



ADMINISTRATIVE RULES OF MONTANA



24.29.4332 CLAIMANT LEGAL FEES AND COSTS REPORTING REQUIREMENTS

- (1) All attorneys that represent claimants shall report, on a per-claim basis, the amount of legal fees and costs received for each claim where:
 - (a) the attorney has an approved fee agreement; and
 - (b) the attorney actually receives a fee from the claimant or on behalf of a claimant.
- (2) An initial legal fee report must be reported to the department within 14 days of the date the attorney actually receives the first fee payment for each claim. If an attorney represents a claimant on multiple claims, the fees and costs for all claims need only be reported on one of the claims.
- (3) Subsequent legal fee reports must be reported within 14 days of each six-month anniversary of the injury or occupational disease for as long as there exists the potential for fee payments.
- (4) Once the potential for fee payments no longer exists, a final legal fee report must be filed at any time prior to or within 14 days of the next six-month anniversary of the injury or occupational disease.
- (5) The claimant attorney must also submit a legal fee report upon:
 - (a) notification by the department that a previously submitted report contains an error; or
 - (b) a request by the department for a report.
- (6) A claimant attorney must report to the department, in the form prescribed by the department, the following information:
 - (a) the total amount of legal fees paid to date by the claimant or on behalf of a claimant, including the amount of attorney fees received pursuant to a settlement; and
 - (b) the total amount of attorney costs paid or reimbursed to date by the claimant. For purposes of this rule, attorney costs include but are not limited to:
 - (i) deposition costs;
 - (ii) witness fees and mileage;
 - (iii) expert witness fees;
 - (iv) documented photocopy expenses;
 - (v) documented long-distance telephone expenses;
 - (vi) documented postage expenses; and

(vii) the amount of attorney fees received pursuant to a settlement.

Authorizing statute(s): 39-71-203, MCA

Implementing statute(s): 39-71-225, MCA

History: NEW, 1995 MAR p. 675, Eff. 5/1/95; AMD, 2006 MAR p. 546, Eff. 2/24/06; AMD, 2024 MAR p. 1066, Eff. 5/11/24.