

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

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

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

7 (c) The Bar shall have the authority to assess its members and licensed paralegal
8 practitioners for purposes of maintaining the Fund at sufficient levels to pay eligible
9 claims in accordance with these rules. The Committee shall report annually to the
10 Commission on a timely basis as to known prospective claims as well as total claims
11 paid to date so that an appropriate assessment can be made for the upcoming fiscal
12 year. 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 report
14 to the Supreme Court as to known prospective claims as well as total claims paid to
15 date after which the final assessment and fund balance shall be set with the Court's
16 approval.

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

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

27 (e)(1) In lawyer or licensed paralegal practitioner discipline cases for which the Fund
28 pays an eligible claim, the lawyer's or licensed paralegal practitioner's license to

December 2018

29 practice shall be administratively suspended for non-payment until reimbursement to the
30 Fund has been made by the lawyer or licensed paralegal practitioner.
31 Effective May 1, 2018