

Please complete form and give to your financial institution.

REQUEST TO ESTABLISH IOLTA ACCOUNT

TO [Institution]:

Date: _____

FROM [Lawyer/Firm]:

The lawyer/law firm listed above handles client money and is therefore requesting to open an IOLTA (Interest on Lawyers' Trust Accounts) account with your financial institution. The proper handling of client money is governed by RPC 1.15A – Safeguarding Property. The interest earned on IOLTA accounts is remitted to the Legal Foundation of Washington (LFW) as explained in #2 below.

We understand that you may require a supplemental account agreement in addition to your usual signature cards and other documentation. Please advise us as to what you need in addition to our agreement to the following terms and conditions governing our IOLTA account:

1. Funds deposited in the interest-bearing IOLTA checking account must be kept separate from the general account or the individual client trust account(s) of the undersigned lawyer or law firm.
2. RPC 1.15A(i)(1) states, "The interest accruing on the IOLTA account, net of reasonable check and deposit processing charges which may only include items deposited charge, monthly maintenance fee, per item check charge, and per deposit charge, must be paid to the Legal Foundation of Washington. Any other fees and transaction costs must be paid by the lawyer."

RPC 1.15A(i)(4)(i) authorizes the financial institution "to remit interest or dividends, net of charges authorized by paragraph (i)(1), on the average monthly balance in the account, or as otherwise computed in accordance with an institution's standard accounting practice, monthly, to the Legal Foundation of Washington."

Remittances should be made directly by your check to the Foundation's lockbox: Legal Foundation of Washington, P.O. Box 84383, Seattle Terminal Annex, Seattle, WA 98124-5683. The remittances are due the 15th of each month. Quarterly remittances are no longer accepted.

If your institution has more than one IOLTA account, please submit a single check for all of them.

3. With each remittance to the Foundation, please include a report with the information required under RPC 1.15A(i)(4)(ii). That information is as follows: details about the account including but not limited to the name of the lawyer or law firm for whom the remittance is sent, the rate of interest applied, the amount of service charges deducted, if any, and the balance used to compute the interest. Information contained within this report must be transmitted to the undersigned lawyer or law firm.

If your remittance combines interest from multiple IOLTA accounts, the information required must be submitted for each separate account. Please attach this report to the check.

4. When calculating the monthly remittance to the LFW, each account must be calculated separately. If the monthly fee charged exceeds the interest earned on any individual account, the financial institution may waive the fee or charge the excess to the account holder. It is not permissible to combine the interest earned on all IOLTA accounts and use that to offset all the fees charged. Each interest and fee calculation must be done on an account-by-account basis.
5. Please utilize the Foundation's tax identification number on IOLTA accounts. That number is **91-1263533**. Because the Legal Foundation of Washington, the beneficiary of the interest on IOLTA accounts, is a section 501(c)(3) charitable organization, IRS form 1099 should not be completed for IOLTA accounts. .

Inquiries may be directed to the Legal Foundation of Washington at (206) 624-2536, ext. 282.

6. Comment 15 to RPC 1.15A expressly forbids the use of earnings credits on IOLTA accounts: "A lawyer may not receive from financial institutions earnings credits or any other benefit from the financial institution based on the balance maintained in a trust account."

Thank you for your prompt attention to this request. Your cooperation and support for this important program is greatly appreciated.

Sincerely yours,

Lawyer/Law Firm