



Interest on Lawyers' Trust Accounts (IOLTA) Guidebook for Financial Institutions

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Texas Access to Justice Foundation

512.320.0099

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INTRODUCTION

The Texas Access to Justice Foundation ("TAJF" or the "Foundation") is grateful to more than 400 financial institutions in Texas that have partnered with TAJF for the success that has been generated by the Interest on Lawyers' Trust Accounts ("IOLTA") program. The IOLTA program, administered by TAJF, provides financial resources to assist in delivering civil legal services for low-income Texans.

Key Points to Know:

- IOLTA accounts are interest-bearing accounts lawyers are required to use to hold funds belonging to multiple clients or third parties, when it would not be cost-effective to have separate accounts for each client's funds.
- Lawyers may maintain IOLTA accounts only at eligible financial institutions.
- Financial Institutions become eligible upon approval by TAJF.
- Financial institutions must remit interest generated on IOLTA accounts to TAJF.
- TAJF is the beneficial owner of the interest earned on IOLTA accounts.
- TAJF uses IOLTA interest to make charitable grants to support legal aid services to low-income families in Texas.

These Guidelines for Financial Institutions provide details about IOLTA accounts for you to share with colleagues at your financial institution. The guidelines include the following information:

- Financial Institution eligibility process.
- Changes for submitting IOLTA reports.
- Instructions on how to prepare the IOLTA Remittance Reports.
- Forms to be distributed to colleagues at your financial institution.
- Information that includes a link to TAJF's rules and TAJF contact information.
- Types of accounts used for IOLTA deposits.
- Frequently Asked Questions ("FAQs").

Attorneys may only place their IOLTA accounts at eligible financial institutions. TAJF makes the determination as to whether a financial institution is an eligible institution. Financial institutions (banks, savings & loan associations, credit unions) must contact TAJF prior to opening any IOLTA accounts. A TAJF staff member will provide the financial institution with documents that must be completed and submitted to TAJF. After reviewing the documents, TAJF will contact the financial institution with approval or an explanation as to why approval was not granted.

HISTORY OF IOLTA

IOLTA programs originated in Australia and Canada during the 1960s. IOLTA programs have existed and have been administered in all 50 states and the District of Columbia since the 1980s.

In 1984, the Supreme Court of Texas created TAJF to administer the IOLTA program in Texas. Below is a link to TAJF 's Governing Rules:

https://www.teajf.org/about_tajf/governing_rules.aspx

Effective July 1, 1989, all Texas attorneys and law firms receiving short-term and/or nominal client funds must place those funds in interest-bearing accounts with the interest payable directly to TAJF.

The Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation (“FDIC”) and the Federal Home Loan Bank Board approve of the Texas IOLTA program. The Internal Revenue Service (“IRS”) has also issued a determination letter that TAJF is a 501(c)(3) non-profit corporation and a 509(a)(1) publicly supported foundation.

FINANCIAL INSTITUTION ELIGIBILITY

The Supreme Court of Texas’ Rules Governing the Operation of the Texas Access to Justice Foundation “Rules” includes a provision (the “Comparability Requirement”) that requires that attorneys may only place their IOLTA accounts at eligible institutions, which are those that pay no less on IOLTA accounts than the highest interest rate or dividend paid to non-IOLTA customers when IOLTA accounts meet or exceed the same minimum balance or other eligibility qualifications of non-IOLTA accounts. A financial institution may offer any one of the following options in order to comply with the Supreme Court Rules:

Automatic Eligibility Approval

Option 1: Prime Partner Program

Rate: Single IOLTA Product, rate = 75.00% of the upper end Federal Funds target rate (“FFR”); greater of 75% FFR or 1.00%. Accounts: All accounts regardless of balance. No fees.

Many financial institutions have reinforced their commitment to funding civil legal services for low-income Texans by becoming Prime Partners. These Prime Partners have committed to pay an interest rate the higher of 1) 75% or more of the Fed Funds upper end target rate and no less than a minimum of 1.00% on all IOLTA accounts.

Benefits of Becoming a Prime Partner:

- Business development: Attractive IOLTA account products can attract interest in non-IOLTA law firm business and personal accounts and services.
- Direct promotion of Prime Partner financial institutions to the legal community throughout Texas.
- Extend a financial institution’s brand by marketing the Prime Partner status.
- Emphasize the financial institution’s commitment to be a good corporate citizen in Texas.
- Statewide recognition of Prime Partners in various publications and venues.
- Prime Partner certificate for financial institutions.

TAJF makes every effort to publicly promote its Prime Partners by including them in articles in law-related publications, business publications and press releases. Additionally, the Prime Partners are highlighted prominently on TAJF ’s website.

Option 2: Benchmark Rate

Rate: Single IOLTA Product, rate = 65.00% of the upper end Federal Funds target rate (“FFR”); greater of 65% of FFR or of 0.65%. Accounts: All accounts regardless of balance. No fees.

Eligibility Subject to Review & Approval

Option 3: Blended Average Rate

Rate: Single IOLTA Product at agreed to single blended average net rate of bank’s existing tiered, sweep repo, sweep MMA products with reasonable fees calculated in rate determination. Accounts: All accounts regardless of balance. Fees are already calculated into rate determination.

