

**DWC FORM-152**  
**(Application for Attorney's Fees)**

The Division is authorized by the Texas Workers' Compensation Act, Texas Labor Code, Sections 408.221 and 408.222 to approve the fees paid to injured employees' and carriers' attorneys who must file statements of time and expenses for Division consideration (Application for Attorney's Fees, DWC FORM-152).

**Injured Employee's Attorney Fees:** An injured employee's attorney's fees cannot exceed 25% of the employee's recovery of income benefits. In approving the fee, the Division must consider the guidelines for fees for specific services stated in Rules 152.4 and 152.5.

**Carrier's Attorney Fees:** A carrier's attorney's fees must be reasonable and necessary, and they must be based on criteria similar to those for an employee's attorney's fees.

If the application for fees meets all guidelines established in the rules, the Division's automated attorney fee processing system will automatically approve the request and issue the order. If all guidelines are not met, the system will flag the request for manual approval by designated Division staff.

If an attorney is requesting a fee which exceeds the guidelines, justification text must be attached to the DWC FORM-152 to support the request.

The employee's attorney, the carrier or the injured employee must request a contested case hearing to dispute approved time or expenses no later than the 15th day after receipt of the Division's order. The employee can request the contested case hearing by contacting the Division in any manner while the attorney or carrier must make the request in writing and provide copies to the other parties, including the employee. However, if the fee ordered by a hearing officer after a contested case hearing is contested, the attorney, employee or carrier must request review by the Appeals Panel. The Division's order to pay attorney fees is binding during the pendency of the dispute of the order. Notice of a proceeding or an appeal does not relieve the carrier's obligation to pay the fee in accordance with the Division's order.

*[Texas Workers' Compensation Act, Texas Labor Code, Sections 408.221 and 408.222; Rules 152.1 - 152.5]*

