

APPEAL NO. 002609

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). On September 7, 2000, a contested case hearing (CCH) was held. The CCH was held to resolve disputed issues concerning the respondent's (claimant) claim for workers' compensation benefits. The appellants (attorneys) appeal the hearing officer's October 16, 2000, Order for Attorney's Fees in which the hearing officer approved \$3,641.96 of the \$4,710.06 requested for representing the carrier.

DECISION

The Order for Attorney's Fees of October 16, 2000, is affirmed.

The hearing officer did not abuse his discretion in determining the amount of attorney's fees to be approved. The attorneys acknowledge that the fees exceeded the guidelines in Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 152.4 (Rule 152.4). The hearing officer noted in the Attorney Fee Processing System that the attorneys did not submit a justification text with their application for attorney's fees to justify exceeding the guidelines. The attorneys attached to their appeal documents dated after the date of the Order for Attorney's Fees which they contend justify exceeding the guidelines. This information should have been attached to the attorney's fees application.

The October 16, 2000, Order for Attorney's Fees is affirmed.

Robert W. Potts
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Judy L. Stephens
Appeals Judge