

**Office of Special Masters
Attorneys' Forum Hourly Rate Fee Schedule: 2026**

Attorneys with:

31+ years of experience in practice	\$608 – \$679
20 – 30 years of experience in practice	\$552 – \$655
11 – 19 years of experience in practice	\$473 – \$592
8 – 10 years of experience in practice	\$434 – \$552
4 – 7 years of experience in practice	\$355 – \$473
Less than 4 years of experience in practice	\$237 – \$355
Paralegals	\$197 – \$229

Explanatory Notes

1. The schedule above applies to work performed for the calendar year 2026.
2. Beginning with the 2015-16 Attorneys' Forum Hourly Rate Fee Schedule, the Office of Special Masters (OSM) prepared ranges of hourly rates for attorneys of varying experience and for paralegals for the purpose of evaluating motions for attorneys' fees in vaccine cases filed in the United States Court of Federal Claims. See 42 U.S.C. §§ 300aa-10 to -34 (2018) (National Childhood Vaccine Injury Act or the "Vaccine Act"); 42 U.S.C § 300aa-15(e)(1). The 2015-16 schedule adopted the ranges set forth in McCulloch v. Sec'y of Health & Hum. Servs., No. 09-293V, 2015 WL 5634323 (Fed. Cl. Spec. Mstr. Sept. 1, 2015), which was endorsed by all sitting special masters as of October 24, 2016. Those rates are updated annually.
3. The above 2026 rates were derived by adjusting the 2015-16 Attorneys' Forum Hourly Rate Fee Schedule rates by the Producer Price Index – Offices of Lawyers ("PPI-OL"). Special masters have found the PPI-OL to be persuasive as a measure of inflation when recalculating McCulloch rates for work performed in subsequent years. However, in every case, the decision of whether to use the PPI-OL or any other measure of inflation remains within each special master's discretion. There is no binding Federal Circuit guidance for Vaccine Act cases regarding the measure of inflation to be used in determining increases

in attorney fee rates over time. Parrott v. Shulkin, 851 F.3d 1242, 1248 n.4 (Fed. Cir. 2017) (noting that the Federal Circuit has never addressed inflators in a Vaccine Act case).

4. The PPI-OL calculations of 2026 rates were derived by multiplying the 2015-16 Attorneys' Forum Hourly Rate Fee Schedule rates by the PPI-OL index for July 2025 (315.585) and then dividing by the PPI-OL index for September 2015 (200.0), the month and year in which McCulloch was decided. Resulting rates were then rounded to the nearest whole dollar. The PPI-OL data is available at <https://www.bls.gov/ppi/detailed-report> (last visited Jan. 16, 2026). The industry code for "Offices of Lawyers" is 541110.
5. In previous years, the rates were derived using data from the PPI-OL index for the month of September. Historically, however, the PPI data from September is not available until the PPI Detailed Report for January, and is not published by the U.S. Bureau of Labor and Statistics ("BLS") until February. To finalize the Fee Schedule earlier (and therefore provide guidance to counsel sooner as to applicable rates for a given year), the rates will now be derived using the PPI data from the PPI-OL index in month of June, which is historically available in the PPI Detailed Report for October, and published in November.¹
6. The Federal Circuit has approved the use of the lodestar approach to determine the "reasonable attorneys' fees" under the Vaccine Act. Avera v. Sec'y of Health & Hum. Servs., 515 F.3d 1343, 1347 (Fed. Cir. 2008). Under this approach, a reasonable number of hours is multiplied by a reasonable hourly rate. Id. at 1347-48 (quoting Blum v. Stenson, 465 U.S. 886, 888 (1984)). "A reasonable hourly rate is 'the prevailing market rate,' defined as the rate 'prevailing in the community for similar services by lawyers of reasonably comparable skill, experience, and reputation.'" Id. at 1348 (quoting Blum at 896 n.11).
7. The rates listed herein are forum rates. The forum is the location in which the deciding tribunal sits, which is Washington, D.C. See Avera, 515 F.3d at 1353. Forum rates will be used in the lodestar formula except when the rates in an attorney's local area are significantly lower than the forum rates. See id. at 1349-50; Davis Cty. Solid Waste Mgmt. & Energy Recovery Special Serv. Dist. v. United States Env'tl. Prot. Agency, 169 F.3d 755, 758 (D.C. Cir. 1999). Forum rates are calculated in large part based on the years of experience of the attorney/paralegal and the corresponding hourly rate range. See Garrison v. Sec'y of Health & Hum. Servs., No. 14-762V, 2016 WL 3022076, at *8 (Fed. Cl. Spec. Mstr. Apr. 29, 2016), mot. for rev. denied, 2016 WL 4784054 (Fed. Cl. Aug. 17, 2016).

¹ Following the 2025 lapse in appropriations, BLS announced that it would not "produce an October 2025 Producer Price Index (PPI) news release. BLS is collecting October reference period data on a delay due to the lapse in appropriations. BLS plans to publish October data with the November 2025 PPI news release on January 14, 2026." https://www.bls.gov/bls/2025-lapse-revised-release-dates.htm#ppi_note (last visited Jan. 16, 2026). The PPI Detailed Report for November, released on January 14, 2026, only contained the finalized data for July 2025. Thus, the 2026 rates were derived using the PPI-OL index for July 2025. In future years, the June PPI-OL index will be used after the data are disclosed.

The rationale for the use of hourly rate ranges is set forth in McCulloch. See 2015 WL 5634323.

8. The Laffey matrix and its more current permutations have been used as a model for this schedule, but the Laffey rates are not applicable in the Vaccine Program. See Rodriguez v. Sec’y of Health & Hum. Servs., No. 06-559V, 2009 WL 2568468 (Fed. Cl. Spec. Mstr. July 27, 2009), aff’d, 632 F.3d 1381 (Fed. Cir. 2011); Masias v. Sec’y of Health & Hum. Servs., No. 99-697V, 2009 WL 1838979 (Fed. Cl. Spec. Mstr. June 12, 2009), aff’d, 634 F.3d 1283 (Fed. Cir. 2011). The PPI-OL was adopted for calculating inflation rates for the Laffey matrix beginning in 2015. See USAO Attorney’s Fees Matrix-2015-2019, available at <https://www.justice.gov/usao-dc/file/796471/download> (last accessed 1/5/2026), n.4. The PPI-OL was chosen for the updated Laffey matrix in preference to the previously used Consumer Price Index (“CPI”), because it better reflects the overall mix of services provided by the legal community and has historically been generous compared to other inflation indexes. Id., n.3.
9. The years of experience listed in this schedule refer to an attorney’s years of experience practicing law, which generally will be calculated based on the year an attorney was admitted to the bar. Individual facts and circumstances may warrant an adjustment to the schedule.
10. As stated in McCulloch, the following factors are paramount in deciding a reasonable forum hourly rate: experience in the Vaccine Program, overall legal experience, the quality of work performed, and the reputation in the legal community and community at large. 2015 WL 5634323, at *17.