

FILED

June 23, 2021

**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**

The Rules of the Supreme Court on Lawyer Registration impose annual fees on licensed Minnesota attorneys to fund the operations and expenses of the supreme court's regulatory boards. Rule 1, Rules on Lawyer Registration (explaining the purpose of registration fees, "to help defray the cost" of regulating the profession). Thus, collected registration fees are allocated among the court's regulatory boards and offices. *See* Rule 10(A), Rules on Lawyer Registration.

Annual registration fees were last increased 12 years ago, in 2009, by imposing a temporary increase to fund public defender services (\$75), and a permanent increase to fund the Legal Services Advisory Committee (\$25). *Order Temporarily Increasing Lawyer Registration Fees*, No. C1-81-1206 (Minn. filed Nov. 4, 2009); *Order Extending Increase in Lawyer Registration Fees*, No. ADM10-8002 (Minn. filed Mar. 2, 2011). After the temporary fee increase for public defender services expired in 2013, annual registration fees decreased, and those fees were reduced slightly again starting in January 2016, *Order Promulgating Amendments to the Rules of the Supreme Court on Lawyer Registration*, No. ADM10-8002 (Minn. filed Sept. 29, 2015). In recent years, the operating costs of the court's regulatory boards have been managed by reallocating collected fees among the Boards, rather than through fee increases, *see Order Promulgating Amendments to the*

Rules of the Supreme Court on Lawyer Registration, No. ADM10-8003 (Minn. filed July 19, 2019) (reallocating collected fees between the Client Security Board and the Office of Lawyers Professional Responsibility); *Order Promulgating Amendments to the Rules of the Supreme Court on Lawyer Registration*, No. ADM10-8002 (Minn. filed July 27, 2017) (reallocating collected fees among the Board of Law Examiners, the Client Security Fund, and the Lawyer Registration Office).

Based on recommendations by the State Court Administrator's Finance Division and a review of the budget needs for the Office of Lawyers Professional Responsibility and the Legal Services Advisory Committee, the court has determined that increases in the annual registration fees are necessary to meet the current and projected expenses of those offices. Although the increases are lower than in previous years—ranging from \$10 to \$22—spreading the total increase out over a few years will limit the financial impact for licensed attorneys while still providing crucial funding support for the work of these offices. Thus, the increases approved here today will be implemented over a 3-year period, beginning with the October 1, 2021 registration cycle. The rules as amended are shown below effective as of October 1, 2021; effective as of the October 1, 2022 registration cycle; and effective as of the October 1, 2023 registration cycle.

The exception to the fee increase announced here is for the fee imposed on newly admitted lawyers. This fee is imposed at the time of the new lawyer's admission to the bar, and is currently structured to facilitate the registration process. Lawyers who wish to retain a Minnesota license will then pay the annual registration fee in the next registration

cycle. As this is an admission fee, rather than a registration fee, the increases set out below will not apply to the new lawyer admission fee.

Based on all the files, records, and proceedings herein, and pursuant to the inherent authority of this court to regulate the practice of law,

IT IS HEREBY ORDERED that the Rules of the Supreme Court on Lawyer Registration are amended as shown in the attachment to this order. The Rules as amended are prescribed and promulgated to be effective for Lawyer Registration Statements that are due to be filed or are filed on or after October 1, 2021, and thereafter, for registration statements due to be filed by October 1, 2022 and by October 1, 2023, as applicable.

Dated: June 23, 2021

BY THE COURT:



Lorie S. Gildea
Chief Justice

Rules of the Supreme Court on Lawyer Registration
Adopted August 4, 1970
With amendments effective October 1, 2021

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Rule 5. Active Status Fees

A. Admitted to Practice Law Three Years or More. A lawyer or judge on active status who has been admitted to practice law for three years or more in any state, the District of Columbia, or any territory must pay an annual registration fee of ~~\$248~~256.

B. 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~~227.

C. Admitted to Practice Law Less Than Three Years. A lawyer or judge who has been admitted to practice law less than three years in each and every state, the District of Columbia, or territory in which the lawyer or judge has been admitted, including Minnesota, must pay an annual registration fee of ~~\$144~~118.

Rule 6. Inactive Status Fees

A. General. A lawyer or judge who files with the Lawyer Registration Office on or before the due date for payment of the lawyer's registration fee an affidavit stating that the lawyer or judge (1) is currently in good standing with the Lawyer Registration Office, (2) does not hold judicial office in this state and does not sit by special appointment, and (3) is not engaged in the practice of law in this state, must pay an annual registration fee of ~~\$205~~211 to remain in good standing as an inactive Minnesota lawyer.

B. Income Less Than \$25,000. A lawyer or judge who files an affidavit in compliance with Rule 6A and 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 ~~\$177~~182 to remain in good standing as an inactive Minnesota lawyer.

Rule 10. Allocation of Lawyer Registration Fees

A. Registration Fees. Lawyer registration fees paid pursuant to these Rules will be allocated as follows:

	<u>\$248256</u> payments	<u>\$220227</u> payments	<u>\$205211</u> payments	<u>\$177182</u> payments	<u>\$114118</u> payments	<u>\$40</u> payments
State Board of Law Examiners	\$29	\$29	\$29	\$29	\$29	\$25
State Board of Continuing Legal Education	\$1	\$1	\$1	\$1	\$1	\$0
Lawyers Professional Responsibility Board	\$128	\$128	\$89	\$89	\$32	\$15
Client Security Fund	\$0	\$0	\$0	\$0	\$0	\$0
Legal Services Advisory Committee (for civil legal services and grant program purposes)	\$75	\$47	\$71	\$43	\$37	\$0
Legal Services Advisory Committee (for a lawyers' assistance program)	<u>\$1321</u>	<u>\$1320</u>	<u>\$1319</u>	<u>\$1318</u>	<u>\$1317</u>	\$0
Lawyer Registration Office	\$2	\$2	\$2	\$2	\$2	\$0
TOTAL	<u>\$248256</u>	<u>\$220227</u>	<u>\$205211</u>	<u>\$177182</u>	<u>\$114118</u>	<u>\$40</u>

Rules of the Supreme Court on Lawyer Registration
Adopted August 4, 1970
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Rule 5. Active Status Fees

A. Admitted to Practice Law Three Years or More. A lawyer or judge on active status who has been admitted to practice law for three years or more in any state, the District of Columbia, or any territory must pay an annual registration fee of ~~\$256~~263.

