

# Lawyers' Fund for Client Protection South Carolina Bar 2023 Annual Report

July 1, 2022 to June 30, 2023  
With Five Year Synopsis of Claims for July 1, 2018 to June 30, 2023



## Introduction

The Lawyers' Fund for Client Protection was established by the South Carolina Supreme Court in 1980 by Rule 411, SCACR, to protect the honor and integrity of the legal profession. The Court tasked the South Carolina Bar to maintain and manage the Fund with the creation of the Lawyers' Fund for Client Protection Committee. Committee members give their time in service to the South Carolina Bar to promote the administration of justice.

The Fund compensates clients who suffer losses due to the dishonest conduct of South Carolina Bar members who, in general, have died, been suspended or disbarred, resigned from the practice of law, or been adjudicated bankrupt or mentally incompetent. All claims must be received by the South Carolina Bar within three years of the date the client discovered or reasonably ought to have discovered the dishonest conduct of the attorney. No claim will be considered after six years from the occurrence of the dishonest conduct. The loss to be paid to any one client is limited to \$40,000, and the aggregate lifetime total paid per attorney cannot exceed \$200,000. The South Carolina Bar may assess each regular member of the Bar \$30 per year to support the Fund, which operates on a July through June fiscal year.

### **The Rules of the Lawyers' Fund for Client Protection expressly provide:**

*In establishing the Lawyers' Fund for Client Protection, the South Carolina Bar did not create, nor acknowledge any legal responsibility for the acts of individual lawyers in the practice of law. All reimbursements of losses of the Lawyers' Fund for Client Protection shall be a matter of grace in the sole discretion of the committee administering the Fund and not a matter of right. No client or member of the public shall have any right in the Lawyers' Fund for Client Protection as a third party beneficiary or otherwise.*

## 2023 Lawyers' Fund for Client Protection Committee

The mission of the Lawyers' Fund is carried out by the Lawyers' Fund for Client Protection Committee. The Committee consists of 13 members of the South Carolina Bar and one member of the general public. Members are appointed by the president of the South Carolina Bar and approved by the South Carolina Supreme Court. They serve on a voluntary basis without compensation as a public service for appointed three-year terms.

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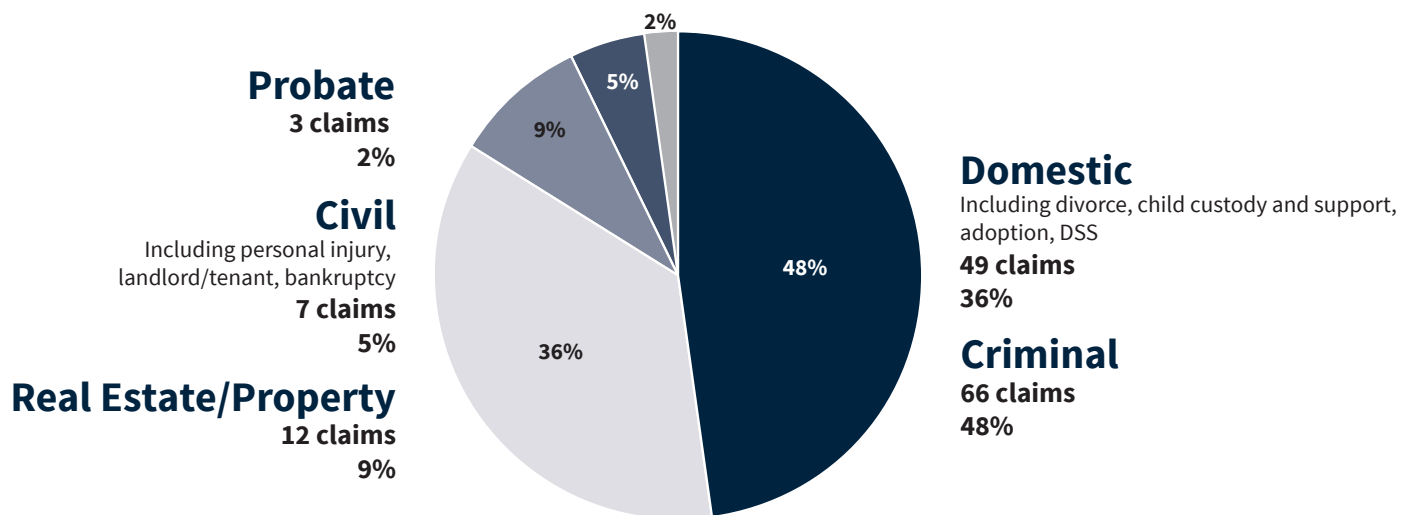
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## Types of Cases Resulting in Lawyers' Fund Claims

