



Oregon

Tina Kotek, Governor

Workers' Compensation Board

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June 30, 2026

BULLETIN NO. 1 (Revised)

Effective: July 1, 2026

TO: All Interested Parties

SUBJECT: Annual Adjustment to Attorney Fees and Costs

This bulletin publishes the annual adjustments to attorney fees and costs, replacing Bulletin No. 1 dated June 1, 2025.

The maximum attorney fees awarded under ORS 656.262(11)(a), ORS 656.262(14)(a), and ORS 656.308(2)(d) are to be adjusted annually on July 1 by the same percentage increase, if any, as made to the state average weekly wage (SAWW) defined in ORS 656.211. See OAR 438-015-0033(1), OAR 438-015-0038, OAR 438-015-0055(5), and OAR 438-015-0110(3).

In addition, effective January 1, 2026, House Bill 2799 (2025) amended ORS 656.386(2) to increase the maximum amount a claimant may recover for expenses and costs for records, expert opinions, and witness fees, and to provide for an annual adjustment on July 1 by the same percentage increase, if any, in the average weekly wage under ORS 656.211, rounded to the nearest multiple of \$100. The Board amended OAR 438-015-0019 effective January 1, 2026, to reflect these changes.

Effective July 1, 2026, the SAWW is \$1,461.21, an increase of **3.116** percent more than the SAWW for the previous year (July 1, 2025 through June 30, 2026). See WCD's [Bulletin 111 \(Revised\)](#) dated May 4, 2026.

Effective July 1, 2026, applying the 3.116 percentage increase:

I. ORS 656.262(11)(a) – Attorney Fee

Attorney fees awarded under ORS 656.262(11)(a) by orders issued July 1, 2026 through June 30, 2027, shall not exceed **\$6,555** absent a showing of extraordinary circumstances. OAR 438-015-0110(3).

II. ORS 656.262(14)(a) – Attorney Fee

Attorney fees paid under ORS 656.262(14)(a) for actual time spent during a personal or telephonic interview or deposition between July 1, 2026 and June 30, 2027, shall be based on an hourly rate of **\$500**. OAR 438-015-0033(1).

III. ORS 656.308(2)(d) – Attorney Fee

Attorney fees awarded under ORS 656.308(2)(d) by orders issued July 1, 2026 through June 30, 2027, shall not exceed **\$4,728** absent a showing of extraordinary circumstances. OAR 438-015-0038; OAR 438-015-0055(5).

IV. ORS 656.386(2) – Expenses and Costs

Payments for witness fees, expenses, and costs ordered under ORS 656.386(2) between July 1, 2026 through June 30, 2027, may not exceed **\$3,600** unless the claimant demonstrates extraordinary circumstances justifying payment of a greater amount. OAR 438-015-0019(2).

A handwritten signature in black ink, appearing to read "Joy Dougherty", is written over a light gray rectangular background.

Joy Dougherty, Board Chair
Workers' Compensation Board