

Agreement to Provide Dishonored/Overdraft Check Reports
(Pursuant to 22NYCRR Rule 1.15 [b (1)(2)], 1300.00)

Banking Institution:

Address:

Contact Person:

Telephone:

Whereas, attorneys and law firms in the State of New York are required to maintain their segregated bank accounts only in banking institutions that agree to provide dishonored check and overdraft reports to the New York State Lawyers' Fund for Client Protection (hereinafter the "Lawyers' Fund"); and

Whereas, attorneys and law firms are required to designate these accounts as either **Attorney Special Account**, or **Attorney Trust Account**, or **Attorney Escrow Account**; and

Whereas, court rules provide that attorneys and law firms in the State of New York are deemed to have consented to these requirements with respect to attorney special, trust, or escrow accounts;

Now, Therefore, The Lawyers' Fund and the Banking Institution agree as follows:

The Lawyers' Fund approves the Banking Institution as a depository for attorney special, trust or escrow accounts in the State of New York.

The Banking Institution will provide the Lawyers' Fund with a dishonored check and/or overdraft report (hereinafter "Report") whenever a properly payable instrument is presented against an attorney special, trust, or escrow account which contains insufficient available funds, irrespective of whether the instrument is honored. Such Report shall be substantially in the form of the notice of dishonor/overdraft that the Banking Institution customarily provides to its customers, and may include a photocopy or a computer-generated duplicate of such notice.

Such Report shall be mailed, within five banking days after the date of presentment against insufficient funds, to: The Lawyers' Fund for Client Protection, 119 Washington Avenue, Albany, New York 12210.

Such Report may be withdrawn by the Banking Institution within 10 days after mailing if the report was provided to the Lawyers' Fund by inadvertence or mistake; provided, however, that curing of an insufficiency of available funds by an attorney or law firm by the deposit of additional funds shall not constitute reason for withdrawing a Report.

This agreement applies to all branches of the Banking Institution that provide attorney special, trust, or escrow accounts for attorneys engaged in the practice of law in the State of New York.

This agreement shall not be canceled except on 30 days prior written notice.

Dated this _____ day of _____, 20__ By: _____
Authorized Signature

Please return to:

The Lawyers' Fund For Client Protection
119 Washington Avenue, Albany, New York 12210
Telephone: 518/434-1935 or 1-800-442-3863 Fax 518/434-5641
www.nylawfund.org