

AMERICAN BAR ASSOCIATION
 CENTER FOR PROFESSIONAL RESPONSIBILITY
 STANDING COMMITTEE ON CLIENT PROTECTION

Implementation of ABA *Model Rule on Financial Recordkeeping*

	Rule	Methods of Withdrawal	Recordkeeping Requirements/Must Keep Original Checks
ABA	Model Rule on Financial Recordkeeping http://www.abanet.org/cpr/clientpro/finance.html	Check or authorized bank transfer.	Records required by this rule may be maintained by electronic, photographic, computer or other media provided that they otherwise comply with this rule and provided further that printed copies can be produced.
AL	Rule 1.15 Safekeeping Property http://www.alabar.org/ogc/ropc/rule1-15.cfm	Rule contains no language regarding method of withdrawal.	Lawyer must maintain complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for six (6) years after termination of the representation. Rule does not detail what records are required.
AK	Rule 1.15. Safekeeping Property. http://www.state.ak.us/courts/prof.htm#1.15	Rule contains no language regarding method of withdrawal.	Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of six years after termination of the representation. Rule does not detail what records are required.
AZ	Supreme Court Rules 43 and 44 http://www.myazbar.org/LawyerRegulation/Rule43.pdf http://www.myazbar.org/LawyerRegulation/Rule44.pdf	All trust account disbursements shall be made by pre-numbered check or by electronic transfer, provided the lawyer maintains a record of such disbursements in accordance with the requirements of this Rule.	A lawyer shall retain, in accordance with this Rule, all trust account statements, cancelled pre-numbered checks (unless recorded on microfilm by a bank or other financial institution), other evidence of disbursements, duplicate deposit slips, client ledgers, trust account general ledger or register, and reports to clients.

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AR	Section 28(g). Procedures of the Arkansas Supreme Court Regulating the Conduct of Attorneys http://courts.state.ar.us/rules/pr ofcondproc28.htm	Rule contains no language regarding method of withdrawal.	Every lawyer shall maintain and preserve for at least five years, after final disposition of the underlying matter, the records of the accounts, including checkbooks, canceled checks, check stubs, vouchers, ledgers, journals, closing statements, accountings or other statements of disbursements rendered to clients or other parties with regard to trust funds or similar equivalent records clearly and expressly reflecting the date, amount, source, and explanation for all receipts, withdrawals, deliveries and disbursements of the funds or other property of a client
CA	Rules of Professional Conduct Rule 4-100. Preserving the Identity of Funds and Property of a Client http://calbar.ca.gov/state/calbar/calbar_extend.jsp?cid=10158	Check, wire transfer or other instrument that specifies who is paying and who is receiving funds	Lawyer must keep client trust account statements and cancelled checks for a minimum of five years after conclusion of business; lawyer should attempt to locate bank that provides cancelled checks but if that is not possible, must maintain records by requesting check imaging from bank and maintaining hard copies. While not required by Rules, Client Trust Handbook advises against maintaining only electronic records.
CO	Rule 1.15. Safekeeping Property. Colorado Rules of Professional Conduct http://www.cobar.org/index.cfm/ID/20472/subID/22389/CETH/	Authorized bank or wire transfer or by check payable to a named payee	Lawyer must keep for at least seven years after the event that they record, all receipt and disbursement records of all deposits in and withdrawals from all trust accounts and any other bank account that concerns the lawyer's practice of law, specifically identifying the date, payor, payee, description of deposit and purpose of deduction

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CT	Sec. 2-27 Superior Court General Provisions. Clients' Funds; Lawyer Registration http://www.jud.ct.gov/Publications/PracticeBook/PB1.pdf#page=9	Rule contains no language regarding method of withdrawal.	Lawyer shall keep records of the maintenance and the disposition of all funds of clients or of third persons held by the lawyer or firm seven years after final distribution, including a receipt and disbursement journal identifying all deposits and withdrawals with running balance; a separate accounting page or column for each client or third person for whom funds are held; at least quarterly reconciliations of records; a list of trust accounts; and all checkbooks, bank statements, and canceled or voided checks.
DE	Rule 1.15. Safekeeping Property http://courts.state.de.us/Rules/?FinalDLRPCclean.pdf	Rule contains no language regarding method of withdrawal.	Lawyer must maintain financial books and records for at least five years following completion of the year to which they relate of five years following completion of fiduciary obligation. Records must include: all bank statements, cancelled checks, and duplicate deposit slips relating to fiduciary and non-fiduciary accounts
DC	Rule 1.15. Safekeeping Property and D.C. Bar Rule XI, sec. 19(f) http://www.dcbare.org/for_lawyers/ethics/legal_ethics/rules_of_professional_conduct/amended_rules/rule_one/rule01_15.cfm http://www.dcbare.org/inside_the_bar/structure/bar_rules/rule11.cfm	Rule contains no language regarding method of withdrawal.	Under both Rule 1.15 and D.C. Bar Rules (Rule XI), lawyers are required to keep "complete records" of account funds and other property for a period of five years after termination of representation (Rule XI require 5 years after final distribution of funds). Rule 1.15 does not define "complete". Rule XI requires all records handling maintenance and disposition of all funds. Neither rule details what an attorney is required to keep as records.

