

LAW FIRM CERTIFICATE OF COMPLIANCE WITH SCR 20:1.15

Firm Name: _____
Office Address: _____
City, State Zip: _____
Telephone No.: _____

Pursuant to SCR 20:1.15(i) and (j)(10), on behalf of the above-referenced law firm ("the Firm"), I/we hereby certify as follows:

- 1) That the Firm maintains trust and/or fiduciary account(s) and/or safe deposit box(es) into which Firm members deposit funds or property belonging to clients and/or third parties that are held in connection with Wisconsin legal matters or in a fiduciary capacity, and that all such account(s) and/or safe deposit box(es) are identified below and/or in a separate list attached to this Certificate;
- 2) That the Firm has complied with each of the record-keeping requirements set forth in SCR 20:1.15(f) and/or (j)(5);
- 3) That the Firm has a trust account overdraft agreement on file with OLR, as required by SCR 20:1.15(h) for each draft-type trust account into which client funds and/or 3rd party funds are deposited by the Firm, and that, with respect to each draft-type fiduciary account, the Firm either has an overdraft agreement on file with OLR or is complying with the alternative protection procedures of SCR 20:1.15(j)(9)b. and/or (9)c; and,
- 4) That each IOLTA account of the Firm is held in an IOLTA participating institution as required by SCR 20:1.15(c)(1). [A list of IOLTA participating institutions is published on the WisTAF website at <http://wistaf.org>.]

 Lawyer responsible for Trust/Fiduciary Accounts

 Date

 Print Name

 2nd Lawyer responsible for Trust/Fiduciary Accounts

 Date

 Print Name

Account Types

A - IOLTA

B - Non-IOLTA or Fiduciary

Circle Account Type "A" or "B" in the final column of the table below.

Name of Financial Institution	City	Trust Account, Fiduciary Account and/or Safe Deposit Box Numbers			Account Type
	Telephone Number	T	F	S	Circle A or B
		T	F	S	A B
		T	F	S	A B
		T	F	S	A B
		T	F	S	A B
		T	F	S	A B

A list of additional Trust Accounts, Fiduciary Accounts and/or Safe Deposit Box Numbers is attached.

Provide a copy of this Certificate to each lawyer in the firm.
Attach original Certificate to the dues statement of the lawyer who signs it (the first signatory if more than one) and file it with the State Bar – See Instructions.

INSTRUCTIONS

1. When to use a Law Firm Certificate: A Law Firm Certificate should be used when one or more lawyers in a firm have no management authority for the firm's trust and/or fiduciary account(s).

NOTE: Solo practitioners should not use the Law Firm Certificate form. They should make their annual certification on the dues statement's Trust Account/ WisTAF Certificate.

2. Filing Requirements: Pursuant to SCR 20:1.15(i)(3), a law firm must file a certificate with the State Bar on behalf of the lawyers in the firm and provide a copy of that certificate to each lawyer.

Managing Lawyer(s): The "Law Firm Certificate" should be signed by the lawyer(s) responsible for management of the firm's trust/fiduciary account(s). Such lawyer(s) must check Box No. 1 on the individual dues statement and attach the original Law Firm Certificate to that dues statement. If a second managing lawyer signs the Certificate, he/she should attach a copy to his/her dues statement.

Associates: Each lawyer who has no management authority for the firm's trust/fiduciary account(s) must check Box No. 2 on his/her dues statement and attach a copy of the Law Firm Certificate to that dues statement.

CAUTION: Before signing the Law Firm Certificate, managing lawyers must verify that:

- 1) All trust and fiduciary accounts and safe deposit boxes are listed;
- 2) Record-keeping requirements have been met;
- 3) An overdraft agreement is in place and on file with OLR for each draft-type trust account and for each draft-type fiduciary account that does not have alternative protection in place; and
- 4) Each IOLTA account is held in an IOLTA participating financial institution, pursuant to SCR 20:1.15(c)(1). [A list of IOLTA participating institutions is published on the WisTAF website at <http://wistaf.org>.]

3. Accounts Subject to Reporting: In an April 11, 2001 Order, the Wisconsin Supreme Court specified that:

A lawyer must certify all trust accounts and safe deposit boxes in which the lawyer deposits clients' funds or property held in connection with a representation or held in a fiduciary capacity that directly arises in the course of or as a result of a lawyer-client relationship."

Identification of Account(s): Each trust account, fiduciary account and safe deposit box must be identified by providing the following information:

- 1) The financial institution's name, location (city, town or municipality) and telephone number;
- 2) The nature of the account, i.e., **T**rust Account, **F**iduciary Account or **S**afe Deposit Box, by checking the appropriate box beneath the letters **T**, **F** or **S**;
- 3) The account number; and
- 4) The WisTAF Type, by circling the letter "**A**" for IOLTA accounts or the letter "**B**" for Non-IOLTA or Fiduciary accounts. Type "**B**" accounts are identified in SCRs 20:1.15(c)(2), (j)(1) and (j)(1m).

NOTE: If the firm has more than five accounts, please attach a separate page to the Certificate and check the box near the bottom of the form, indicating that a list is attached.

Trust and fiduciary accounts and safe deposit boxes opened after filing this Certificate should be reported on next year's Law Firm Certificate.

4. Penalty for Non-compliance: Pursuant to SCRs 20:1.15(i)(4) and (j)(10), failure to complete the trust account certificate is grounds for automatic suspension from the practice of law in the same manner as for nonpayment of dues.

Questions re: Law Firm Certificates, Overdraft Agreements, and record-keeping requirements: Contact OLR at: (608) 261-8296 or Toll Free at (877) 315-6941, Option 2.

Questions re: IOLTA requirements: Contact the Wisconsin Trust Account Foundation (WisTAF) at: (608) 257-6845 or Toll Free at (877) 749-5045.