

<b>Admin. Rule 92-01-02-11.1</b>	<b>Hourly Rate</b>	<b>Fee Cap</b>	<b>Claimant's Counsel Avg. cost FY08</b>	<b>WSI Counsel Avg. Cost FY08</b>
Dispute regarding Administrative Order if there is an additional award	\$125/ hr Clmt \$115/140/hr WSI**	20% of additional award, except for an initial determination of compensability	Not available	Not available
Issuance of Order and resolved prior to admin. hearing	\$125/ hr Clmt \$115/140/hr WSI**	\$2500 plus costs	Not available	Not available
Claimant prevails after admin. hearing	\$125/ hr Clmt \$115/140/hr WSI**	\$5,100 plus costs	\$3,561.76	\$3,834.31
Claimant prevails from appeal to district court	\$125/ hr Clmt \$115/140/hr WSI**	\$5,700 plus costs	\$4,804.44*	\$4,395.59*
Claimant prevails from appeal to Supreme Court	\$125/ hr Clmt \$115/140/hr WSI**	\$9,300 plus costs	\$9,203.50	\$6,938.69
Prevail at BDR	\$125/ hr Clmt \$115/140/hr WSI**	\$1,400 plus costs	Not available	Not available
Review proposed settlement if not represented at time of offer	\$125/ hr Clmt \$115/140/hr WSI**	\$500	Not available	Not available

\* Average cost from FY07 because majority of cases are pending payment of fees in FY08.

\*\* Hourly rate paid based on years of experience.

WSI counsel may petition to exceed caps.