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FL	Rule 5-1.2 Rules Regulating the Florida Bar http://www.floridabar.org/divex/rrtfb.nsf/FV/E1831C523E86C08F85256BC000696D44	Rule contains no language regarding method of withdrawal.	Lawyer must maintain, for six years after completion of the matter, original or duplicate deposit slips (and/or cash receipts book) original cancelled checks, numbered consecutively, or if the financial institution does not return original checks, copies that include all endorsements, as provided by the financial institution.
GA	Rule 1.15. Safekeeping Property http://www.gabar.org/handbook/part_iv_after_january_1_2001_georgia_rules_of_professional_conduct/rule_115i_safekeeping_property_-_general/	Rule contains no language regarding method of withdrawal.	Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of six years after termination of the representation. Rule does not detail what records are required.
HI	Rule 1.15. Preserving Identity of Funds and Property of Clients http://www.state.hi.us/jud/ctrules/hrpcond.htm	Authorized bank transfer or check made to payee	A lawyer shall, at a minimum, maintain for at least six years after completion of the employment to which they relate, all checkbooks, check stubs, bank statements, pre-numbered cancelled checks (or access to cancelled checks), and deposit slips (or access to deposit slips).
ID	Rule 1.15. Safekeeping Property http://www.isc.idaho.gov/rules/IRPC_ALL.pdf	Rule contains no language regarding method of withdrawal.	A lawyer should maintain on a current basis books and records in accordance with generally accepted accounting practice and comply with any recordkeeping rules established by law or court order. See. E.g. ABA Model Financial Recordkeeping Rule.
IL	Rule 1.15. Safekeeping Property http://www.iardc.org/rulesprofconduct.html#Rule%201.15	Rule contains no language regarding method of withdrawal.	Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of seven years after termination of the representation. Rule does not detail what records are required.

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IN	Rule 23. Disciplinary Commission and Proceedings. Section 29(a) http://www.in.gov/judiciary/rules/ad_dis/index.html#r23	Wire transfer authorized by written withdrawal authorization and evidenced by a document from the financial institution indicating the date of the transfer, the payee and the amount, or by check payable to a named payee and not to "cash".	Every attorney shall maintain and preserve for a period of at least five (5) years, after final disposition of the underlying matter, the records of trust accounts, including checkbooks, canceled checks, check stubs, written withdrawal authorizations, vouchers, ledgers, journals, closing statements, accounting or other statements of disbursements rendered to clients or other parties with regard to trust funds.
IA	Iowa Court Rules. Chapter 45. Client Trust Account Rules http://www.legis.state.ia.us/Rules/Current/court/courtrules.pdf	Rule contains no language regarding method of withdrawal.	A lawyer shall maintain complete records of all funds, securities, and other properties of a client coming into the lawyer's possession and regularly account to the client for them. Books and records relating to funds or property of clients shall be preserved for at least six years after completion of the employment to which they relate. [Court Order April 20, 2005, effective July 1, 2005]
KS	Rule 1.15. Client-Lawyer Relationships Safekeeping of Property. http://www.kscourts.org/rules/Rule-Info.asp?r1=Rules+Relating+to+Discipline+of+Attorneys&r2=40	Rule contains no language regarding method of withdrawal.	Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation. Rule does not detail what records are required.

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KY	<p>SCR 3.130 (1.15) Rules of the Supreme Court of Kentucky. Safekeeping Property.</p> <p>http://www.kybar.org/documents/scr/scr3/scr_3.130_(1.15).pdf</p> <p>IOLTA Handbook</p> <p>http://www.kybar.org/documents/inside_kba/kbf_iolta/iolta_booklet.pdf</p>	<p>No guidance in rule, however the IOLTA handbook refers to “wire transfers in and out of the account”</p>	<p>No Recordkeeping Rule, however IOLTA handbook sets out recordkeeping guidelines as follows: Lawyers should, when feasible, retain pre-numbered cancelled checks or other instruments drawn on the account. In light of Check 21, lawyers may maintain “substitute checks” as described in the Act, but should try to avoid informal check images that do not qualify as “substitute checks.” Also, bank notices of wire transfers in and out of account; checkbooks and check stubs or equivalent, deposit slips with source; bank statements and notices of dishonored checks; statements and bills to clients; statements showing payments to third parties; letters of engagement and compensation agreements.</p>
LA	<p>1.15. Safekeeping Property</p> <p>http://www.ladb.org/Publications/ropc2006-04-01.pdf</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation. “The Louisiana Lawyer and Other People’s Money” states that a lawyer must, for a minimum of five years, maintain: check stubs, vouchers, journals, closing statements, accounts, and statements of disbursement. The records must reflect: the date the funds were received/disbursed; the amount; the source of the funds; and an explanation for receipts, withdrawals, deliveries, and disbursements.</p>