To qualify for eligibility, a financial institution may choose to pay the blended average net interest or dividend rate (the “Comparable Rate”) that its entire IOLTA account portfolio would earn if each individual IOLTA account in the portfolio received the same interest rate, and paid the same allowable reasonable fees, as a non-IOLTA customer whose account met or exceeded the same minimum balance or other eligibility qualifications, such as sweep accounts or higher tier interest accounts, as the IOLTA account. Under this option, the Comparable Rate is deemed to be net of allowable reasonable fees including monthly sweep fees.

TAJF can determine a Blended Average Rate based on existing individual IOLTA account data from your financial institution.

Option 4: Match or Better Rate

To qualify for eligibility, a financial institution may establish an IOLTA account product in its portfolio as the highest interest product offered to non-IOLTA customers meeting or exceeding the same minimum balance or other eligibility qualifications. Under this option an IOLTA account can be configured as a tiered interest rate checking account or as a checking account with an automated sweep feature that provides a mechanism for the overnight investment of balances in the IOLTA account in a daily financial institution repurchase agreement (REPO) fully collateralized with U.S. Government securities or a U.S. Government money market mutual fund.

A financial institution may pay a higher interest rate or dividend than described above. Interest and dividends shall be calculated in accordance with the financial institution’s standard practices for non-IOLTA customers.

FINANCIAL INSTITUTION RATE CHANGES

The Foundation periodically reviews each financial institution's compliance status; however, it will remain the institution’s responsibility to keep its IOLTA account rate and fee structure in compliance with the Comparability Requirement and other provisions of the IOLTA Rules.

A financial institution might need to change its IOLTA interest rate under the following circumstances to remain in compliance with the Comparability Requirement:

- 1. The institution has chosen the Prime Partner option, and the Federal Funds Target Rate has changed.** The institution changes its IOLTA rate to the new Prime Partner Rate (i.e., the greater of 75% of the new upper end Federal Funds Target Rate or 1.00%) as of the first business day of the IOLTA remitting period that falls at least 10 business days after the increase in the Federal Funds Target Rate.
- 2. The institution has chosen the Benchmark Rate option and the Federal Funds Target Rate has changed.** The institution changes its IOLTA rate to the new Benchmark Rate (i.e., the greater of 65% of the new upper end Federal Funds Target Rate or 0.65%) as of the first business day of the IOLTA remitting period that falls at least 10 business days after the increase in the Federal Funds Target Rate.
- 3. The institution has changed, or plans to change, the highest interest rate it pays to non-IOLTA customers holding comparable accounts.** The institution must complete the IOLTA Rate Eligibility Application/Change Form, including the proposed effective date of the interest rate change, and submit it to the Texas Access to Justice Foundation for determination of eligibility. The Foundation will promptly review the proposal and notify the institution of approval or provide options for staying in compliance. After approval, the new interest rate will take effect on the first business day of the IOLTA remitting period that falls at least 10 business days after the approval.
- 4. The Foundation has reviewed the institution's compliance status and provided an "out of compliance" notice to the institution that specifies options for coming back into compliance.** The institution must submit a proposal within 15 business days of receiving the notice that specifies the compliance option it has chosen. The Foundation will promptly review the proposal and notify the institution of approval or provide further guidance for coming into compliance.

HOW TO OPEN IOLTA ACCOUNTS FOR ATTORNEYS or LAW FIRMS

Employees of financial institutions should follow these procedures when opening a new IOLTA account:

1. Ensure your financial institution has a compliant IOLTA account product.
2. All IOLTA accounts should be established in the name of the attorney or law firm, using their address not the Foundation address.
3. Complete the IOLTA Notice to Financial Institution form (located at the back of the Guidebook) with all the required information. Fax the form to 512-469-0112 or mail the form to the address on the form (not the lockbox address).
4. DO use TAJF's tax identification number ("TIN"), 74-2354575 only for the IOLTA account.
5. DO NOT use TAJF address. Use the attorney's address. You may have to manually override any tax screen address information.
6. DO suppress Form 1099 reporting. TAJF is exempt from backup withholding.
7. DO NOT use the attorney's or law firm's TIN or Social Security number.
8. DO use the attorney's address and contact information. Do not use TAJF's address. Some bank account systems require manual entry of address and contact information to ensure the attorney's address is used for all purposes.
9. Inform the attorneys of the following information:
 - Interest will be paid directly to TAJF, not to the attorney nor to the attorney's client(s).
 - For Prime Partners and best practice institutions, IOLTA accounts are fee free. If your institution does not waive fees, then inform the attorney that only reasonable service charges and fees will be assessed to the interest earned by the IOLTA principal. The total amount of IOLTA account fees cannot exceed interest earned and no fees can be deducted from the principal of IOLTA accounts.
 - Negative netting is prohibited. Please refer to page 7 for more information. Inform the attorney that in all instances other fees (check printing, stop payments, NSF, wire transfer fees, etc.) will be assessed to the attorney, not to the IOLTA principal.

