption of funeral ceremony	P	Prevailing plaintiff (deceased person's family)	None
<a href="#">609.53</a> , subd. 4	Action by an injured person for violation of receiving stolen property law	P	Injured person	Reasonable
<a href="#">609.5318</a> , subd. 4	Action ordering return of a seized vehicle used in a drive-by shooting	P	Person who filed demand	Reasonable
<a href="#">609.551</a> , subd. 4	Action for rustling and livestock theft	P	Injured person	Reasonable
<a href="#">609.7495</a> , subd. 4	Action for physical interference with safe access to health care	M	Prevailing party	None
<a href="#">609.911</a> , subd. 4	Action for racketeering	M	Prosecuting authority	Reasonable
<a href="#">611.365</a> , subd. 2	Action for compensation based on exoneration under Imprisonment and Exoneration Remedies Act	P	Successful claimant	Reasonable
<a href="#">611A.08</a> , subd. 4	Action by a perpetrator against a crime victim for injuries	P	Winning victim	Reasonable

<b>Statute Section</b>	<b>Type of Action</b>	<b>Mandatory (M) or Permissive (P)</b>	<b>Who Gets Fees</b>	<b>Limit on Fees</b>
<a href="#">611A.87</a>	Action for being coerced into prostitution	P	Prevailing party	Reasonable
<a href="#">617.90</a> , subd. 2	Graffiti damage	P	Property owner	None
<a href="#">617.96</a>	Criminal gang nuisance activity	P	Prevailing party	Reasonable
<a href="#">624.714</a> , subd. 8	Denial of petition by sheriff to revoke permit to carry	M	Permit holder	None
<a href="#">624.714</a> , subd. 12(d)	Petition by permit holder to appeal revocation of permit	M	Prevailing permit holder	Reasonable
<a href="#">624.714</a> , subd. 16(c)	Denial of petition by sheriff to revoke out-of-state permit to carry	M	Permit holder	Reasonable
<a href="#">626.04</a>	Seized property	P	Seizing officer's agency	Reasonable
<a href="#">626.556</a> , subd. 4	Civil action against a person who has immunity from prosecution for reporting child maltreatment	P	Person who made report	None
<a href="#">626.556</a> , subd. 5	Knowing or reckless false report of child maltreatment	M	Person wrongly reported to have committed child maltreatment	Reasonable
<a href="#">626.89</a> , subd. 16	Violating Peace Officer Discipline Procedures Act	M	Officer	Reasonable
<a href="#">626A.13</a> , subd. 2	Civil action against person or entity intercepting wire, oral, or electronic communications	P	Injured party	Reasonable
<a href="#">626A.391</a> , subd. 1	Violation of privacy using trap and trace device and mobile tracking device	P	Injured party	Reasonable

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