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ME	<p>Rule 3.6. Conduct During Representation. Maine Bar Rules, Code of Professional Responsibility.</p> <p>http://www.mebaroverseers.org/Maine%20Bar%20Rules/rule%203.6.htm</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>Lawyer shall maintain complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation. Rule does not detail what records are required.</p>
MD	<p>Title 16 Ch. 606.1. Maryland Rules. Attorney Trust Account Record-keeping</p> <p>http://www.mlsc.org/MarylandRulesChap600.htm</p>	<p>“for each disbursement made by electronic transfer, a written memorandum authorizing the transaction and identifying the attorney responsible for the transaction”</p>	<p>Records to be maintained. Financial institution month-end statements, any canceled checks or copies of canceled checks provided with a financial institution month-end statement, duplicate deposit slips or deposit receipts generated by the financial institution, and records created in accordance with section (a) of this Rule shall be maintained for a period of at least five years after the date the record was created.</p>
MA	<p>Rule 1.15 Safekeeping Property</p> <p>http://www.mass.gov/obcbbopr/pc1.htm#Rule%201.15</p>	<p>No withdrawal by a check that isn’t pre-numbered, in cash or by ATM, or by any other method that does not identify the recipient. Under required records, however, refers to “check or transaction number, amount and payee of all disbursements, whether by check, electronic transfer, or other means”.</p>	<p>Lawyers must retain records for six years after termination of representation and distribution of property. Records must include bank statements; all transactions records returned by the bank, including canceled checks and records of electronic transactions; records of deposits. A lawyer who retains a trust account record electronically must retain the check register, client ledgers, and reconciliation reports in form that can be reproduced in printed hard copy.</p>
MI	<p>Rule 1.15. Safekeeping Property</p> <p>http://www.michbar.org/generalinfo/pdfs/mrpc.pdf</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>A lawyer shall preserve complete records of such account funds and other property for a period of five years after termination of the representation.</p>

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MN	Appendix 1 To The Minnesota Rules of Professional Conduct http://www.mncourts.gov/lprb/rulesapp1.html	All disbursements should be check unless a check is economically imprudent or when exigent circumstances require a wire transfer. For wire transfers, an attorney or law firm must create a written memorandum authorizing the transaction, signed by the responsible attorney.	Lawyer must maintain bank statements, canceled checks if they are provided by the bank, and duplicate deposit slips.
MS	Rule 1.15. Safekeeping Property http://www.mssc.state.ms.us/rules/msrulesofcourt/rules_of_professional_conduct.pdf	Rule contains no language regarding method of withdrawal.	Complete records of such trust account funds and other property shall be kept and preserved by the lawyer for a period of seven years after termination of the representation. Rule does not detail what records are required.
MO	Rule 4-1.15. Safekeeping Property http://www.courts.mo.gov/page.asp?id=8642	Rule contains no language regarding method of withdrawal.	A lawyer should maintain on a current basis books and records in accordance with generally accepted accounting practice and comply with any recordkeeping rules established by law or court order. See, e.g., ABA Model Financial Recordkeeping Rule.
MT	Rule 1.15. Safekeeping of Property and Trust Account Maintenance and Audit Requirements http://www.montanabar.org/associations/7121/files/Trust%20Acct%20Maint%20&%20Audit%20rules.pdf	Rule contains no language regarding method of withdrawal.	For each trust account, lawyer shall maintain financial institution account register, cash receipts journal, cash disbursement journal (shall reflect the payee, date and description of disbursement), and client ledger.
NE	Rule 1.15. Safekeeping Property. http://www.supremecourt.ne.gov/rules/pdf/rulesprofconduct-34.pdf	Rule contains no language regarding method of withdrawal.	“A lawyer should maintain on a current basis books and records in accordance with generally accepted accounting practice and comply with any recordkeeping rules established by law and court order. See e.g., ABA Model Financial Recordkeeping Rule.”

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NV	<p>Supreme Court Rule 78.5 (1) (b). Maintenance of trust funds in approved financial institutions; overdraft notification.</p> <p>http://www.leg.state.nv.us/CourtRules/SCR.html</p> <p>Nevada Ethics Opinion #33 (noting electronic storage is permissible).</p> <p>http://www.nvbar.org/Ethics/Op%2033%20Electronic%20Data%20storage.pdf</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>Every lawyer engaged in the practice of law in the State of Nevada shall maintain and preserve for a period of at least five years, after final disposition of the underlying matter, the records of the accounts, including checkbooks, cancelled checks, check stubs, vouchers, ledgers, journals, closing statements, accountings or other statements of disbursements rendered to clients or other parties with regard to trust funds or similar equivalent records clearly and expressly reflecting the date, amount, source, and explanation for all receipts, withdrawals, deliveries and disbursements of the funds or other property of a client.</p>
NH	<p>Rule 1.15. Safekeeping Property.</p> <p>http://www.nh.gov/judiciary/rules/pcon/pcon-1_15.htm</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>Records should be maintained by the lawyer of the handling, maintenance and disposition of all funds from time of receipt to time of final disposition, and must be preserved for a period of six years. Rule does not detail what records are required.</p>
NJ	<p>Court Rule 1:21-6. Recordkeeping; Sharing of Fees; Examination of Records</p> <p>http://www.judiciary.state.nj.us/rules/r1-21.htm</p>	<p>All trust account withdrawals shall be made only by attorney authorized financial institution transfers or by check payable to a named payee and not to cash. Each electronic transfer out of an attorney trust account must be made on signed written instructions from the attorney to the financial institution.</p>	<p>Attorney shall maintain originals of all checkbooks with running balances and check stubs, bank statements, pre-numbered cancelled checks and duplicate deposit slips. Digital images of these records may be maintained by financial institutions provided that: (a) imaged copies of checks shall, when printed (including, but not limited to, when images are provided to the attorney with a monthly statement or otherwise or when subpoenaed by the Office of Attorney Ethics), be limited to no more than two checks per page</p>

