



Oregon

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Workers' Compensation Board

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June 15, 2011

TO WHOM IT MAY CONCERN:

Enclosed is WCB Bulletin No. 1-2011, which publishes the annual adjustment to attorney fee awards under ORS 656.262(11)(a) and ORS 656.308(2)(d). *See* OAR 438-015-0038; OAR 438-015-0055(5); OAR 438-015-0110(3). These adjustments apply to all attorney fee awards under these statutes granted by orders beginning July 1, 2011.

Abigail L. Herman

Board Chair

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Enclosure

June 15, 2011

BULLETIN NO. 1-2011
Effective: July 1, 2011

TO: All interested parties

SUBJECT: Attorney fees: ORS 656.262(11)(a); ORS 656.308(2)(d)

This bulletin publishes the annual adjustment to attorney fees awarded under ORS 656.262(11)(a) and ORS 656.308(2)(d). See OAR 438-015-0038; OAR 438-015-0055(5); OAR 438-015-0110(3).

Summary:

ORS 656.262(11)(a) and ORS 656.308(2)(d) provide that the attorney fees awarded under those subsections are adjusted annually on July 1 by the same percentage increase, if any, as made to the average weekly wage (AWW) under ORS 656.211. In accordance with these statutes, the aforementioned Board rules provide that the maximum attorney fee (in the absence of extraordinary circumstances) is subject to an annual adjustment on July 1 as calculated by the Workers' Compensation Department (on behalf of the Director) by the same percentage increase as made to the AWW defined in ORS 656.211, if any.

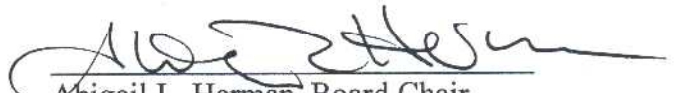
Effective July 1, 2011, the AWW is \$842.52, an increase of **2.824** percent over the AWW for the previous year (July 1, 2010 through June 30, 2011). See Workers' Compensation Division's Bulletin 111 (Revised) dated May 25, 2011.

Applying this 2.824 percentage increase results in the following:

Effective July 1, 2011, an attorney fee awarded under ORS 656.262(11)(a) may not exceed **\$3,157.09**, absent a showing of extraordinary circumstances. OAR 438-015-0110(2).

An attorney fee awarded under ORS 656.308(2)(d) shall not exceed **\$2,630.91**, absent a showing of extraordinary circumstances. OAR 438-015-0038; OAR 438-015-0055(5).

These adjusted maximum fees apply to attorney fees awarded under ORS 656.262(11)(a) and ORS 656.308(2)(d) by orders issued on July 1, 2011 through June 30, 2012.


Abigail L. Herman, Board Chair
Workers' Compensation Board