

FILED

September 29, 2015

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8002

**ORDER PROMULGATING AMENDMENTS
TO THE RULES OF THE SUPREME COURT
ON LAWYER REGISTRATION**

In June 2015, after review of the proposals submitted by the State Board of Continuing Legal Education (CLE), the Legal Services Committee for the Lawyer Assistance Program, and the Lawyer Registration Office, along with the recommendations of the State Court Administrator's Finance Division, the court approved the annual budget for the CLE Board and funding for the Lawyer Assistance Program, both of which included a reduction in the portion of the annual lawyer registration fee allocated to the CLE Board and to the Lawyer Assistance Program. In addition, the court approved the recommendation of the Lawyer Registration Office to increase the registration fee when a lawyer's annual registration statement is submitted in paper, rather than electronically, as a means to encourage electronic filing of registration statements and payments, increase efficiency, and reduce staff processing costs. Finally, the court approved the recommendation of the Lawyer Registration Office to use a single flat fee, rather than a sliding-scale fee, as the initial fee for each new member admitted to the bar. The above fee changes approved by the court require amendments to the Lawyer Registration Rules.

Pursuant to the inherent authority of this court to regulate the practice of law,

IT IS HEREBY ORDERED THAT:

1. The Rules of the Supreme Court on Lawyer Registration are amended, as shown in the attached. The Rules as amended are prescribed and promulgated to be effective as of the January 1, 2016 registration cycle.

2. The Rules of the Supreme Court on Lawyer Registration, as amended by this order, shall be posted on the website for the Lawyer Registration Office.

Dated: September 29, 2015

BY THE COURT:

A handwritten signature in black ink, appearing to read "Lorie S. Gildea". The signature is written in a cursive style with a large initial "L".

Lorie S. Gildea
Chief Justice

LILLEHAUG, J., dissents from that portion of the court's order that approves the amendment to Rule 2(F) of the Rules on Lawyer Registration by increasing the fee for lawyers who elect not to register and pay annual registration fees through the Online Registration System.

Rules of the Supreme Court on Lawyer Registration

Adopted August 4, 1970

TABLE OF HEADNOTES

Preamble

1. Definitions
2. Registration Fee
3. License
4. Special Fund
5. Nonresident Counsel
6. Annual Reporting of Professional Liability Insurance Coverage
7. Access to Lawyer Registration Records
8. Supervisory Authority
9. New Lawyer Admission Fee

* * *

Rule 2. Registration Fee.

A. Required Fee.

In order to defray the expenses of examinations and investigation for admission to the bar and disciplinary proceedings, to defray the expenses of administering continuing legal education, to provide an adequate client security fund, to help fund legal services programs, and to help fund a lawyers assistance program, each lawyer and each judge must pay to the Lawyer Registration Office an ~~initial and thereafter,~~ annual registration fee.

B. Active Statuses.

Each lawyer and judge must pay an annual registration fee of ~~\$248~~54 or such lesser sum as is set forth in the following sections.

1. Active Status - Income Less Than \$25,000.

A lawyer or judge on active status who certifies that the lawyer's or judge's gross income from all sources, excluding the income of a spouse, is less than \$25,000 per year must pay an annual registration fee of ~~\$220~~6.

2. Active Status - Lawyers on Fulltime Military Duty.

A lawyer or judge on fulltime duty in the armed forces of the United States must pay an annual registration fee of ~~\$125~~31.

3. Active Status - Lawyers on Fulltime Military Duty - Income Less Than \$25,000.

A lawyer or judge on fulltime duty in the armed forces of the United States who certifies that the lawyer's or judge's gross income from all sources, excluding the income of a spouse, is less than \$25,000 per year must pay an annual registration fee of ~~\$97~~403.

4. Active Status - Lawyers Admitted Fewer Than Three Years.

A lawyer or judge who has been admitted to practice law fewer than three years in each and every licensing jurisdiction, including Minnesota, must pay an annual registration fee of ~~\$114~~120.

5. Active Status - Lawyers Admitted Fewer Than Three Years - Income Less Than \$25,000.

A lawyer or judge who has been admitted to practice law fewer than three years in each and every licensing jurisdiction, including Minnesota, and certifies that the lawyer's or judge's gross income from all sources, excluding the income of a spouse, is less than \$25,000 per year must pay an annual registration fee of ~~\$100~~6.

C. Inactive Statuses.

1. Inactive Status - Out-of-State.

A lawyer or judge who files with the Lawyer Registration Office on or before the date the lawyer's registration fee is due an affidavit stating that the lawyer or judge (i) is a permanent resident of a state other than Minnesota, (ii) is currently in good standing, (iii) does not hold judicial office in Minnesota and (iv) is not engaged in the practice of law in Minnesota, must pay an annual registration fee of ~~\$20544~~.

2. Inactive Status - Out-of-State - Income Less Than \$25,000.

A lawyer or judge who files with the Lawyer Registration Office on or before the date the lawyer's registration fee is due an affidavit stating that the lawyer or judge (i) is a permanent resident of a state other than Minnesota, (ii) is currently in good standing, (iii) does not hold judicial office in Minnesota, (iv) is not engaged in the practice of law in Minnesota, and (v) certifies that the lawyer's or judge's gross income from all sources, excluding the income of a spouse, is less than \$25,000 per year must pay an annual registration fee of ~~\$17783~~.

3. Inactive Status - Minnesota.

A lawyer who files with the Lawyer Registration Office on or before the date the lawyer's registration fee is due an affidavit stating that the lawyer (i) is a resident of the State of Minnesota, (ii) is currently in good standing, (iii) does not hold judicial office in this state, and (iv) is not engaged in the practice of law in this state must pay an annual registration fee of ~~\$20544~~.

