
By: **Delegate Grosfeld**

Introduced and read first time: January 28, 1999

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Unemployment Benefits - Hearings - Attorney's Fees**

3 FOR the purpose of allowing reasonable attorney's fees for services rendered by
4 lawyers in certain unemployment benefits hearings; allowing certain claimants
5 to contest attorney's fees; authorizing the Board of Appeals of the Department of
6 Labor, Licensing, and Regulation to review certain attorney's fees; authorizing
7 the Board of Appeals to order a refund of certain attorney's fees under certain
8 circumstances; making stylistic changes; and generally relating to attorney's
9 fees in unemployment benefits hearings.

10 BY repealing and reenacting, with amendments,

11 Article - Labor and Employment

12 Section 8-507

13 Annotated Code of Maryland

14 (1991 Volume and 1998 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Labor and Employment**

18 8-507.

19 (a) In a proceeding before a hearing examiner, special examiner, or the Board
20 of Appeals, a claimant may be represented by a lawyer or another agent authorized by
21 the claimant.

22 (b) (1) [An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
23 AN agent may not charge or accept compensation for representing a claimant in a
24 proceeding before a hearing examiner, special examiner, or the Board of Appeals
25 [except that a lawyer may charge and accept compensation in an amount not greater
26 than that approved by the Board of Appeals].

1 (2) A LAWYER MAY CHARGE AND ACCEPT REASONABLE ATTORNEY'S
2 FEES FOR REPRESENTING A CLAIMANT IN A PROCEEDING BEFORE A HEARING
3 EXAMINER, SPECIAL EXAMINER, OR THE BOARD OF APPEALS.

4 (3) ON APPLICATION OF A CLAIMANT, THE BOARD OF APPEALS MAY:

5 (I) HEAR AND DECIDE ANY QUESTION CONCERNING THE
6 REASONABLENESS OF FEES PAID FOR LEGAL SERVICES PERFORMED IN
7 CONNECTION WITH A CLAIM; AND

8 (II) ORDER A PERSON WHO RECEIVED A FEE FOR LEGAL SERVICES
9 TO REFUND TO THE PAYER ANY PART OF THE FEE THAT THE BOARD OF APPEALS
10 FINDS TO BE UNREASONABLE.

11 (c) In a proceeding before a hearing examiner, special examiner, or the Board
12 of Appeals, an employer may appear for itself or be represented by a lawyer or
13 another agent authorized by the employer.

14 (d) A person may not solicit, for that person or another person, the business of
15 appearing on behalf of a claimant in a proceeding before a hearing examiner, special
16 examiner, or the Board of Appeals.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1999.