

STATE BAR OF NEVADA CLIENTS' SECURITY FUND

INSTRUCTIONS FOR REMITTING UNCLAIMED/UNIDENTIFIED FUNDS

Nevada Rule of Professional Conduct 1.15(f) provides direction to lawyers and law firms on what to do with unclaimed or unidentified funds in their Nevada client trust accounts. Consistent with SCR 78 and NRPC 1.15(f), if a lawyer or law firm has made reasonable but unsuccessful efforts to disburse funds from their IOLTA account to their rightful owner, those funds may be remitted to the State Bar of Nevada's Clients' Security Fund after a term of five years. During the five-year term, reasonable efforts must have been made to identify and locate the rightful owner.

If you are holding unclaimed or unidentifiable funds in your Nevada client trust account, please follow these instructions:

Step 1: Determine if the funds in the Nevada client trust account are unclaimed or unidentified.

- Unclaimed Funds– Funds that a lawyer or firm is holding in a Nevada client trust account that should be distributed to a client or third-party in which the client or third party have not responded to the lawyer or law firm's reasonable efforts to encourage the client or third-party to claim their funds.
- Unidentified Funds – Funds accumulated in a Nevada client trust account for which a lawyer or law firm cannot identify an owner.

Step 2: Confirm that reasonable efforts have been made during the previous five-years to return the funds to their rightful owner.

- Reasonable efforts to confirm the identity of the fund's owner(s) – Includes a review of transactional records, client ledgers, case files, fee records and any other relevant documents or records.
- Reasonable efforts to locate the owner(s) and return funds – Includes, but not be limited to, no less than regular and certified mail to the owner's last known address, telephone and email; or any efforts similar to those that would be undertaken when attempting to locate a person for service of process. A greater outlay of time and expense may be warranted when larger amounts of money are at issue.
- Provide documentation of reasonable efforts - A lawyer or firm must certify or provide supporting documentary evidence of the lawyer's or firms reasonable efforts to locate the owner before remitting such funds to the Nevada Clients' Security Fund.

Step 3: Complete the Unclaimed/Unidentified Funds Remittance Report & Certification form and remit it, along with corroborating documents and a check for the amount of unclaimed or unidentifiable funds made payable to the State Bar of Nevada Client Security Fund. Please send the remittance form and check to the address below:

State Bar of Nevada
Attn: Clients' Security Fund
3100 W. Charleston Blvd., Ste. 100
Las Vegas, NV 89102

Once all documentation is received, the State Bar of Nevada Clients' Security Fund will send you a letter of acknowledgement for your records. Please retain that letter for no less than five (5) years.

STATE BAR OF NEVADA CLIENTS' SECURITY FUND

UNCLAIMED/UNIDENTIFIED FUNDS REMITTANCE REPORT & CERTIFICATION

This Remittance Report and Certification must be accompanied by the remittance of the unclaimed/unidentifiable funds.

I. PERSON MAKING REPORT – Provide the following contact information for the person making this report:

1. Name (First, Middle Initial, Last) _____
2. Law Firm Name (if applicable) _____
3. Address:
<i>Street Address 1</i> _____
<i>Street Address 2</i> _____
<i>City, State, Zip</i> _____
4. <i>Phone:</i> _____
5. <i>Email:</i> _____

II. CLIENT TRUST ACCOUNT INFORMATION - Provide the following information for the client trust account and associated lawyer or law firm which held the unidentifiable or unclaimed funds that are now being submitted to the State Bar of Nevada Clients' Security Fund:

1. Financial institution holding IOLTA account _____
a. IOLTA Account Number _____
2. Name of Nevada attorney responsible for the IOLTA account _____
a. Attorney's Nevada Bar Number _____
3. Name and address of law firm (if different from section I above)
a. Law Firm Name _____
b. Address
<i>Street Address 1</i> _____
<i>Street Address 2</i> _____
<i>City, State, Zip</i> _____

STATE BAR OF NEVADA CLIENTS' SECURITY FUND

III. UNCLAIMED FUNDS INFORMATION – Provide relevant information on the owner of any *unclaimed* funds and a description of the reasonable efforts taken to identify, locate and reunite the rightful owner(s) of the unclaimed or unidentified funds with their funds in accordance with Nevada Rule of Professional Conduct 1.15(f)(3). If additional space is required, attach additional pages.

#	Amount	Client Full Name (Last, First, Middle)	Last Known Address	Date of Last Service	Description of Nature of Representation and Efforts to Return Funds
1.					
2.					
3.					

IV. UNIDENTIFIED FUNDS INFORMATION

#	Amount	Any Information Regarding Funds
1.		
2.		

V. ADDITIONAL DOCUMENTATION – Please attach copies of any additional documentation to support your submission.

STATE BAR OF NEVADA CLIENTS' SECURITY FUND

VI. CERTIFICATION

I certify that I have examined this Unclaimed/Unidentified Funds Remittance Report and Certification addressing funds which are unclaimed or unidentifiable pursuant to Nevada Rule of Professional Conduct (NRPC) 1.15(f).

I certify that I have reviewed records which demonstrate that the funds being remitted to the State Bar of Nevada Clients' Security Fund have been unclaimed or unidentifiable as defined under NRPC 1.15(f), for a minimum period of five (5) years.

I certify that I have made reasonable efforts as defined in NRPC 1.15 (f)(3) to identify the owner of these funds and reunite them with their funds.

I understand that lawyers must maintain records related to the ultimate disposition of unclaimed or unidentifiable funds in Nevada client trust accounts in accordance with the recordkeeping requirements and minimum five (5) year retention period required pursuant to NRPC 1.15, and further, that these records must be made available for production to the State Bar of Nevada Clients' Security Fund or the Office of Bar Counsel in a timely manner upon a request or demand by either agency made pursuant to their Rules and Regulations, agency practice, or subpoena.

I understand that the attorney or client may NOT seek reimbursement from the state bar if claims come forward in the future.

Having reviewed the Unclaimed/Unidentified Funds Remittance Report and Certification, I represent and warrant that the information provided is accurate and complete to the best of my knowledge and belief, and that I am authorized to provide this information to the State Bar of Nevada Clients' Security Fund in accordance with NRPC 1.15 and have accordingly executed this Certification on the date written below.

I understand that any false information and/or documentation supplied with this Unclaimed/Unidentified Funds Remittance Report and Certification, which I do not believe to be true, may subject me to prosecution and penalties under NRS 199.145.

DATED this _____ day of _____, 20____.

SIGNATURE

PRINT NAME