			(showing the front and back of each check) and (b) all digital records shall be maintained for a period of seven years.
NM	Rule 17-204. Required Records. Rules Governing Discipline http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&fn=main-h.htm&2.0	Trust account disbursement shall be made only by authorized bank transfer or by check payable to a named payee and not to cash.	Lawyer must maintain all checkbook, check stubs, bank statements, cancelled checks and duplicate deposit slips.

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NY	DR 9-102. New York Code of Lawyer Professional Responsibility. Preserving Identity of Funds and Property of Others; Fiduciary Responsibility; Commingling and Misappropriation of Client Funds or Property; Maintenance of Bank Accounts; Record Keeping; Examination of Records. http://www.nysba.org/Content/NavigationMenu/ForAttorneys/ProfessionalStandardsforAttorneys/LawyersCodeDec2807.pdf	All withdrawals must be made to named payees	Lawyer shall maintain for seven years deposits in and withdrawals from the accounts with source and description of each item as well as payee and purpose. Copies of all checkbooks and check stubs, bank statements, prenumbered canceled checks and duplicated deposit slips. A lawyer may satisfy the requirements of maintaining “copies” by maintaining any of the following: original records, photocopies, microfilm, optical imaging, and any other medium that cannot be altered.
NC	Rule 1.15-3. Records and Accounting http://www.ncbar.com/rules/rules.asp	Lawyer must maintain all authorizations to transfer, disburse, or withdraw funds from the trust account (<i>including electronic transfers or debits</i>), or a written or electronic record of any such transfer, disbursement, or withdrawal showing the amount, date, and recipient of the transfer or disbursement	Lawyer must maintain “all cancelled checks or other items drawn on the account or printed digital images thereof furnished by the bank provided digital images are legible reproductions of the front and back of the original items with no more than six images per page and no image smaller than 1-3/16 x3 inches, and the bank, for at least six years, must maintain the capacity to reproduce electronically additional or enlarged images within a reasonable time.
ND	Rule 1.15. Safekeeping Property and Professional Liability Insurance Disclosure. http://www.court.state.nd.us/court/rules/conduct/rule1.15.htm	Rule contains no language regarding method of withdrawal.	A lawyer shall maintain or cause to be maintained on a current basis records sufficient to demonstrate compliance with the provisions of this Rule. Such records shall be preserved for at least six years after termination of representation. Rule does not detail what records are required.

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OH	Rule 1.15 (a)(1) – (a)(5). Safekeeping Property http://www.sconet.state.oh.us/AttySvcs/ProfConduct/rules/default.asp#Rule1_15	Rule contains no language regarding method of withdrawal.	A lawyer must maintain all bank statements, deposit slips, and cancelled checks, if provided by the bank, for each bank account.
OK	Rule 1.15. Safekeeping Property http://www.okbar.org/ethics/ORPC07.pdf	Rule contains no language regarding method of withdrawal.	A lawyer should maintain, in accordance with accepted accounting practice, complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation. Rule does not detail what records are required.
OR	Rule 1.15. Safekeeping Property http://www.osbar.org/docs/rulesregs/orpc.pdf	Rule contains no language regarding method of withdrawal.	Current Rule states that a lawyer must maintain records for five years. Former DR9-101 was more detailed and required a lawyer to maintain "the records of the accounts, including checkbooks, canceled checks, check stubs, vouchers, ledgers, journals, closing statements, accountings or other statements of disbursements rendered to clients or equivalent records clearly and expressly reflecting the date, amount, source and explanation for all receipts, withdrawals, deliveries and disbursements of funds or other property of a client."

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PA	<p>Rule 1.15 Safekeeping Property. Comments 2 & 3.</p> <p>http://www.padisciplinaryboard.org/documents/Pa%20RPC.pdf</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>Lawyer must maintain bank statements and check registers; all transaction records returned by the financial institution, including canceled checks in whatever form and records of electronic transactions; records of deposits and a ledger separately listing each deposited item. The records required in this Rule may be maintained in electronic or other form if they can be retrieved in printed hard copy.</p>
RI	<p>Rule 1.15. (a) and Comment 1.</p> <p>http://www.courts.ri.gov/supreme/pdf-files/Rules Of Professional Conduct.pdf</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>A lawyer should maintain on a current basis books and records in accordance with generally accepted accounting practice and comply with any recordkeeping rules established by law or court order. See, e.g., ABA model Financial Recordkeeping Rule.</p>
SC	<p>Rule 417. Financial Recordkeeping. Rules Governing the Practice of Law.</p> <p>http://www.judicial.state.sc.us/courtReg/displayRule.cfm?ruleID=417.0&subRuleID=&ruleType=APP</p>	<p>Withdrawals shall be made only by check payable to a named payee and not to cash, or by authorized bank transfer</p>	<p>A lawyer must maintain checkbook registers or check stubs, bank statements, records of deposit, and pre-numbered canceled checks or their equivalent. Records required by this rule may be maintained in electronic, photographic, computer or other media provided that they otherwise comply with this rule and provided further that printed copies can be produced.</p>
SD	<p>South Dakota Codified Laws 16-16-20.2.</p> <p>http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=16-18-20.2</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>Lawyer must maintain original canceled checks, or the equivalent, all of which must be numbered consecutively. "Equivalent" means truncated checks, imaged statements or digital formats of the future.</p>