The Lawyers' Fund claims filed in 2023 originated from a variety of legal matters:



## 2023 Annual Report

**137** claims filed

**88** claims approved or partially approved  
(includes claims pending from 2022)

**\$363,039.09** was awarded to former clients

**13** claims denied, returned or paid from  
another source

**113** claims pending at close of year

## Five Year Summary of Lawyers' Fund Claims

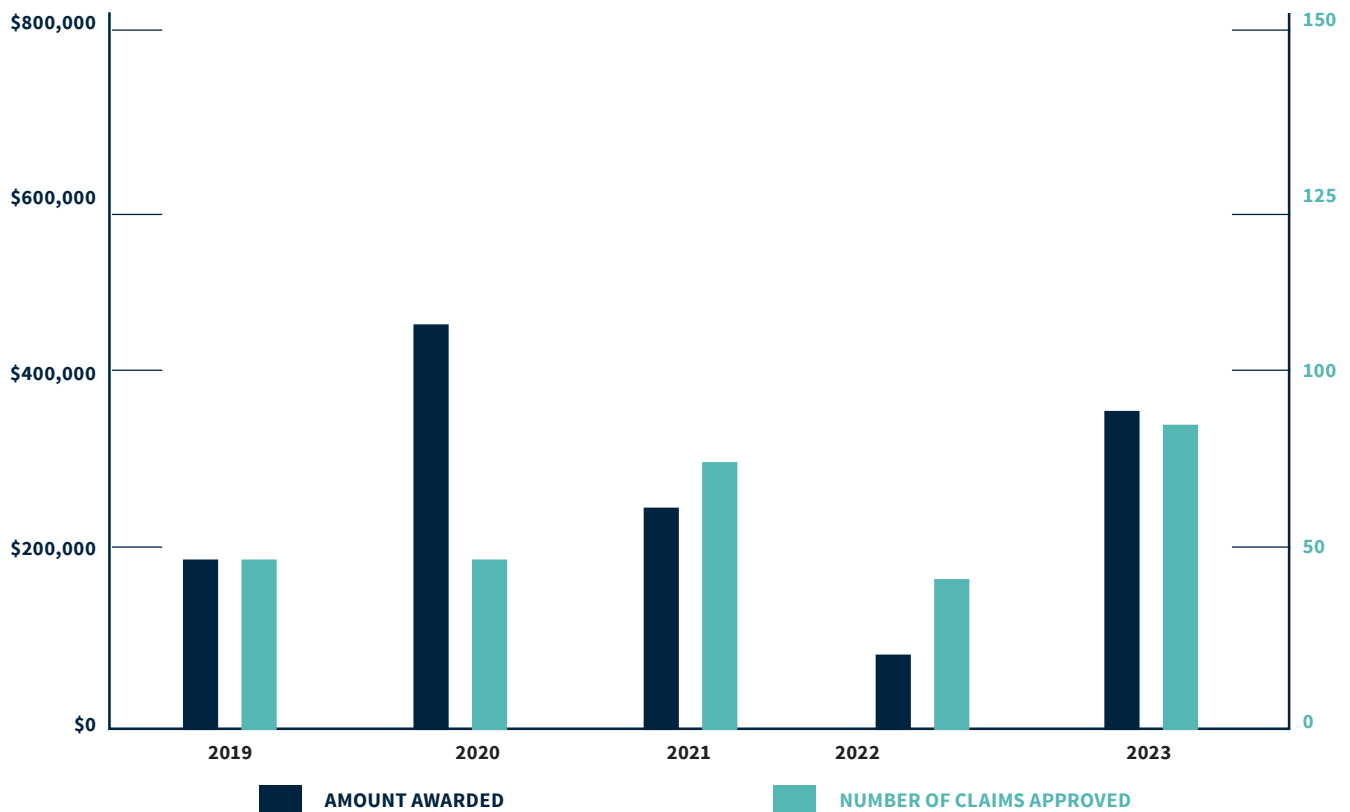
Between July 1, 2018 and June 30, 2023

**468** claims filed

**303** claims approved or partially approved (includes claims filed in prior years)

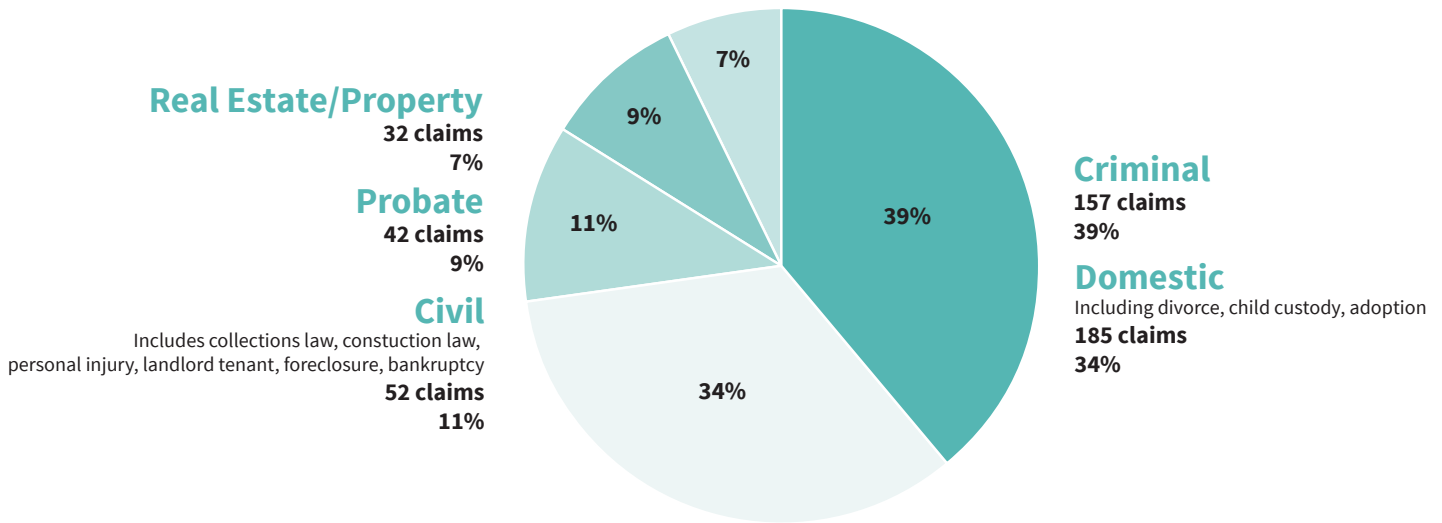
**\$1,356,584.71** awarded

## History of Claims Approved and Awarded



# Types of Cases Resulting in Lawyers' Fund Claims in the Past Five Years

The Lawyers' Fund claims filed in the last five years originated from a variety of legal matters:



## Attorneys Involved in Claims

A very small percentage of South Carolina Bar members have had Lawyers' Fund claims awarded against them over the past five years.

<b>2023:</b> 18 attorneys out of 13,768 members had claims awarded against them	<b>.001%</b>
<b>2022:</b> 14 attorneys out of 13,646 members had claims awarded against them	<b>.001%</b>
<b>2021:</b> 15 attorneys out of 13,416 members had claims awarded against them	<b>.001%</b>
<b>2020:</b> 17 attorneys out of 13,096 members had claims awarded against them	<b>.001%</b>
<b>2019:</b> 16 attorneys out of 12,825 members had claims awarded against them	<b>.001%</b>



**South  
Carolina  
Bar**

[www.scbar.org](http://www.scbar.org)