

[Christian Research Institute v Alnor](#)

Posted on February 17, 2009 by [David J. McMahon](#)

Christian Research Institute v. Alnor 165 Cal. App. 4th 2008; 1315 (2008)**California Court of Appeal Reduces An Attorney Fee Award In A Strategic Lawsuit Against Public Participation Case.**

The California Court of Appeal recently provided important guidance concerning the submission of an award to recover attorneys' fees under the anti-SLAPP (Strategic Lawsuit Against Public Participation) Statute. In *Alnor*, the Defendant moved to recover costs and attorneys' fees reflecting over 600 hours of compensable time. The Superior Court granted the motion for attorneys' fees and costs but reduced the compensable time to 71 hours. The Defendant appealed. On appeal the court held that the trial court adequately examined the attorneys' billing entries and supporting evidence. The court stated that the trial court reasonably concluded that the billing entries were padded and vague, and therefore the request for compensation was not credible. For this reason the trial court reduced the number of compensable hours to 71 and properly declined to apply a fee multiplier.

Some of the appellate court's comments are instructive for counsel submitting a fee request under the SLAPP statute. The court noted: "an attorney's chief asset in submitting a fee request is his/her credibility, and where vague, blocked billed time entries inflated with non compensable hours destroy an attorney's credibility with the trial court, we have no power on appeal to restore it." *Alnor* at 1326.

The appellate court's observations highlight the need for counsel to submit scrupulous bills in support of a fee application. If the court feels that the billing entries are sloppy or are not reflective of actual work performed, this will work to the submitting parties' disadvantage.