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TN	Rule 1.15. Safekeeping Property. http://www.tsc.state.tn.us/opinions/tsc/rules/TNrulesofcourt/06supct1_9.htm#8	Rule contains no language regarding method of withdrawal.	There are no recordkeeping standards outlined in the rule.
TX	Texas Rules of Disciplinary Procedure. Rule 15.10. Maintenance of Funds and Other Property Held for Clients and Others http://www.txethics.org/referece_rules.asp?view=procedural&num=15.1	Rule contains no language regarding method of withdrawal.	Lawyers must maintain for a period of no less than five years after final disposition of the underlying matter, all checkbooks, canceled checks, check stubs, check registers, bank statements, vouchers, deposit slips, ledgers, journals, closing statements, accountings, and other statements of receipts and disbursements rendered to clients or other parties with regard to client trust funds or other similar records clearly reflecting the date, amount, source, and explanation for all receipts, withdrawals, deliveries, and disbursements of the funds or other property of a client
UT	Rule 1.15. Safekeeping Property. Comment 1 http://www.utcourts.gov/resources/rules/ucja/ch13/1_15.htm	Rule contains no language regarding method of withdrawal.	A lawyer should maintain on a current basis books and records in accordance with generally accepted accounting practice and comply with any recordkeeping rules established by law or court order. See, e.g., ABA Model Financial Recordkeeping Rule.
VT	Rule 1.15. Safekeeping Property http://www.vermontjudiciary.org/PRB1.htm	Rule contains no language regarding method of withdrawal.	Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of six years after termination of the representation. Rule does not detail what records are required.

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VA	<p>Rule 1.15 (e) Safekeeping Property, Record-keeping Requirements, Required Books and Records.</p> <p>http://www.vsb.org/docs/rules-pc_2007-08pg.pdf</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>Lawyer must maintain, for a minimum of five years, current books and records which establish compliance with 1.15 (a) and 1.15 (c). Whether the records required by rule are maintained by an electronic or manual accounting system, such system must produce information required by this rule. [Rule does not seem to require lawyer to maintain checkbooks, check stubs, or cancelled checks, but does refer to “checkbook entries”]</p>
WA	<p>Rule 1.15A(h)(5) Safeguarding Property [Methods of Withdrawal] Rule 1.15B(a)(7) Required Trust Account Records [Must Keep Original Checks]</p> <p>http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=RPC&ruleid=garpcl1.15a http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=RPC&ruleid=garpcl1.15b</p>	<p>Withdrawals must be made by check or bank transfer, and must be made to named payee, not to cash.</p>	<p>A lawyer must maintain current trust account records. They may be in electronic or manual form and must be retained for at least seven years after the events they record. At minimum, the records must include bank statements, copies of deposit slips, and cancelled checks or their equivalent.</p>
WV	<p>Rule 1.15. Safekeeping Property</p> <p>http://www.wvbar.org/barinfo/rulesprofconduct/rules1.htm</p>	<p>Rule contains no language regarding method of withdrawal.</p>	<p>Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation. Rule does not detail what records are required.</p>
WI	<p>SCR 20:1.15. Safekeeping Property.</p> <p>http://www.legis.state.wi.us/rsb/scr/5200.pdf</p>	<p>Wire transfers shall be documented by a written withdrawal authorization or other documentation, such as a monthly statement of the account that indicates the date of the transfer, the payee, and the amount.</p>	<p>Lawyer must maintain complete records of a trust account that includes: transaction register, individual client ledgers, ledger for account fees and charges, deposit records and disbursement records. Disbursement records must include: checks, cancelled checks (Imaged checks may be substituted for original check, provided images check has both front and</p>

			back of check, contains all signatures and endorsements, and is readable), wire transfers, monthly statements and reconciliation reports.
WY	Rule 1.15. Safekeeping Property http://courts.state.wy.us/CourtRules_Entities.aspx?RulesPage=AttorneysConduct.xml	Rule contains no language regarding method of withdrawal.	A lawyer shall keep complete and current records of the trust account funds. These records shall be preserved for a period of five years after termination of the representation. Records should include all checkbooks, bank statements, and copies or originals of the canceled or voided checks.

