

1 **Rule 14-904. Funding.**

2 (a) The Supreme Court shall provide for funding by the lawyers licensed in
3 this state in amounts adequate for the proper payment of claims and costs of
4 administering the Fund subject to paragraph (c).

5 (b) All determinations with regards to funding shall be within the discretion
6 of the Board, subject to approval of the Supreme Court.

7 (c) The Bar shall have the authority to assess its members for purposes of
8 maintaining the Fund at sufficient levels to pay eligible claims in accordance
9 with these rules. The Committee shall report annually to the Commission on a
10 timely basis as to known prospective claims as well as total claims paid to date
11 so that an appropriate assessment can be made for the upcoming fiscal year.
12 After the assessment at the beginning of the fiscal year is determined, the Fund
13 balance shall be set in an amount of not less than \$200,000. The Bar shall then
14 report to the Supreme Court as to known prospective claims as well as total
15 claims paid to date after which the final assessment and fund balance shall be
16 set with the Court's approval.

17 (d) A lawyer's failure to pay any fee assessed under paragraph (c) shall be
18 cause for administrative suspension from practice until payment has been
19 made.

20 (e) Any lawyer whose actions have caused payment of funds to a claimant
21 from the Fund shall reimburse the Fund for all monies paid out as a result of his
22 or her conduct with interest at legal rate, in addition to payment of the
23 assessment for the procedural costs of processing the claim and reasonable
24 attorney fees incurred by the Bar's Office of Professional Conduct or any other
25 attorney or investigator engaged by the Committee to investigate and process
26 the claim as a condition of continued practice.

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27 (e)(1) In lawyer discipline cases for which ~~where a lawyer receives a public~~
28 ~~reprimand and~~ the Fund pays an eligible claim, the lawyer's license to practice
29 shall be administratively suspended for non-payment until reimbursement to the
30 Fund has been made by the lawyer.

31 Effective May 1, 2018