**Section 114.440 Attorney's Fees for VA Appellants**

a) The Department will pay any attorney, or advocate working under the supervision of an attorney, who represents a recipient of cash benefits under the General Assistance program administered by the Department in an appeal of any claim for federal Veterans' benefits before a hearing officer at a Veterans' Administration Regional Office or upon an initial appeal to the Board of Veterans' Appeals, which is decided in favor of the recipient. The amount of the payment will be 25 percent of the maximum federal Supplemental Security Income grant payable to the individual for a period of one year.

b) To receive payment, the attorney or advocate must submit his or her request for payment to the Department. The request for payment must be postmarked no more than 60 days from the date of the notice of the favorable decision by the Hearing Officer. The following information must be included with the request:

1) proof that the attorney or advocate represented the client;

2) a copy of the favorable decision;

3) the attorney's or advocate's bill;

4) the GA recipient's name, address and Public Aid case number; and

5) the attorney's or advocate's Federal Employee Identification number or Social Security number.

c) The Department will make payment within 30 days after receipt of the information listed in subsection (b) above.

d) The attorney or advocate must agree to waive the right to charge or collect fees and expenses from the General Assistance recipient.

(Source: Amended at 19 Ill. Reg. 15058, effective October 17, 1995)