

IN THE COURT OF APPEALS OF MARYLAND

ADMINISTRATIVE ORDER DISBURSING FUNDS FROM THE SURPLUS IN THE
ATTORNEY GRIEVANCE DISCIPLINARY FUND

WHEREAS, The Court of Appeals amended Maryland Rule 16-714, effective October 1, 2011, to clarify that the principal and income of the Attorney Grievance Disciplinary Fund (“Disciplinary Fund”) shall be used exclusively to regulate the practice of law in Maryland, consistent with Title 16 of the Maryland Rules; and

WHEREAS, The Court finds that there presently is a balance of \$9.7 million in the Disciplinary Fund; and

WHEREAS, The Professionalism Commission has submitted a request to the Court for additional resources to fund the Judiciary’s Professionalism and Mentoring Programs; and

WHEREAS, The Client Protection Fund has experienced a significant increase in the amount of the claims submitted to reimburse losses caused by the defalcations of lawyers, which greatly exceeds the funds available to pay those claims; and

WHEREAS, The Court finds that \$5.7 million of the balance in the Disciplinary Fund should be disbursed to these Judiciary entities engaged in regulating practice of law.

NOW, THEREFORE, It is this 16th day of December 2011, ORDERED, by the Court of Appeals of Maryland, pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution, and as part of its inherent power under the Constitution to regulate the practice of law, that \$5.7 million of the Disciplinary Fund be distributed as follows:

1. Professionalism Commission. – Three Hundred Thousand Dollars (\$300,000) shall be disbursed to the Professionalism Commission.

2. Client Protection Fund. – The remaining \$5.4 million shall be disbursed to the Client Protection Fund.

/s/ Robert M. Bell
Robert M. Bell

/s/ Glenn T. Harrell, Jr.
Glenn T. Harrell, Jr.

/s/ Lynne A. Battaglia/cgj
Lynne A. Battaglia

/s/ Clayton Greene, Jr.
Clayton Greene, Jr.

*
Sally D. Adkins

/s/ Mary Ellen Barbera
Mary Ellen Barbera

* Judge Adkins declined to sign the Order. See attached comment.

Filed: December 16, 2011

/s/ Bessie M. Decker
Bessie M. Decker
Clerk
Court of Appeals of Maryland

I do not agree with continuance of the mandatory professionalism course for every prospective bar admittee, and therefore do not agree with allocating \$300,000 to the Professionalism Commission, an amount purportedly justified, in part, by the costs of putting on this program.

Accordingly, I have declined to sign this Order.

Sally D. Adkins