



1931

## Supreme Court Decisions

North Dakota Law Review

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### SUPREME COURT DECISIONS

*Nelson and Hogan vs. Auch:* Plaintiffs rendered services as attorneys in defense of action for personal injuries resulting from automobile accident. A hypothetical question to an attorney testifying as to the reasonable value of the services included a reference to the financial standing of the defendant, which was an assumption, as no evidence regarding such standing was offered or accepted. HELD: The practice of charging less to poor persons is to be commended, but financial ability to pay can not be taken into consideration in determining the reasonable value of professional services. "The circumstances to be considered in determining compensation to be recovered are the amount and character of the services rendered; the labor, time and trouble involved; the nature and importance of the litigation or business in which the services are rendered; the responsibility imposed; the amount of money or the value of the property affected by the controversy or involved in the employment; the skill and experience called for in the performance of the services; the professional standing and character of the attorney; and the results secured."