

## Rule 235

### APPOINTMENT OF COUNSEL TO PROTECT CLIENT INTERESTS

- (a) **Appointment of Counsel.**
- (1) **Circumstances.** The chief judge of a judicial district may appoint counsel to protect the interests of an attorney's clients under the following circumstances:
- (A) the Supreme Court has transferred the attorney to disabled status under Rule 234;
  - (B) the attorney has disappeared or died;
  - (C) the Supreme Court has suspended or disbarred the attorney and the attorney has not complied with Rule 231; or
  - (D) the attorney has neglected client affairs.
- (2) **Action.** The chief judge may take the following action:
- (A) authorize counsel appointed under subsection (a)(1) to do the following:
    - (i) review and inventory the attorney's client files;
    - (ii) access the attorney's trust account; and
    - (iii) take any other action necessary to protect the interests of the attorney and the attorney's clients;
  - (B) transfer any identifiable property not claimed by the owner to the Kansas State Treasurer's office under the Disposition of Unclaimed Property Act; and
  - (C) after reasonable efforts to identify the owner, transfer any property that is unidentifiable to the Lawyers' Fund for Client Protection under Rule 241.
- (b) **Confidentiality.** Counsel appointed under subsection (a) to review and inventory client files or to access the attorney's trust account must not disclose any information unless necessary to carry out the chief judge's order.
- (c) **Chief Judge's Duty.** No later than seven days after issuing an order under this rule, the chief judge must provide a copy of the order to the disciplinary administrator.

**[History: New rule adopted effective January 1, 2021; [Am. \(a\) effective November 29, 2021.](#)]**