B. 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 ~~\$227~~234.

C. Admitted to Practice Law Less Than Three Years. A lawyer or judge who has been admitted to practice law less than three years in each and every state, the District of Columbia, or territory in which the lawyer or judge has been admitted, including Minnesota, must pay an annual registration fee of ~~\$118~~121.

Rule 6. Inactive Status Fees

A. General. A lawyer or judge who files with the Lawyer Registration Office on or before the due date for payment of the lawyer's registration fee an affidavit stating that the lawyer or judge (1) is currently in good standing with the Lawyer Registration Office, (2) does not hold judicial office in this state and does not sit by special appointment, and (3) is not engaged in the practice of law in this state, must pay an annual registration fee of ~~\$211~~217 to remain in good standing as an inactive Minnesota lawyer.

B. Income Less Than \$25,000. A lawyer or judge who files an affidavit in compliance with Rule 6A and 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 ~~\$182~~187 to remain in good standing as an inactive Minnesota lawyer.

Rule 10. Allocation of Lawyer Registration Fees

A. Registration Fees. Lawyer registration fees paid pursuant to these Rules will be allocated as follows:

	<u>\$256263</u> payments	<u>\$227234</u> payments	<u>\$211217</u> payments	<u>\$182187</u> payments	<u>\$118121</u> payments	\$40 payments
State Board of Law Examiners	\$29	\$29	\$29	\$29	\$29	\$25
State Board of Continuing Legal Education	\$1	\$1	\$1	\$1	\$1	\$0
Lawyers Professional Responsibility Board	<u>\$128135</u>	<u>\$128135</u>	<u>\$8995</u>	<u>\$8994</u>	<u>\$3235</u>	\$15
Client Security Fund	\$0	\$0	\$0	\$0	\$0	\$0
Legal Services Advisory Committee (for civil legal services and grant program purposes)	\$75	\$47	\$71	\$43	\$37	\$0
Legal Services Advisory Committee (for a lawyers' assistance program)	\$21	\$20	\$19	\$18	\$17	\$0
Lawyer Registration Office	\$2	\$2	\$2	\$2	\$2	\$0
TOTAL	<u>\$256263</u>	<u>\$227234</u>	<u>\$211217</u>	<u>\$182187</u>	<u>\$118121</u>	\$40

Rules of the Supreme Court on Lawyer Registration
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Rule 5. Active Status Fees

A. Admitted to Practice Law Three Years or More. A lawyer or judge on active status who has been admitted to practice law for three years or more in any state, the District of Columbia, or any territory must pay an annual registration fee of ~~\$263~~270.

B. 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 ~~\$234~~241.

C. Admitted to Practice Law Less Than Three Years. A lawyer or judge who has been admitted to practice law less than three years in each and every state, the District of Columbia, or territory in which the lawyer or judge has been admitted, including Minnesota, must pay an annual registration fee of ~~\$121~~124.

Rule 6. Inactive Status Fees

A. General. A lawyer or judge who files with the Lawyer Registration Office on or before the due date for payment of the lawyer's registration fee an affidavit stating that the lawyer or judge (1) is currently in good standing with the Lawyer Registration Office, (2) does not hold judicial office in this state and does not sit by special appointment, and (3) is not engaged in the practice of law in this state, must pay an annual registration fee of ~~\$217~~223 to remain in good standing as an inactive Minnesota lawyer.

B. Income Less Than \$25,000. A lawyer or judge who files an affidavit in compliance with Rule 6A and 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 ~~\$178~~192 to remain in good standing as an inactive Minnesota lawyer.

Rule 10. Allocation of Lawyer Registration Fees

A. Registration Fees. Lawyer registration fees paid pursuant to these Rules will be allocated as follows:

	<u>\$263270</u> payments	<u>\$234241</u> payments	<u>\$217223</u> payments	<u>\$187192</u> payments	<u>\$121124</u> payments	<u>\$40</u> payments
State Board of Law Examiners	\$29	\$29	\$29	\$29	\$29	\$25
State Board of Continuing Legal Education	\$1	\$1	\$1	\$1	\$1	\$0
Lawyers Professional Responsibility Board	<u>\$135142</u>	<u>\$135142</u>	<u>\$95101</u>	<u>\$9499</u>	<u>\$3538</u>	\$15
Client Security Fund	\$0	\$0	\$0	\$0	\$0	\$0
Legal Services Advisory Committee (for civil legal services and grant program purposes)	\$75	\$47	\$71	\$43	\$37	\$0
Legal Services Advisory Committee (for a lawyers' assistance program)	\$21	\$20	\$19	\$18	\$17	\$0
Lawyer Registration Office	\$2	\$2	\$2	\$2	\$2	\$0
TOTAL	<u>\$263270</u>	<u>\$234241</u>	<u>\$217223</u>	<u>\$187192</u>	<u>\$121124</u>	<u>\$40</u>