

## TRUST ACCOUNT COMPLIANCE CERTIFICATE INSTRUCTIONS

The requirements for lawyer trust accounts and for safekeeping property are set forth in Rules 5-1.1 and 5-1.2, Rules Regulating The Florida Bar. The trust account rules apply whenever a lawyer receives funds (e.g., cash, checks, money orders, wire transfers) from clients or third parties in the course of a legal representation. The safekeeping property rules apply whenever a lawyer receives property (for example, jewelry, cars, stock certificates, or physical evidence) from clients or third parties in the course of a legal representation.

### Mark option (1) if:

- you received funds and/or property from clients or third parties in connection with the representation of a client, you have a trust account, and you followed all the trust account and safekeeping property rules;
- your firm received funds and/or property from clients or third parties in connection with the representation of a client, you are not a signatory on the trust account, and you have received reasonable assurances from your firm that the firm followed all the trust account and safekeeping property rules; or
- you are a lawyer who is admitted and practices in another jurisdiction, you accept funds or property from clients or third parties in connection with representation of a client in that other jurisdiction, and you followed all the trust account and safekeeping property rules for that other jurisdiction

### Mark option (2) if:

- you have been a judge during the entire fiscal year and therefore have not accepted nor have funds or property from clients or third parties in connection with the representation of a client and are not required to maintain a trust account;
- you are a lawyer employed by the government during the entire fiscal year and have not accepted nor have funds or property from clients or third parties in connection with the representation of a client and therefore are not required to maintain a trust account;
- you have no trust account because neither you nor anyone within the organization in which you work received funds or property from clients or third parties in connection with the representation of a client and are not required to maintain a trust account; or
- you are inactive or retired and therefore have not accepted nor have funds or property from clients or third parties in connection with the representation of a client and are not required to maintain a trust account

### Mark option (3) if:

- you received funds from clients or third parties in connection with the representation of a client and you did not comply with all the trust account rules; or
- you received property from clients or third parties in connection with the representation of a client and you did not comply with all the safekeeping property rules.

If you marked option (3), you must provide The Florida Bar with information explaining the way in which you failed to comply with the trust account and/or the safekeeping property rules.

If you mail your membership fees statement to The Florida Bar, your explanation must be attached to the membership fees statement. If you complete the trust account certificate on-line you must print your trust account certificate marked option (3) and mail it together with your attached explanation to ACAP, The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300, or you must e-mail your explanation to [acaptrust@flabar.org](mailto:acaptrust@flabar.org).

If after reading these instructions you still do not know which option to select, please call the Ethics Hotline at (800) 235-8619 and an ethics attorney will assist you.