4. Inactive Status - Minnesota - Income Less Than \$25,000.

A lawyer who files with the Lawyer Registration Office on or before the date the lawyer's registration fee is due an affidavit stating that the lawyer (i) is a resident of the State of Minnesota, (ii) is currently in good standing, (iii) does not hold judicial office in this state, (iv) is not engaged in the practice of law in this state, and (v) certifies that the lawyer's or judge's gross income from all sources, excluding the income of a spouse, is less than \$25,000 per year must pay an annual registration fee of ~~\$17783~~.

* * *

D. Allocation of Fees.

Fees paid pursuant to this rule are allocated according to the following schedule:

- (1) Payments of ~~\$24854~~ are allocated as follows:
 - a. \$21 to the State Board of Law Examiners;

- b. \$41 to the State Board of Continuing Legal Education;
 - c. \$122 to the Lawyers Professional Responsibility Board;
 - d. \$12 to the Client Security Fund;
 - e. \$75 to the Legal Services Advisory Committee for civil legal services and grant program purposes;
 - f. \$1613 to the Legal Services Advisory Committee for a lawyers assistance program; and
 - g. \$4 to the Lawyer Registration Office.
- (2) Payments of \$2206 are allocated as follows:
- a. \$21 to the State Board of Law Examiners;
 - b. \$41 to the State Board of Continuing Legal Education;
 - c. \$122 to the Lawyers Professional Responsibility Board;
 - d. \$12 to the Client Security Fund;
 - e. \$47 to the Legal Services Advisory Committee for civil legal services and grant program purposes;
 - f. \$1613 to the Legal Services Advisory Committee for a lawyers assistance program; and
 - g. \$4 to the Lawyer Registration Office.
- (3) Payments of \$2405 are allocated as follows:
- a. \$21 to the State Board of Law Examiners;
 - b. \$41 to the State Board of Continuing Legal Education;
 - c. \$83 to the Lawyers Professional Responsibility Board;
 - d. \$12 to the Client Security Fund;
 - e. \$71 to the Legal Services Advisory Committee for civil legal services and grant program purposes;
 - f. \$1613 to the Legal Services Advisory Committee for a lawyers assistance program; and
 - g. \$4 to the Lawyer Registration Office.
- (4) Payments of \$1837 are allocated as follows:
- a. \$21 to the State Board of Law Examiners;
 - b. \$41 to the State Board of Continuing Legal Education;
 - c. \$83 to the Lawyers Professional Responsibility Board;
 - d. \$12 to the Client Security Fund;
 - e. \$43 to the Legal Services Advisory Committee for civil legal services and grant program purposes;
 - f. \$1613 to the Legal Services Advisory Committee for a lawyers assistance program; and
 - g. \$4 to the Lawyer Registration Office.
- (5) Payments of \$13125 are allocated as follows:
- a. \$21 to the State Board of Law Examiners;
 - b. \$30 to the State Board of Continuing Legal Education;
 - c. \$24 to the Lawyers Professional Responsibility Board;

- d. \$63 to the Legal Services Advisory Committee for civil legal services and grant program purposes;
 - e. \$1613 to the Legal Services Advisory Committee for a lawyers assistance program; and
 - f. \$4 to the Lawyer Registration Office.
- (6) Payments of ~~\$10397~~ are allocated as follows:
- a. \$21 to the State Board of Law Examiners;
 - b. \$30 to the State Board of Continuing Legal Education;
 - c. \$24 to the Lawyers Professional Responsibility Board;
 - d. \$35 to the Legal Services Advisory Committee for civil legal services and grant program purposes;
 - e. \$1613 to the Legal Services Advisory Committee for a lawyers assistance program; and
 - f. \$4 to the Lawyer Registration Office.
- (7) Payments of ~~\$12014~~ are allocated as follows:
- a. \$21 to the State Board of Law Examiners;
 - b. \$41 to the State Board of Continuing Legal Education;
 - c. \$26 to the Lawyers Professional Responsibility Board;
 - d. \$12 to the Client Security Fund;
 - e. \$37 to the Legal Services Advisory Committee for civil legal services and grant program purposes;
 - f. \$1613 to the Legal Services Advisory Committee for a lawyers assistance program; and
 - g. \$4 to the Lawyer Registration Office.
- (8) Payments of \$1060 are allocated as follows:
- a. \$21 to the State Board of Law Examiners;
 - b. \$41 to the State Board of Continuing Legal Education;
 - c. \$26 to the Lawyers Professional Responsibility Board;
 - d. \$12 to the Client Security Fund;
 - e. \$23 to the Legal Services Advisory Committee for civil legal services and grant program purposes;
 - f. \$1613 to the Legal Services Advisory Committee for a lawyers assistance program; and
 - g. \$4 to the Lawyer Registration Office.

* * *

F. Notification of Fee Due.

The Lawyer Registration Office must, annually one month prior to the date due, either mail a lawyer registration statement or email a notice of registration to each lawyer and judge then in good standing except those who have elected inactive retired status pursuant to section C5, above, or permanent disability status pursuant

to section C6, above. A lawyer registration statement must be mailed to the lawyer's or judge's postal address on file with the Lawyer Registration Office. For those electing to use the online registration system, a notice of registration must be sent to the lawyer's or judge's email address on file with the Lawyer Registration Office. For those electing not to use the online registration system to complete the annual statement and pay the annual fee, a \$10 charge shall be added to the annual registration fee, and shall be paid at the time of registration. Failure to receive a lawyer registration statement or a notice of registration shall not excuse payment of the annual registration fee.

* * *

Rule 9. New Lawyer Admission Fee.

The initial fee for new admittees to the Minnesota bar, payable at or before the time of the new admittee's admission, is \$40.