		CANADIAN PROVINCES	
Law Society of Upper Canada	Financial Transactions and Records. Part IV, Trust Account Transactions & Part V, Record Keeping Requirements http://www.lsuc.on.ca/media/bylaw09.pdf	A licensee shall withdraw money from a trust account only, (a) by a check drawn in favor of the licensee; (b) by a transfer to a bank account that is kept in the name of the licensee and is not a trust account; or (c) by electronic transfer	Every licensee shall maintain financial records to record all money received and disbursed in connection with the licensee’s professional business including bank statements or pass books, cashed checks and detailed duplicate deposit slips for all trust and general accounts, signed electronic trust transfer requisitions and signed printed confirmations of electronic transfers of trust funds. For cash received, licensee shall also maintain a book of duplicate receipts, with each receipt identifying date and from whom cash was received, related file number and the signature of the licensee and person from whom cash was received. The financial records required to be maintained may be pasted by hand or electronic means, but if record is posted by hand, must be in ink. If record is maintained electronically, licensee must be able to produce a paper copy promptly.
Law Society of British Columbia	Law Society Rules. Part 3, Protection of the Public. Rules 3-51 & 3-60 to 3-62. http://www.lawsociety.bc.ca/publications_forms/rules/rules_toc.html	A lawyer must not make or authorize the withdrawal of funds from a pooled or separate trust account, except by check, by electronic transfer, by instruction to a savings institution, or in cash if required by other rule. Withdrawal by electronic transfer is permissible only if the transfer is for more than \$25,000,000, the transfer system used will produce a confirmation form within 24 hours, and the lawyer personally complete and sign a requisition for transfer, and upon receipt of confirmation, verify that the money was drawn from the trust account as specified in the requisition. Exceptions include interest earned on pooled account can be withdrawn by bank, payments to land-title office	A lawyer must maintain at least the following trust account records: a book of entry or data source showing all trust transactions including the date and amount of receipt or disbursements of all funds, the source and form of the funds received, the identity of the client on whose behalf trust funds are received or disbursed, the check or voucher number for each payment out of trust, and the name of each recipient of money out of trust; a trust ledger, or other suitable system, showing separately for each client on whose behalf trust funds have been received and disbursed; records showing each transfer of funds between clients' trust ledgers.

<p>Law Society of Alberta</p>	<p>The Rules of the Law Society of Alberta. Part 5, Financial Records, Accounts and Trust Money. Rules 122 & 124.</p> <p>http://www.lawsocietyalberta.com/files/ruleslsa.pdf</p>	<p>Money may be electronically transferred by a law firm where the withdrawal from trust is greater than \$25,000,000, where the law firm has met any conditions set by the Director of Audit of the Society, or designate, or the firm has obtained the prior written approval of the Director or designate. The conditions must include a requirement that the transfer system be able to produce written confirmation within one business day, that the confirmation be in hard copy that the firm complete a \$25 Million Non-Check Transfer Requisition Form, and that within one banking day of receiving confirmation from the bank, a qualifying lawyer follow verification procedures.</p>	<p>The financial records required to be maintained under this Rule shall consist of a book of original entry showing all money received, a book of original entry showing all withdrawals, a trust ledger consisting of trust ledger accounts, a journal showing all transfers of money or a chronological file of copies of all documents by which transfers of money were effected, a book of original entry showing all money received other than trust money, a book of original entry showing all payments of money other than trust money, either a chronological file or journal showing all fees to clients, a fees and disbursement receivables ledger, bank statements or passbooks, negotiated checks, transfers between accounts and detailed duplicate deposit slips, a book of duplicate receipts for cash received, and a record of cash payments.</p>
<p>Law Society of Saskatchewan</p>	<p>Rules of the Law Society of Saskatchewan. Part 13, Rule 942 (1), Procedure for Withdrawing Funds from Mixed or Separate Trust Account & Rule 962, Types of Trust Books Records and Accounts that Must be Maintained.</p> <p>http://www.lawsociety.sk.ca/newlook/Publications/LSrules/LSRulesConsolidateFeb08.pdf</p>	<p>A member who makes a withdrawal or fund transfers shall: effect the withdrawal or transfer by check marked “trust;” shall make the check payable to cash or bearer,; and shall ensure that the check is signed by a member. Money may be electronically transferred provided: the withdrawal from trust must be equal to or in excess of \$25 Million; the transfer system can produce confirmation of the transfer within one business day; the confirmation must be in hardcopy form and contain all relevant details; the law firm must complete a \$25 Million Dollar Non-Check Transfer Requisition Form; the law firm must verify that the money was properly transferred and sign and date the verifying lawyer form.</p>	<p>A member should maintain at least the following trust books, records and accounts: a daily journal or other book of original entry recording date of receipt, source and identity of client for all funds received and for all funds disbursed, date of disbursement, check or voucher number, name of recipient and client for whom funds were disbursed; a client’s trust ledger recording separately for each client all funds received and disbursed; a transfer record showing transfer of funds between client trust ledgers including explanation for transfer and member’s written approval; monthly trust reconciliations; negotiable valuable property record; and all supporting records including bank statements, pass books, cancelled checks, detailed duplicate deposit slips, bank vouchers and similar documents and invoices.</p>

