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# 53 an hour for attorney fees

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TALLAHASSEE, Fla. (AP) The Florida top court struck down a law limiting lawyer fees in workers' compensation cases on Thursday, Speaking the \$1.53 hourly rate a lawyer was paid to help a hurt worker was "Ridiculously low,

The decision is a victory for injured workers who have struggled to get lawyers to assist them to because the fee system created by then Gov. Jeb Bush in 2003 makes their cases not worth symbolizing. The case involved a man who systematically sued a Miami door manufacturer over an on the job injury. His lawyer or attorney was paid \$164.54 more than 100 hours of work.

The top court said the fee limits are unconstitutional because they resulted in a system where people can't find lawyers to represent them at unreasonably low rates. The law based lawyer fees on a percentage of how much cash won in a claim, So if a wounded worker had a \$5,000 obtain, Lawyers knew that they could receive just about \$1,000.

So even though the \$5,000 could be vital for someone earning \$10 an hour and trying to pay bills, Lawyers don't want to take cases where their fee is driving down to roughly the same as \$10 an hour or less, Said eileen Winer, Who chairs the workers comp Section of The Florida Bar.

"People who were injured on the job and stuck in the workers' comp system lost option to pay lawyers, He explained. "I have had quite challenging discussions with a lot of injured workers who had valid claims, And told me, 'Look, The beverages here, Unluckily, Is simply not worth the squeeze. I may need to spend 50 to 70 hours on your case.Or"

It also led to insurance providers denying legitimate claims knowing that injured workers wouldn't be able to fight the decision, Winer had to talk about.

"They deny the express, And if the litigant can't get a lawyer, He disappears altogether and he makes it somebody else's problem. This dilemma might be Medicaid's problem, This problem might be a county hospital that never gets reimbursed, Winer believed. "Simple fact is that grand passing of the buck,

Business groups immediately criticized it, Saying it should drive up employers' costs.

"Most of us have probably forgotten how runaway workers' compensation costs nearly caused Florida's economy to seize up and stop before the 2003 reforms. All right, Now we're about to tell your grandkids, Said bill Large, Lead designer of the Florida Justice Reform Institute, A group within the mortgage the Florida Chamber of Commerce.

The law was a high the main agenda for Bush, Who made it part of a special legal session. He said at the time that the rising cost of workers' compensation insurance was making it unaffordable and perhaps unavailable.

The decision could lead to higher workers comp rates, Florida Insurance Commissioner Kevin McCarty said in an emailed record.

"Limiting attorney's fees has been demands in reducing workers' compensation rates. A legislative remedy will be required to prevent significant increases in rates and good quality to working with all parties affected to bring about a sensible solution, McCarty suggested.

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