Appendix A
Basic Client Intake

Upon the intake of a new client, a lawyer may wish to take some or all of the measures discussed below to help the lawyer assess the risk of money laundering and terrorist financing the potential representation of the client may entail. The degree and scope of this assessment will vary based upon, among other factors, the particulars of the proposed representation and the nature and identity of the client. This Appendix A is intended only to highlight some of the key elements of the assessment lawyers should consider and is not intended to be, nor should it be construed as, a mandatory checklist for client intake that is to be used or applied in all circumstances or a rote or mechanical fashion.

1. **Client Identity.** Once the lawyer has gained an understanding of the representation being sought and the client’s objective, the lawyer will need to verify the identity of the client by obtaining some basic information that will enable the lawyer to “know the client” and, if applicable, its beneficial ownership.

   1.1 **Natural Person as Client.** In the case of an individual client, depending upon the nature of the representation and level of initial concern the lawyer may have regarding the intentions or background of the client, the lawyer may need to obtain some or all of the following information: the client’s name, employment background, place of birth, prior residential addresses, current residential address, business address, phone numbers, date of birth, marital status, names of prior or current spouses and/or names of children, dates of birth and social security numbers of any such spouses and/or children, the name and contact information of any other lawyers with whom the client regularly deals, the name and contact information of the client’s certified public accountant, prior criminal convictions, pending lawsuits, and status of tax filings with governmental authorities. The lawyer may also wish to retain a copy of the client’s driver’s license or another federally issued form of photo identification and/or request that the client submit a summary of his or her personal and business history. This could help the lawyer to determine and/or verify the source of the funds to be involved in the transaction(s) in question.

   1.2 **Entity as Client.** If the client is an entity rather than an individual (and dependent on other risk factors, such as whether the client is publicly traded), depending upon the nature of the representation and level of initial concern the lawyer may have regarding the intentions or background of the client, the lawyer should seek to obtain the names of any subsidiary/parent/nominee entities, and should obtain information on one or more of the following: the primary directors, officers, trustees, partners, managers, and/or people serving in another fiduciary capacity in connection with this entity and the entity’s federal employment identification number. The lawyer should also consider whether it is necessary to obtain some of the basic information on the fiduciaries of the entity as described above. Depending on other risk factors, if not disclosed by partners, members, or shareholders of the entity when the above information
volR. is provided, the lawyer may also need to determine beneficial ownership, as discussed in more detail in the main body of this guidance.

2. **Client Due Diligence.** In addition to the basic information discussed above, depending on risk factors and the level of disclosures made by the client, the lawyer may find it advisable to request letters of introduction or letters of reference from other professionals that have past experience with the client, such as other transactional lawyers, bankers, and certified public accountants

2.1 **OFAC List.** It would also be prudent for the lawyer to check the Office of Foreign Assets Control’s Specially Designated Nationals and Blocked Persons list at [http://www.treas.gov/offices/enforcement/ofac/sdn/t11sdn.pdf](http://www.treas.gov/offices/enforcement/ofac/sdn/t11sdn.pdf) for the name of the client, the client’s spouse, the client’s beneficial owners, and/or other related persons, and any relevant business entities. 74

2.2 **Other Searches.** Another suggested due diligence measure is the conducting of an Internet search (for example, a Google search ([www.google.com](http://www.google.com))) of the client’s name, the client’s spouse and/or other related persons, and any relevant business entities. Although the accuracy of the Internet should not be relied upon, search results may provide the lawyer with valuable information that is not readily available elsewhere. For example, an Internet search might yield a link to an article that indicates a potential client’s connections to a business entity involved in a pending or previous criminal proceeding. If so, the lawyer can then determine whether and to what extent to check available court records to verify this information.

2.3 **Background Checks.** Depending on the risk profile of the client, background checks can also prove to be useful in evaluating the potential risk involved in accepting the representation of a new client. For instance, Accurint ([www.accurint.com](http://www.accurint.com)) is a service that provides information on a client’s past and current addresses, any bankruptcies, liens, judgments and UCC filings against it, and any business entities and job titles associated with the client’s name. It also provides information on the client’s business associates as well as driver’s licenses issued to the client, and possibly information regarding any criminal record, sexual offenses, concealed weapons permits, associates, relatives, and properties of the client.

3. **Periodic Update.** Depending on a current evaluation of risk factors, the lawyer may wish to repeat some or all of these steps on an annual or other appropriate periodic basis to ensure that the status of the client has not changed.

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74 In circumstances where the client’s business or the proposed engagement warrants (such as where the client is engaged in the export business), it may also be prudent for the lawyer to check the Denied Persons List at [http://www.bis.doc.gov/dpl/Default.shtm](http://www.bis.doc.gov/dpl/Default.shtm).