<p>Law Society of Manitoba</p>	<p>Law Society Rules. Part 5, Protection of the Public. Division 4, Trust Accounts, Records, and General Accounts.</p> <p>http://www.lawsociety.mb.ca/code_and_rules/rulespart5.htm#division4</p>	<p>5-43(1)(b). A member must make all withdrawals from a pooled trust account by consecutively numbered checks drawn to the order of the person to whom the money is to be paid, unless otherwise authorized by the chief executive officer.</p> <p>Wire transfers (carried out by the bank via instructions from law firms) are permitted with prior authorization from the Law Society. Generally the Law Society will approve such transactions after reviewing the law firm's procedures to deal with these withdrawals (i.e. the instructions provided to the bank, the documentation generated and the recordkeeping completed by the law firm). Law Society Practice Direction 03-02 outlines the wire transfer requirements.</p>	<p>A member must maintain up-to-date trust records and supporting documentation for all pooled trust accounts and specific trust investment accounts. The trust records must include a book or books of original entry, and a client trust ledger for each client and each legal matter. A member who maintains electronic trust records must: produce a printed copy of the books of original entry immediately after each month end; ensure that the system is capable of producing a printed copy of any individual client trust ledger, showing a full history of all trust transactions for that client; maintain a backup copy of the electronic records, which must be updated at least monthly, and stored in a secure manner in an off-site location; and print a client's closed trust ledger before it is purged from the electronic file and store it in a central file maintained for purged ledgers.</p>
<p>Law Society of New Brunswick</p>	<p>Uniform Trust Account Rules Under the Law Society Act</p> <p>Rule 2. Maintenance of Records.</p> <p>Rule 4. Withdrawals and Transfers from Trust Accounts.</p> <p>http://www.lawsociety-barreau.nb.ca/assets/documents/Uniform%20Trust%20Account%20Rules/Uniform-Trust-Account-Rules-Bilingual-December-2005.pdf</p>	<p>A member shall only withdraw money from a trust account by check or by means of electronic funds transfer completed in accordance with subsection (8). Subsection (8) permits electronic withdrawal only if the electronic funds transfer system used by the member does not permit an electronic transfer without a password or access code, the member retains the password and access code, the transfer system will produce, by close of the following banking day, a written confirmation from the financial institution confirming details and authorization of the transfer, and the confirmation includes the number of trust account, bank information, recipient information, time and date of transfer and time and date of receipt confirmation.</p>	<p>Every member shall maintain books of original entry or data source showing: date of receipt and source of trust money, all disbursements out of trust money for each client including check number and date, client's trust ledger showing separately for each person trust money has been received, a record showing all transfers of money between client trust ledger accounts, source of all money received other than trust money, all disbursements of money other than trust money with each check and voucher number, all fees charged and other billings to clients, a record showing a comparison of monthly balances in all trust accounts, and record of all trust property held for clients. Also, member should maintain bank statements or pass books, cashed checks and detailed deposit slips for all trust and general accounts.</p>

<p>Nova Scotia</p>	<p>Nova Scotia Barrister Society's Legal Profession Act</p> <p>Part 10. Trust Accounts</p> <p>10.2. Maintenance of trust Accounts</p> <p>10.4. Withdrawals and Transfers from Trust Accounts</p> <p>http://www.nsbs.org/document/general/CURRENTREGS.pdf</p>	<p>Funds may be withdrawn by check or electronic transfer. Funds may be transferred electronically only if the system used requires a password or access code to authorize a financial institution to carry out the transfer, the lawyer maintains the password, and the system produces a written confirmation of the details of the transfer. The lawyer has a duty to get the confirmation no later than the close of the banking day immediately following the day on which the transaction was authorized. Before an electronic fund transfer request is communicated to the lawyer's financial institution, the lawyer is required to sign an electronic transfer requisition that provides the details of the transfer. The lawyer has a duty to reconcile the confirmation received from his/her financial institution with the requisition.</p>	<p>Every practicing lawyer or law firm shall maintain books of original entry or data sources showing: the date of receipt and source of all trust money received for each client, all disbursements out of trust money showing check number and date of disbursement, clients' trust ledger showing for each client all trust money received and disbursed and any unexpended balance, a record showing all transfers of money between clients' trust ledger accounts and explaining purpose, the date of receipt and source of all non-trust money received, all disbursements of non-trust money and showing check or voucher number, all fees and other billings charged to clients, a record showing a comparison made monthly of total account balances, a record showing all property held in trust, and all bank statements or passbooks cashed checks and detailed deposit slips for all trust and general accounts.</p>
<p>Law Society of Prince Edward Island</p>	<p>Regulations of the Law Society of Prince Edward Island.</p> <p>Part VII. Trust Accounts.</p> <p>36.2. Maintenance of Records</p> <p>36.4. Withdrawals and Transfers from Trust Accounts.</p> <p>http://www.lspei.pe.ca/pdf/legal_profession_act_2007.pdf#page=33</p>	<p>A member shall only withdraw money from a trust account by check or by means of electronic funds transfer completed in accordance with subsection (8). Subsection (8) permits electronic withdrawal only if the electronic funds transfer system used by the member requires a password or access code, the member retains the password and access code, the transfer system will produce, by close of the following banking day, a written confirmation from the financial institution confirming details and authorization of the transfer, and the confirmation includes the number of trust account, bank information, recipient information, time and date of transfer and time and date of receipt confirmation. Before any transfer can take place, funds transfer requisition must be completed and</p>	<p>Every practicing lawyer or law firm shall maintain books of original entry or data sources showing: the date of receipt and source of all trust money received for each client, all disbursements out of trust money including check number or electronic transfer identifier and date of disbursement, clients' trust ledger showing for each client all trust money received and disbursed and any unexpended balance, a record showing all transfers of money between clients' trust ledger accounts and explaining purpose, the date of receipt and source of all non-trust money received, all disbursements of non-trust money and showing check or voucher number, all fees and other billings charged to clients, a record showing a comparison made monthly of total account balances, a record showing all property held in trust, and all</p>

