

**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

META CARPENTER, *Applicant*

vs.

**SACRAMENTO CHILDREN'S RECEIVING HOME, legally uninsured,
administered by STATE COMPENSATION INSURANCE FUND, *Defendants***

**Adjudication Numbers: ADJ5807385, ADJ10080114, ADJ10080117,
ADJ10080122, ADJ10080134
Van Nuys District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

We previously granted applicant's Petition for Reconsideration of the "Order Releasing Attorney's Fee" (Order) issued on March 26, 2021, by the workers' compensation administrative law judge (WCJ), in order to further study the factual and legal issues.¹ This is our Opinion and Decision After Reconsideration.

The WCJ found that applicant's former attorney was entitled to \$3,000.00 as a reasonable fee for services rendered while representing applicant in these matters and ordered such funds released from trust.

Applicant contends that an additional sum of \$1,960.95 was improperly held from her settlement and not paid.

We have not received an answer from any party. The WCJ filed a Report and Recommendation on Petition for Reconsideration (Report) recommending that we deny reconsideration.

¹ Commissioner Lowe was on the panel that issued the order granting reconsideration. Commissioner Lowe no longer serves on the Appeals Board. A new panel member has been substituted in her place.

We have considered the allegations of the Petition for Reconsideration and the contents of the WCJ's Report. Based on our review of the record and for the reasons discussed below, as our Decision After Reconsideration we will affirm the March 26, 2021 Order.²

This matter proceeded to trial upon the issue of the lien of applicant's former attorney for attorney fees. The WCJ found \$3,000.00 as a reasonable fee and no party has disputed that determination.

The sole issue on reconsideration is whether applicant was entitled to a credit for \$1,960.95 against attorney's fees due. Applicant has produced no evidence to establish any basis for an underpayment.

According to the Compromise and Release (C&R), applicant was to receive a total payment of \$28,805.08, less \$3,000.00 which was held in trust for payment of attorney's fees. Per the benefits printout, defendant mailed applicant two checks, one for \$25,805.08 on October 2, 2019, and another check for \$557.42 on October 3, 2019. It appears that the check for \$557.42 was to correct for an error in the Compromise and Release, which incorrectly listed the permanent disability advances paid to date.

The \$3,000.00 attorneys fee combines with the \$25,805.08 payment to applicant to total \$28,805.08, which is precisely the amount that applicant was supposed to receive. On the record before us, there does not appear to be any error in the payment.

It would appear that the \$1,960.95, which appears to have been held by defendant from applicant's permanent disability advances for potential attorney's fees was subsumed as part of the \$3,000.00, which was ultimately awarded as a reasonable attorney's fee. We have reviewed the settlement and the benefits printout in this matter multiple times and can find no error in the accounting. The accounting of the settlement follows:

Permanent disability advances prior to C&R:	\$10,637.50
October 2, 2019 Check to applicant	\$25,805.08
October 3, 2019 Check to applicant	\$557.42
<u>Attorney's fees:</u>	<u>\$3,000.00</u>
Total C&R funds:	\$40,000.00

² We have treated the petition for reconsideration as timely filed as it is not clear from the record that the March 26, 2021 Order was properly served upon applicant.

Accordingly, as our Decision After Reconsideration, we affirm the March 26, 2021 Order.
For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Order Releasing Attorney's Fee issued on March 26, 2021, is **AFFIRMED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

December 10, 2025

**SERVICE MADE ON THE ABOVE DATE ON THE PERSONS LISTED BELOW AT
THEIR ADDRESSES SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD.**

**META CARPENTER
SHATFORD LAW
STATE COMPENSATION INSURANCE FUND**

EDL/mt

I certify that I affixed the official seal of the
Workers' Compensation Appeals Board to this
original decision on this date. *abs*