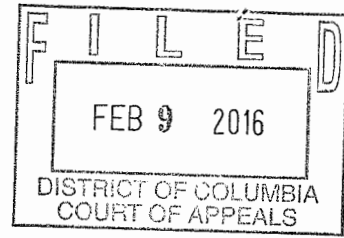


**District of Columbia
Court of Appeals**



No. M-236-10

BEFORE: Washington, Chief Judge; Glickman, Fisher, Blackburne-Rigsby,
Thompson, Beckwith, Easterly, and McLeese, Associate Judges.

ORDER
(FILED – February 9, 2016)

On consideration of the recommendation by the Board of Governors of the District of Columbia Bar to amend Rule XII of the District of Columbia Court of Appeals Rules Governing the Bar (entitled Clients' Security Trust Fund), published for notice and comment on October 27, 2015, and there appearing to be no comments concerning those proposed amendments, it is

ORDERED that the proposed amendments are hereby adopted, effective March 11, 2016. The text of the Rule as amended is attached to this order.

PER CURIAM

RULE XII. Clients' Security Trust Fund.

Rule XII, Section 3. Purpose of Trust Fund

The purpose of the Trust Fund shall be to maintain the integrity and protect the good name of the legal profession by reimbursing, to the extent authorized by these Rules and deemed proper and reasonable by the trustees, losses caused by dishonest conduct of members of the District of Columbia Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded). For purposes of this Rule, "members" shall include individuals disbarred by the District of Columbia Court of Appeals no more than two years before the commencement of the attorney-client relationship if the client reasonably believed the lawyer was licensed to practice law in the District of Columbia at the time that the client retained the lawyer.

Rule XII, Section 5. Duties of the Trustees.

The Trustees shall be authorized beginning not later than July 1, 1972, to consider claims for reimbursement of losses arising after the effective date of these rules and caused by the dishonest conduct of members of the District of Columbia Bar acting either as a lawyer or as a fiduciary in the matter in which the loss arose except to the extent to which they are bonded or to the extent such losses are otherwise covered. For purposes of this Rule, "members" shall include individuals disbarred by the District of Columbia Court of Appeals no more than two years before the commencement of the attorney-client relationship if the client reasonably believed that the lawyer was licensed to practice law in the District of Columbia at the time that the client retained the lawyer. The Trustees may administer oaths and affirmations and, in accordance with Superior Court Civil Rule 45, may compel by subpoena the attendance of witnesses and the production of pertinent books, papers, and documents. Subpoenas issued during the course of an investigation shall indicate on their face that the subpoenas are issued in connection with an investigation under this rule. The Superior Court may, upon application by the Trustees, enforce the attendance and testimony of any witnesses and the production of any documents so subpoenaed. Subpoena and witnesses fees and mileage shall be the same as those in the Superior Court. The Superior Court may hear and determine any challenge to the validity of a subpoena so issued. The Trustees shall be authorized and empowered to admit or reject such claims in whole or in part to the extent that funds are available to it, and the Trustees shall have complete discretion in determining the order and manner of payment of claims. All reimbursements shall be a matter of grace and not of right in the Clients' Security Trust Fund as third party beneficiary or otherwise. No attorney shall be compensated for prosecuting a claim against the Fund.