		signed by the member, and all necessary information must be specified within it.	bank statements or passbooks cashed checks and detailed deposit slips or EFT written confirmation forms for all trust and general accounts.
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<p>Law Society of Newfoundland and Labrador or</p>	<p>The Rules Of The Law Society Of Newfoundland & Labrador. Part V. Uniform Trust Account Rules. 5.02. Maintenance of Records. 5.04 Withdrawals and Transfers from Trust Accounts http://www.lawsociety.nf.ca/part1.asp?partid=5#Definitions</p>	<p>A member shall only withdraw money from a trust account by check or by means of electronic funds transfer completed in accordance with subsection 5.04(6). Subsection 5.04(6) permits electronic withdrawal only if the electronic funds transfer system used by the member requires a password or access code, the member retains the password and access code, the transfer system will produce, by close of the following banking day, a written confirmation from the financial institution confirming details and authorization of the transfer, and the confirmation includes the number of trust account, bank information, recipient information, time and date of transfer and time and date of receipt confirmation.</p>	<p>Every practicing lawyer or law firm shall maintain books of original entry or data sources showing: the date of receipt and source of all trust money received for each client, all disbursements out of trust money including check number or electronic transfer identifier and date of disbursement, clients' trust ledger showing for each client all trust money received and disbursed and any unexpended balance, a record showing all transfers of money between clients' trust ledger accounts and explaining purpose, the date of receipt and source of all non-trust money received, all disbursements of non-trust money and showing check or voucher number, all fees and other billings charged to clients, a record showing a comparison made monthly of total account balances, a record showing all property held in trust, and all bank statements or passbooks cashed checks and detailed deposit slips for all trust and general accounts.</p>
<p>Law Society of Yukon</p>	<p>Law Society of Yukon Legal Profession Act Part 4. Protection of Client Funds. Division 4. Books, Records and Accounts Sec. 61. Trust Accounts and Sec. 63. Maintenance of Books Records and Accounts. http://www.lawsocietyyukon.com/act/lpa_dec2004.pdf</p>	<p>Money drawn from a trust account (that is meant to reimburse the member of cover member billing fee) must be drawn by a check drawn in favor of the member or by a transfer to a bank account that is in the name of the member and is not a trust account. The rule is silent about the method of withdrawal for payment to non-member.</p>	<p>Every member shall maintain books of original entry, records and accounts showing: the date of receipt and source of all trust money received for each client, all disbursements out of trust money including check number or electronic transfer identifier and date of disbursement, clients' trust ledger showing for each client all trust money received and disbursed and any unexpended balance, a record showing all transfers of money between clients' trust ledger accounts and explaining purpose, the date of receipt and source of all non-trust money received, all disbursements of non-trust money and showing check or voucher number, all fees and other billings charged to clients, a record showing a comparison made monthly of total account balances, a record showing</p>

			<p>all property held in trust, and all bank statements or passbooks cashed checks and detailed duplicate deposit slips for all trust and general accounts.</p>
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<p>Law Society of Northwest Territories</p>	<p>Rules of the Law Society of Northwest Territories. Part V. Sec. 81.2. Books of Accounts Required to be Maintained.</p> <p>http://www.nucj.ca/library/bar_ads_mat/NWT_Law_Society_Rules.pdf</p>	<p>Rule contains no language regarding the method of withdrawal.</p>	<p>A member shall maintain at least: a trust cash book or synoptic showing for all trust money received, the date of receipt, source and identity of the client, and for all money disbursed, the check or voucher number, date and recipient; a trust ledger showing for each client money received and disbursed; a record showing each transfer of money between clients' trust ledgers, containing an explanation of the transfer and the members written approval; monthly trust reconciliations, file copies of billings for fees and other billings made to client; copies of bank validated deposit slips, bank statements, pass books, cancelled checks, bank vouchers and similar documents.</p>
<p>Law Society of Nunavut</p>	<p>Rules of the Law Society of Nunavut. Part V. Client Trust Accounts. Sections 81 & 90.</p> <p>http://lawsociety.nu.ca/act_and_rules/2007%2011%2002%20-%20LSNU%20Approved%20Consolidated%20Rules.pdf</p>	<p>No member may pay an amount out of a clients' trust account except by check bearing the signature or countersignature of the member or of another member that he or she has designated as a signing authority.</p>	<p>A member shall maintain at least: a trust cash book or synoptic showing for all trust money received, the date of receipt, source and identity of the client, and for all money disbursed, the check or voucher number, date and recipient; a trust ledger showing for each client money received and disbursed; a record showing each transfer of money between clients' trust ledgers, containing an explanation of the transfer and the members written approval; monthly trust reconciliations, file copies of billings for fees and other billings made to client; copies of bank validated deposit slips, bank statements, pass books, cancelled checks, bank vouchers and similar documents.</p>

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