

Mr. RE. We have not exercised that responsibility as a practical matter.

Mr. HAMILTON. What do you do?

Mr. RE. We permit the claimant to pay the 10 percent allowed by the statute. The only way we play a part is if we receive a complaint that more is being asked.

Mr. HAMILTON. So the effect is that attorneys' fees are 10 percent?

Mr. RE. I can't say that from knowledge, but I would say that is a fair inference in smaller claims.

In a large claim, where documents establish the claim easily, 10 percent may be too much.

But in a small claim, where there is a great deal of work to be done, particularly in obtaining evidence, I think it is fair to say that 10 percent is probably the usual attorney fee that is charged.

Mr. HAMILTON. Under the present legislation, you have the burden of determining the attorney fee, and you don't do it?

Mr. RE. That is correct.

Mr. HAMILTON. What is your proposal?

Mr. RE. The proposal is that the statute permit the 10 percent and require no further action on the part of the Commission.

Mr. HAMILTON. So it would be automatic so far as you are concerned?

Mr. RE. As a practical matter, you are probably right.

Mr. MONAGAN. Do you know what the fees are at the present time?

Mr. RE. We do not.

Mr. MONAGAN. And unless somebody made a complaint, you would not know?

Mr. RE. That is correct. We do get an occasional complaint, and we take appropriate action. We have had a few convictions when the provisions of the statute were violated.

Mr. HAMILTON. You have had convictions of attorneys who charged more than 10 percent?

Mr. RE. If they violated the statute, yes.

Mr. HAMILTON. How many convictions have you had?

Mr. McGUIRE. We had one man involved in six or seven cases in the Greater Boston area.

Mr. HAMILTON. Could you advise us for the record, please, how many complaints you have had, and how many convictions you have had under the law?

Mr. RE. Yes, sir.

(The information referred to follows:)

STATEMENT CONCERNING CONVICTIONS OF REPRESENTATIVES OF CLAIMANTS
FOR ASSESSING FEES IN EXCESS OF THE 10 PERCENT LIMITATION

The Commission records reflect that one Charles C. Fourkas, Worcester, Massachusetts, was convicted on eleven counts for such violations (cf. attachment). This is the only case in which the Commission initiated the action with the Attorney General. All other instances arose upon complaint by aggrieved awardees who were advised by the Commission to consult the nearest U.S. Attorney. As a result, records of these actions were incorporated in the respective claim files and the Commission has no means of tracing them.