

IN THE SUPREME COURT OF THE STATE OF KANSAS  
 RULES RELATING TO DISCIPLINE OF ATTORNEYS

Rule 208

REGISTRATION OF ATTORNEYS

FILED

MAR 20 2013

CAROL G. GREEN  
 CLERK OF APPELLATE COURTS

Rule 208 is hereby amended, effective April 1, 2013.

(a) All attorneys, including justices and judges, admitted to the practice of law before the Supreme Court of the State of Kansas shall annually, on or before the first day of July, register with the Clerk of the Appellate Courts upon such forms as the Clerk shall prescribe; provided that in the year of an attorney's admission to the bar, the attorney shall register within thirty days after the date of admission. At the time of each registration, each registrant shall pay an annual fee in such amount as the Supreme Court shall order. Attorneys may register as: active; inactive; retired; or disabled due to mental or physical disabilities. Only attorneys registered as active may practice law in Kansas, except that a retired or inactive attorney, who obtains a statement from the disciplinary administrator that he or she is in good standing and has no pending disciplinary proceedings, may practice on a pro bono basis through: (1) a not-for-profit provider of civil legal services approved by the Supreme Court for this purpose, or (2) an accredited law school clinic approved by the Supreme Court for this purpose.

(b) No registration fee shall be charged to (1) any attorney newly admitted to the practice of law in Kansas until the first regular registration date following admission, (2) any attorney who has retired from the practice of law and is age 66 or over on or before July 1, or (3) any attorney who is on disabled status due to physical or mental disability.

(c) On or before June 1 of each year the Clerk of the Appellate Courts shall mail to each individual attorney then registered in this state, at his or her last known address, a statement of the amount of the registration fee to be paid on or before July 1. Failure of any attorney to receive a statement from the Clerk shall not excuse the attorney from paying the required fee. Every registrant shall within thirty days after any change of address notify the Clerk of such change.

(d) Attorney registration fees received by the Clerk of the Appellate Courts after July 31 of the year in which due shall be accompanied by a \$100 late payment fee.

(e) Any attorney whose registration fee is received by the Clerk of the Appellate Courts after July 31 of the year in which due and who has not tendered the late payment fee may be suspended from the practice of law in this state as prescribed in subsection (f). It shall be the duty of each member of the judiciary of this state to prohibit any attorney who has been suspended from the practice of law from appearing or practicing in any court, and it shall be the duty of each member of the bar and judiciary to report to the

Disciplinary Administrator any attempt by an attorney to practice law after his or her suspension. The practice of law after suspension constitutes a violation of Kansas Rule of Professional Conduct 5.5.

(f) The Clerk of the Appellate Courts shall mail a notice to any attorney who has failed to pay the registration fee and late payment fee, if applicable, that the right to practice law will be summarily suspended thirty days following the mailing of notice if such registration fee is not paid within that time. The notice shall be mailed to the attorney's last known address by certified mail, return receipt requested. The Clerk shall certify to the Supreme Court the names of attorneys who fail to register and pay the fee within the stated period of time. Thereupon, the Court shall issue an order suspending those attorneys from the practice of law in this state and the Clerk shall mail a copy of the order to the administrative judge of the attorney's district. No notice shall be mailed and no order of suspension issued to any attorney who is retired or who is on disabled status.

(g)(1) An attorney who has registered as retired, or has registered as disabled due to mental or physical disabilities, or has been transferred to disability inactive status by the Court under Rule 220 shall thereafter be relieved from the annual registration process and shall not be eligible to practice law in this state, except as permitted in subsection A. A retired or disabled attorney may make written application to be reinstated to active status. The Supreme Court may impose appropriate conditions, costs, and registration fees before or upon granting reinstatement.

(g)(2) An attorney whose authority to practice law ceased because of registration as an inactive attorney may become registered as an active attorney by paying a \$25-reinstatement fee and the current annual registration fee, after completing any requirements imposed by the Kansas Continuing Legal Education Commission. Any attorney whose inactive status has extended for a period in excess of two years shall, in addition, complete an Application for Reinstatement or Return to Active Status Form and comply with any conditions imposed by the Supreme Court for reinstatement.

(g)(3) An attorney whose authority to practice law in this state has ceased because of failure to register and pay the annual registration fee or who has been otherwise administratively suspended may be reinstated by the Supreme Court. The attorney must complete an Application for Reinstatement or Return to Active Status Form and tender payment for all delinquent registration fees, a \$100 reinstatement fee, and a \$100 late payment fee, if applicable (payment may be waived, in whole or in part, for good cause shown). Additional payments may be ordered and conditions imposed by the Court. The attorney must complete any requirements imposed by the Kansas Continuing Legal Education Commission prior to reinstatement.

A \$30 service fee shall be assessed and paid prior to registration or reinstatement for each check tendered in satisfaction of the requirements of this Rule which later is returned unpaid.

(h) The Clerk of the Appellate Courts shall issue to each attorney duly registered as active hereunder a registration card, in a form approved by the Supreme Court, evidencing such annual registration.

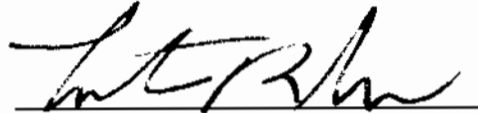
(i) All moneys collected as registration fees hereunder shall be deposited by the Clerk of the Appellate Courts in the bar disciplinary fee fund, and disbursements shall be made for compensation and expenses of the Office of the Disciplinary Administrator and the Kansas Board for Discipline of Attorneys. Disbursements from such funds shall be made only upon vouchers signed by a member of the Supreme Court or by some person or persons duly authorized by the Court. By order of the Supreme Court any unused balance in the bar disciplinary fee fund may be applied to such appropriate usage as shall be determined by the Supreme Court.

(j) An attorney appearing in any action or proceeding in this state solely in accordance with the provisions of Supreme Court Rules 116 or 1.10 shall not be subject to registration hereunder.

(k) Payment of the annual CLE fee and any applicable late payment fee under Rule 808 of the Rules Relating to Continuing Legal Education shall be a prerequisite to completing registration as an active attorney.

By order of the Court, this 20 day of March, 2013.

FOR THE COURT

A handwritten signature in black ink, appearing to read 'Lawton R. Nuss', written over a horizontal line.

Lawton R. Nuss  
Chief Justice