

Rule 780. Client Protection Program

(a) There is established under the auspices of the Attorney Registration and Disciplinary Commission a Client Protection Program to reimburse claimants from the Client Protection Program Trust Fund for losses:

(1) caused by dishonest conduct committed by lawyers admitted to practice law in the State of Illinois; or

(2) involving unearned, unrefunded fees paid to lawyers admitted to practice law in the State of Illinois who later died or were transferred to disability inactive status.

(b) The purpose of the Client Protection Program is to promote public confidence in the administration of justice and the integrity of the legal profession by reimbursing losses, as defined in Rule 780(a), occurring in the course of a lawyer-client or fiduciary relationship between the lawyer and the claimant.

(c) Reimbursements of losses by the Program shall be within the sole discretion of the Commission, and not a matter of right. No person shall have a right in the Program as a third-party beneficiary or otherwise, either before or after the allowance of a claim. The determination of the Commission shall be final and shall not be subject to judicial review.

(d) The Client Protection Program shall be funded by an annual assessment as provided in rule 756. The Commission shall establish by rule the maximum amount which any one claimant may recover from the Program and may establish the aggregate maximum which may be recovered because of the conduct of any one lawyer.

(e) A lawyer who is the subject of a claim that results in reimbursement to a claimant shall be liable to the Program for restitution. Disciplinary orders imposing suspension or probation shall include a provision requiring the disciplined lawyer to reimburse the Client Protection Program Trust Fund for any payments arising from his or her conduct prior to the termination of the period of suspension or probation. Prior to filing a petition for reinstatement or restoration to active practice, a petitioner shall reimburse the Client Protection Program Trust Fund for all payments arising from petitioner's conduct. The petition must be accompanied by a statement from the Administrator indicating that all such payments have been made.

(f) The Commission may make rules related to the investigation and consideration of a Client Protection Program claim.

Adopted March 28, 1994, effective immediately; amended September 14, 2006, effective immediately; amended February 9, 2015, eff. immediately.