

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, Supreme Court 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), Supreme Court Rules on Lawyer Registration.

On August 23, 2023, we issued a comprehensive order regarding the report and recommendations provided by the Standing Committee on Professional Regulation of the American Bar Association (the ABA) on Minnesota’s lawyer discipline system. *Order Regarding the Report and Recommendations of the American Bar Association Standing Committee on Professional Regulation on the Minnesota Lawyer Discipline System*, ADM10-8042, ADM10-8043 (Minn. filed Aug. 23, 2023). The ABA made several recommendations for additional staff resources for the Office of Lawyers Professional Responsibility (the Office), the Lawyers Professional Responsibility Board (the Board), and discipline referees. *Id.* at 28–29 (citing Minn. Rep. on the Law. Discipline Sys. at 44–46 (Sept. 2022)). We agreed that additional administrative staff for the Board and the

Office as well as law clerk support for discipline referees were important, but recognized that this implicated the funding model for our discipline system, which depends on lawyer registration fees. *Id.* at 28–29, Table-1.

After consultation with the State Court Administrator, the Director of the Office, and the Board, we agree that this additional administrative staff is needed, in the form of a part-time assistant for the Board and a part-time law clerk for discipline referees. Funding these positions requires a \$4 increase in lawyer registration fees.

This \$4 increase, effective October 1, 2023, is in addition to the increase effective that same date previously approved in our June 23, 2021 order. In that prior order, “[b]ased on recommendations by the State Court Administrator’s Finance Division and a review of the budget needs for the Office . . . and the Legal Services Advisory Committee, the court [] determined that increases in the annual registration fees [were] necessary to meet the current and projected expenses of those offices.” *Order Promulgating Amendments to the Rules of the Supreme Court on Lawyer Registration*, ADM10-8002, at 2 (Minn. filed June 23, 2021). The increases approved in that order ranged from \$10 to \$22, and were implemented over a 3-year period, beginning with the October 1, 2021 registration cycle, with additional increases effective as of the October 1, 2022 registration cycle and the October 1, 2023 registration cycle.¹ *Id.*

¹ The court, in a February 28, 2022 order, also increased the income threshold for paying a reduced annual registration fee from \$25,000 to \$50,000. *Order Promulgating Amendments to the Rules of the Supreme Court on Lawyer Registration*, ADM10-8002 (Minn. filed Feb. 28, 2022).

Consistent with our June 23, 2021 order, the exception to the fee increase announced here is for the fee imposed on newly admitted lawyers. The fee on newly admitted lawyers 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 the fee on newly admitted lawyers 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, previously amended by the court in its June 23, 2021 order as effective October 1, 2023 (and also as amended by the court in its February 28, 2022 order), 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, 2023.

Dated: September 7, 2023

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, 2023

[Note: In the following amendments, deletions are indicated by a line drawn through the words and additions are indicated by a line drawn under the words.]

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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 ~~\$270~~274.

B. Income Less Than \$50,000. 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 \$50,000 per year must pay an annual registration fee of ~~\$241~~245.

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 ~~\$124~~128.

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 ~~\$223~~227 to remain in good standing as an inactive Minnesota lawyer.

B. Income Less Than \$50,000. 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 \$50,000 per year must pay an annual registration fee of ~~\$192~~196 to remain in good standing as an inactive Minnesota lawyer.

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Rule 10. Allocation of Lawyer Registration Fees

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

	<u>\$270274</u> payments	<u>\$241245</u> payments	<u>\$223227</u> payments	<u>\$192196</u> payments	<u>\$124128</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>\$142146</u>	<u>\$142146</u>	<u>\$101105</u>	\$99103	\$3842	\$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>\$270274</u>	<u>\$241245</u>	<u>\$223227</u>	<u>\$192196</u>	<u>\$124128</u>	\$40