

date of this act shall be transferred to, and shall constitute a part of, the account herein created.

Passed the Senate March 19, 1965.

Passed the House March 25, 1965.

Approved by the Governor April 2, 1965.

CHAPTER 63.

[Senate Bill No. 421.]

INDUSTRIAL INSURANCE—ATTORNEYS' FEES.

AN ACT relating to industrial insurance; amending section 51.52.120, chapter 23, Laws of 1961 and RCW 51.52.120; and amending section 51.52.132, chapter 23, Laws of 1961 and RCW 51.52.132; and providing penalties.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 51.52.120, chapter 23, Laws of 1961 and RCW 51.52.120 are each amended to read as follows:

RCW 51.52.120 amended.

(1) It shall be unlawful for an attorney engaged in the representation of any workman or beneficiary to charge for services in the department any fee in excess of a reasonable fee, of not more than thirty percent of the increase in the award secured by the attorney's services. Such reasonable fee shall be fixed by the director for services performed by an attorney for such workman or beneficiary, prior to the notice of appeal to the board if written application therefor is made by the attorney, workman or beneficiary.

Industrial insurance. Attorney's fee before department or board —Unlawful fee —Penalty.

(2) If, on appeal to the board, the order, decision or award of the department is reversed or modified and additional relief is granted to a workman or beneficiary, or in cases where a party other than the workman or beneficiary is the appealing party and the workman's or beneficiary's right to relief

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is sustained by the board, the board shall fix a reasonable fee for the services of his attorney in proceedings before the board if written application therefor is made by the attorney, workman or beneficiary. In fixing the amount of such attorney's fee, the board shall take into consideration the fee allowed, if any, by the director, for services before the department, and the board may review the fee fixed by said director. Any attorney's fee set by the department or the board may be reviewed by the superior court upon application of such attorney. Where the board, pursuant to this section, fixes the attorney's fee, it shall be unlawful for an attorney to charge or receive any fee for services before the board in excess of that fee fixed by the board. Any person who violates any provision of this section shall be guilty of a misdemeanor.

RCW 51.52.132
amended.

SEC. 2. Section 51.52.132, chapter 23, Laws of 1961 and RCW 51.52.132 are each amended to read as follows:

Unlawful
attorney's fees
—Penalty.

Where the department, the board or the court, pursuant to RCW 51.52.120 or 51.52.130 fixes the attorney's fee, it shall be unlawful for an attorney to charge or receive any fee in excess of that fixed by the department, board or the court. Any person who violates any provision of this section shall be guilty of a misdemeanor.

Passed the Senate March 20, 1965.

Passed the House March 24, 1965.

Approved by the Governor April 2, 1965.