

## COOK Rachel K \* DCBS

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**From:** MILLS J Mark \* DCBS  
**Sent:** Tuesday, May 17, 2016 11:33 AM  
**To:** COOK Rachel K \* DCBS  
**Subject:** FW: OAWCJ (revised)

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**From:** LIPTON David D \* DCBS  
**Sent:** Tuesday, April 19, 2016 12:08 PM  
**To:** MILLS J Mark \* DCBS  
**Subject:** OAWCJ (revised)

Dear Mark,

At their April 18, 2016 meeting, the Oregon Association of Workers' Compensation Judges (OAWCJ) considered the work of the Board's Advisory Committee on attorney's fees. We are aware that the committee is evaluating a number of proposals including a provision that would require factfinders to take into consideration the contingent nature of claimant attorney fees in determining assessed fee awards. Another proposal would require the fact finder to consider time spent by legal assistants. A third proposal would allow attorneys to request bifurcation of the case for separate consideration (by a separate proceeding and entry of a separate Order) of an assessed attorney fee.

The Association discussed the bifurcation proposal at some length and voted 11-0 (with you abstaining) to instruct you to report to the advisory committee that the Association does not support the bifurcation proposal as currently proposed.

Thank you for bringing the matter to our attention.

David D. Lipton, President  
OAWCJ