

ATTORNEY FEE CONTRACT APPROVAL STANDARDS

FORM WC-108a

1. An attorney's fee that is a percentage of the employee's income benefits may only be awarded when the attorney's work caused the income benefits to be paid to the employee. A short written statement attached to the Form WC-108a explaining the attorney's work is encouraged.
2. An attorney's fee may also be assessed for unreasonable conduct by agreement or Board Order. See O.C.G.A. §34-9-108(b)(1) & (2).
3. The attorney fee contract should be dated and filed to indicate when representation started for the Claimant. See O.C.G.A. §34-9-108; Board Rule 108. This contract shall include the following attorney typed information: (1) name, (2) bar number, (3) firm name, (4) address, (5) phone number, (6) fax number, (7) email address, and (8) Board claim number. If the Board claim number is not known, this contract shall include the employee's first name, last name, social security number, and date of injury. Finally, all contracts shall include the employee's name and address.
4. Either a Form WC-1 or Form WC-2 should have been filed prior to a Form WC-108a being filed to indicate that income benefits are being paid during the period being requested in the WC-108a.
5. Please complete all relevant sections on the Form WC-108a. However, when filing a Form WC-108a, only one section (B, C, or D) should be filed out.
6. If section "C" or "D" (assessed fees and fee lien) is by consent, both opposing parties have to sign in Section E.
7. As a synopsis, when filing a Form WC-108a, completely fill out the applicable sections of the form and attach the following with the form: (1) a Form WC-1, Form WC-2a or Form WC-2; (2) the attorney fee contract; and (3) a short statement outlining the attorney's work in obtaining income benefits for the employee.