

STATE OF MINNESOTA

IN SUPREME COURT

C9-81-1206

**ORDER AMENDING THE RULES OF
THE SUPREME COURT ON LAWYER
REGISTRATION**

On July 12, 2006 this Court promulgated amendments to the Rules of the Supreme Court on Lawyer Registration. The Court has been advised by the Clerk of Appellate Courts and the Director of the Board of Law Examiners in a letter filed on August 3, 2006 that they inadvertently omitted from the rules a discounted registration fee for lawyers with a gross income of less than \$25,000 per year who fall into the Inactive Status-Out-of-State and Inactive Status-Minnesota categories. They proposed amendments to remedy this omission, including a fee allocation for the new categories and miscellaneous minor changes which flow from the addition of the new categories and allocation. The Court is fully advised in the premises.

NOW, THEREFORE, IT IS HEREBY ORDERED that the attached amendments to the Rules of the Supreme Court on Lawyer Registration are adopted effective with the registration cycle deadline of October 1, 2006.

Dated: August 16th, 2006

BY THE COURT:

OFFICE OF
APPELLATE COURTS

AUG 16 2006

FILED



Russell A. Anderson
Chief Justice

RULES OF THE SUPREME COURT ON LAWYER REGISTRATION

RULE 1. DEFINITIONS

B. “Inactive Status” means a lawyer or judge who has elected to be on inactive status pursuant to Rule 2C1, 2C2, 2C3, ~~or 2C4~~, 2C5 or 2C6 of these rules and who meets the criteria set forth in subparts (i) through (v) in the definition of Active Status, above. A lawyer or judge on inactive status is in good standing but is not authorized to practice law in this state.

RULE 2. REGISTRATION FEE

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 \$179.

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 \$154.

23. 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 \$179.

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 \$154.

35. Inactive Status - Retired Status.

A lawyer or judge who files with the Lawyer Registration Office a Retirement Affidavit stating that the lawyer or judge (i) is currently on active or inactive status, (ii) does not hold judicial office in this state, (iii) is not engaged in the practice of law in this state, (iv) is at least 62 years of age, and (v) is retired from any gainful employment is exempt from payment of any registration fee during the period of the lawyer's or judge's retirement. A Retirement Affidavit, once filed, is effective for each succeeding year unless the lawyer or judge transfers to active status pursuant to section C57 of this rule.

46. Inactive Status - Permanent Disability Status.

A lawyer or judge who files with the Lawyer Registration Office a Disability Affidavit stating that the lawyer or judge (i) is currently on active or inactive status, (ii) does not hold judicial office in this state, (iii) is not engaged in the practice of law in this state, and (iv) is totally disabled is exempt from payment of any registration fee during the period of the lawyer's or judge's disability. A Disability Affidavit, once

filed, is effective for each succeeding year unless the lawyer or judge transfers to active status pursuant to section C57 of this rule.

57. Transfer from Inactive Status to Active Status.

A lawyer or judge who is on inactive status must, prior to practicing law or assuming judicial responsibilities, (i) promptly notify the Lawyer Registration Office, (ii) complete a lawyer registration statement, (iii) pay the applicable registration fee, (iv) complete all continuing legal education (CLE) requirements and be transferred to CLE active status, (v) comply with Rule 1.15(i), MRPC, and (vi) comply with Rule 6 of these rules.

D. Allocation of Fees.

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

(1) Payments of \$218 are allocated as follows:

- \$18 to the State Board of Law Examiners;
- \$8 to the State Board of Continuing Legal Education;
- \$122 to the Lawyers Professional Responsibility Board;
- \$12 to the Client Security Fund;
- \$50 to the Legal Services Advisory Committee; and
- \$8 to the Lawyer Trust Account Board for a lawyers assistance program.

(2) Payments of \$193 are allocated as follows:

- \$18 to the State Board of Law Examiners;
- \$8 to the State Board of Continuing Legal Education;
- \$122 to the Lawyers Professional Responsibility Board;
- \$12 to the Client Security Fund;
- \$25 to the Legal Services Advisory Committee; and

- \$8 to the Lawyer Trust Account Board for a lawyers assistance program.

(3) Payments of \$179 are allocated as follows:

- \$18 to the State Board of Law Examiners;
- \$8 to the State Board of Continuing Legal Education;
- \$83 to the Lawyers Professional Responsibility Board;
- \$12 to the Client Security Fund;
- \$50 to the Legal Services Advisory Committee; and
- \$8 to the Lawyer Trust Account Board for a lawyers assistance program.

(4) Payments of \$154 are allocated as follows:

- \$18 to the State Board of Law Examiners;
- \$8 to the State Board of Continuing Legal Education;
- \$83 to the Lawyers Professional Responsibility Board;
- \$12 to the Client Security Fund;
- \$25 to the Legal Services Advisory Committee; and
- \$8 to the Lawyer Trust Account Board for a lawyers assistance program.

(4)(5) Payments of \$107 are allocated as follows:

- \$18 to the State Board of Law Examiners;
- \$7 to the State Board of Continuing Legal Education;
- \$24 to the Lawyers Professional Responsibility Board;
- \$50 to the Legal Services Advisory Committee; and
- \$8 to the Lawyer Trust Account Board for a lawyers assistance program.

~~(5)~~(6) Payments of \$82 are allocated as follows:

- \$18 to the State Board of Law Examiners;

- \$7 to the State Board of Continuing Legal Education;
- \$24 to the Lawyers Professional Responsibility Board;
- \$25 to the Legal Services Advisory Committee; and
- \$8 to the Lawyer Trust Account Board for a lawyers assistance program.

~~(6)~~(7) Payments of \$97 are allocated as follows:

- \$18 to the State Board of Law Examiners;
- \$8 to the State Board of Continuing Legal Education;
- \$26 to the Lawyers Professional Responsibility Board;
- \$12 to the Client Security Fund;
- \$25 to the Legal Services Advisory Committee; and
- \$8 to the Lawyer Trust Account Board for a lawyers assistance program.

~~(7)~~(8) Payments of \$84.50 are allocated as follows:

- \$18 to the State Board of Law Examiners;
- \$8 to the State Board of Continuing Legal Education;
- \$26 to the Lawyers Professional Responsibility Board;
- \$12 to the Client Security Fund;
- \$12.50 to the Legal Services Advisory Committee; and
- \$8 to the Lawyer Trust Account Board for a lawyers assistance program.

F. Notification of Fee Due.

The Lawyer Registration Office must annually one month prior to the date due, mail a lawyer registration statement to each lawyer and judge then in good standing

except those who have elected inactive retired status pursuant to section C35, above, or permanent disability status pursuant to section C46 above. A lawyer registration statement must be mailed to the lawyer's or judge's address on file with the Lawyer Registration Office. Failure to receive a lawyer registration statement shall not excuse payment of the fee.