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2008 SC 10

2008 FEB 13 P 2:48

IN THE SUPREME COURT OF THE STATE OF KANSAS
CAROL G. GREEN
CLERK APPELLATE COURTS

SUPREME COURT RULE 227
RULES RELATING TO THE LAWYERS' FUND FOR CLIENT PROTECTION

RULE 14

PAYMENT OF REIMBURSEMENT

Rule 14 of Supreme Court Rule 227 is hereby amended, effective the date of this order:

A. The Commission is vested with the power, which it shall exercise in its sole discretion, to determine whether a claim merits reimbursement from the Fund and, if so, the amount of such reimbursement, not to exceed ~~\$75,000~~ \$100,000 for any claimant, with an aggregate limit of ~~\$250,000~~ \$300,000 for claims against any one lawyer; the time, place, and manner of its payment; the conditions upon which payment shall be made; and the order in which payment shall be made. In making such determinations the Commission may consider, together with such other factors as it deems appropriate, the following:

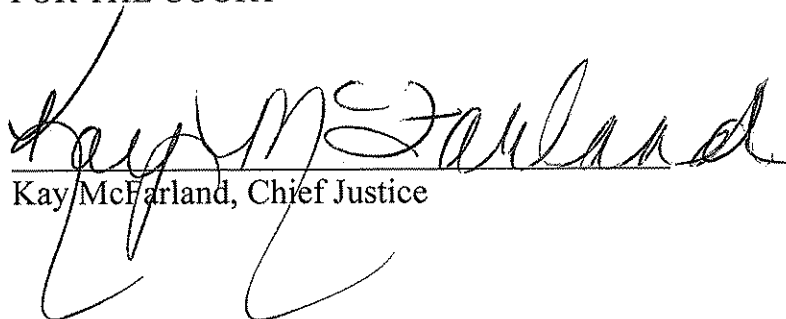
- (1) the amounts available and likely to become available to the Fund for payment of claims;
- (2) the size and number of claims which are likely to be presented in the future;
- (3) the total amount of losses caused by the dishonest conduct of any one lawyer or associated groups of lawyers;
- (4) the unreimbursed amounts of claims recognized by the Commission in the past as meriting reimbursement, but for which reimbursement has not been made in the total amount of the loss sustained;
- (5) the amount of the claimant's loss as compared with the amount of the losses sustained by others who may merit reimbursement from the Fund;
- (6) the degree of hardship the claimant has suffered by the loss; and

(7) any conduct of the claimant which may have contributed to the loss.

B. If a claimant is a minor or an incompetent, the reimbursement may be paid to any person or entity for the benefit of the claimant.

By order of the Court, this 13th day of February, 2008.

FOR THE COURT



Kay McFarland, Chief Justice