

**11 NCAC 23E .0202 HEARING COSTS OR FEES**

(a) **(Effective until July 1, 2015)** The following hearing costs or fees apply to all subject areas within the authority of the Commission:

- (1) one hundred twenty dollars (\$120.00) for a hearing before a Deputy Commissioner to be charged after the hearing has been held;
- (2) one hundred twenty dollars (\$120.00) if a case is continued after the case is calendared for a specific hearing date, to be paid by the requesting party or parties;
- (3) one hundred twenty dollars (\$120.00) if a case is withdrawn, removed, or dismissed after the case is calendared for a specific hearing date;
- (4) two hundred twenty dollars (\$220.00) for a hearing before the Full Commission to be charged after the hearing has been held; and
- (5) one hundred twenty dollars (\$120.00) if one of the following occurs after an appeal or request for review is scheduled for a specific hearing date before the Full Commission:
  - (A) the appeal or request for review is withdrawn; or
  - (B) the appeal or request for review is dismissed for failure to prosecute or perfect the appeal or request for review.

In workers' compensation cases, these fees shall be paid by the employer unless the Commission orders otherwise, except as specified in Subparagraph (a)(2) above.

(a) **(Effective July 1, 2015)** The following hearing costs or fees apply to all subject areas within the authority of the Commission other than workers' compensation cases:

- (1) one hundred twenty dollars (\$120.00) for a hearing before a Deputy Commissioner to be charged after the hearing has been held;
- (2) one hundred twenty dollars (\$120.00) if a case is continued after the case is calendared for a specific hearing date, to be paid by the requesting party or parties;
- (3) one hundred twenty dollars (\$120.00) if a case is withdrawn, removed, or dismissed after the case is calendared for a specific hearing date;
- (4) two hundred twenty dollars (\$220.00) for a hearing before the Full Commission to be charged after the hearing has been held; and
- (5) one hundred twenty dollars (\$120.00) if one of the following occurs after an appeal or request for review is scheduled for a specific hearing date before the Full Commission:
  - (A) the appeal or request for review is withdrawn; or
  - (B) the appeal or request for review is dismissed for failure to prosecute or perfect the appeal or request for review.

(b) The Commission may waive fees set forth in Paragraph (a) of this Rule, or assess such fees against a party or parties pursuant to G.S. 97-88.1 if the Commission determines that the hearing has been brought, prosecuted, or defended without reasonable ground.

*History Note:* Authority G.S. 97-73; 97-80; 97-88.1; 143-291.1; 143-291.2; 143-300; S.L. 2014-77; Eff. November 1, 2014; Recodified from 04 NCAC 10E .0202 Eff. June 1, 2018.