

Supreme Court of Louisiana

Trust Account Disclosure & Overdraft Notification Authorization

Bar Roll Number _____

Attorney's Name (Type or Print) _____

Pursuant to the inherent, plenary and Constitutional authority of the Louisiana Supreme Court to regulate the practice of law, and in accordance with Supreme Court Rule 19, every attorney licensed to practice law in Louisiana is required to disclose the existence of a trust or escrow account (or declare that because of the nature of their practice that they are not required to maintain such an account). Every attorney who maintains a trust or escrow account as required by the Rules of Professional Conduct is required to maintain such accounts with a federally insured financial institution with whom they have executed an agreement which authorizes the financial institution to provide written or electronic notification to the Office of Disciplinary Counsel of any overdraft created on such accounts. Use of this form complies with the rules of the Supreme Court.

_____ I certify that because of the nature of my practice, I do not maintain a client trust or escrow account. I further certify that I do not handle funds of clients or third persons, and that I do not expect to receive the funds of a client or third person within the next twelve (12) months. Should these facts change, I am required to notify the Office of Disciplinary Counsel within 30 days and execute this form providing the required information.

(Attorney's Signature) _____

(Date) _____

Trust Account Certification:

As an officer of the Court, I _____ do certify that I am a duly licensed Louisiana attorney and I am familiar with the provisions of the Supreme Court rules regarding trust accounts. I acknowledge that:

1. all attorneys holding funds of clients or third persons must maintain a separate account for such funds (commonly referred to as a trust or escrow account);
2. every attorney maintaining a trust or escrow account must participate in the Interest On Lawyers Trust Account (IOLTA) Program unless a written notice is issued by the Louisiana Bar Foundation exempting an attorney's account from participation; and
3. all attorneys who are required to maintain trust and escrow accounts must do so with a federally insured financial institution with which they have executed an agreement requiring the financial institution to provide written or electronic notification to the Office of Disciplinary Counsel of any overdraft incident created on such accounts.

I certify that the following information regarding my trust and escrow account(s) is truthful and accurate and that should such information change, I am ethically obligated to notify the Office of Disciplinary Counsel within 30 days of any change.

Bank Name and Address

Name Listed On Account

Account Number

(Attorney's Signature) _____

(Date) _____

Law Firm Reporting

I am a member of the law firm of (insert firm name) _____ and all trust and escrow accounts are maintained under the name of that law firm. The firm has designated one Louisiana licensed attorney, (insert name) _____ as the responsible reporting counsel for our firm and that attorney's bar roll number is _____. I adopt the reporting as made by our designated reporting attorney.

(Attorney's Signature) _____

(Date) _____

Authorization To Financial Institution

The financial institution with whom I (or my law firm) maintain a trust or escrow account is hereby authorized to provide written and/or electronic notification to the **Office of Disciplinary Counsel** of an instance of overdraft occurring on such account(s) in accordance with the rules of the Louisiana Supreme Court and Act 249 of the Louisiana Legislature (Regular Session 2005). Notification shall be sent to:

Office of Disciplinary Counsel, 4000 S. Sherwood Forest Blvd., Suite 607, Baton Rouge, La. 70816
(phone: 225-293-3900 fax: 225-293-3300 e-mail: overdraft@ladb.org)

(Attorney's Signature) _____

(bar roll number) _____

Authorization is Accepted: _____

(Bank Officer)

(Date) _____

(Notice to Financial Institution: Pursuant to Legislative Act 249 of the 2005 Regular Session, notice to the Office of Disciplinary Counsel shall be issued after five (5) business days have passed from the date of notice to the attorney, and whether or not the account remains in overdraft status; but such notice shall not issue where the overdraft was created solely by bank charges imposed or when charges are imposed through bank error. Costs associated with providing this notice may be charged to the attorney and deducted from the interest created on the trust or escrow account. The Act provides that no civil or criminal action may be based upon a disclosure or a non-disclosure of financial records made pursuant to the Act.)