OPERATIONAL INFORMATION

When opening IOLTA accounts, an IOLTA Notice to Financial Institution form, which is located at the back of the Guidebook, should be completed by the attorney and financial institution and mailed or faxed to the Foundation. This form instructs financial institutions how to establish an IOLTA account and should be provided to all branches to accommodate attorneys and law firms in establishing IOLTA accounts.

BASIC ACCOUNT INFORMATION

All IOLTA accounts should have the same closing date (or statement cycle) at the end of the month. This should be the last day of the month, not the last business day.

IOLTA accounts should not be designated as “closed” if the accounts go to “0” balance. It is the nature of these accounts to go to “0” balance since the attorneys deposit client funds which are dispersed quickly. The account should only be designated as “closed” when the attorney or law firm officially closes the account. Once an account is designated as “closed” on the IOLTA Remittance Report, it should not be listed on future reports.

Ensure the attorney’s or law firm’s address is used for all purposes in the account profile, including statements, tax documents, checks and all correspondence and notices.

TAX IDENTIFICATION NUMBER (“TIN”)

TAJF ’s tax identification number (“TIN”), 74-2354575, will be used for all IOLTA accounts. Please do not use the attorney’s or law firm’s TIN for any IOLTA accounts. Do use the attorney’s or law firm’s address for the tax profile.

Due to TAJF ’s status as a tax-exempt, non-profit Texas corporation, all IOLTA accounts are exempt from backup withholding and FATCA reporting. IRS Form 1099 interest reporting should be suppressed. Do not withhold any interest from an IOLTA account. Should you receive an IRS withholding letter for an IOLTA account, please call the Foundation’s office immediately.

The TIN will not match the attorney’s or law firm’s name on the account. The financial institution is not required to report the interest earned on the IOLTA account on behalf of the attorney or law firm. Do not send the Foundation 1099 forms or interest reports; we are exempt from federal income tax.

FEES AND SERVICE CHARGES

Because IOLTA is a charitable program serving public purposes, for product simplicity and to ensure IOLTA compliance, most financial institutions offer fee free IOLTA accounts, electing to waive fees and service charges. For financial institutions that do not waive fees or service charges on IOLTA accounts, the following information details how and what fees and service charges may be assessed.

IOLTA ACCOUNT ALLOWABLE EXPENSES

If service charges are assessed, the charges should be reasonable and customary. Reasonable fees and service charges may only be deducted from the interest or dividends earned in an IOLTA account. Fees and service charges may not be deducted from the IOLTA principal at any time. The following are reasonable and allowable fees and may be deducted from the interest or dividends earned in an IOLTA account.

Fees that may be charged on IOLTA Accounts:

*Monthly Service Charges
Debit Charges or Credit Charges
Deposit Charges*

IOLTA ACCOUNT EXPENSES NOT ALLOWED

The following fees are not allowable — these expenses may only be charged to the attorney or law firm business accounts, not to the IOLTA account principal or IOLTA interest:

Prohibited Fees



NEGATIVE NETTING IS PROHIBITED

Negative netting by financial institutions is prohibited. Negative netting is defined as “assessing service charges on an IOLTA account that exceed the interest earned on that IOLTA account.” Service charges on an IOLTA account may never exceed the interest earned on that IOLTA account.

Taking some or all of the interest earned from a second IOLTA account to pay for the service charges assessed on the first IOLTA account, when the interest earned on the first IOLTA account is insufficient to pay the service charges is also prohibited.

The principle of the account cannot be used to offset the service charges imposed on an IOLTA account. Since these accounts contain client funds held in trust by attorneys or law firms, any invasion of the principal is improper.

FDIC PROTECTION

The standard FDIC insurance amount is \$250,000 per depositor. Because the FDIC considers IOLTA and other lawyer/law firm trust accounts as fiduciary accounts, the per depositor coverage means that funds of individual clients and third persons in a trust account will be fully insured up to the \$250,000 maximum, including any funds a client or third person also has on deposit at the same insured depository institution.

FDIC webpage link: <https://www.fdic.gov/deposit/deposits/>

IOLTA REMITTANCE

Financial institutions may remit monthly or quarterly.

Monthly remittances of the report and payment are due 15 days following the end of the time period reported.

Example: March interest (Time Period 03/01/YY through 03/31/YY) should be remitted by April 15th.

Quarterly remittances are calculated by calendar quarters in the following manner:

Note: The Time Period is the period during which the interest is actually earned.

| <u>Qtr.</u> | <u>Time Period</u> | <u>Remittance Due</u> |
|-------------|-----------------------|-----------------------|
| 1 | 01/ 01 through 03/ 31 | April 15 |
| 2 | 04/ 01 through 06/ 30 | July 15 |
| 3 | 07/ 01 through 09/ 30 | October 15 |
| 4 | 10/ 01 through 12/ 31 | January 15 |

COMPLETING THE IOLTA REMITTANCE REPORT FORM

The IOLTA Remittance Report should be prepared and submitted in electronic format in Microsoft Excel (.cvs or .xls or .xlsx). Electronic reports are DUE on or before the 15th of each month via our upload site here (<https://ioltabanks.teajf.org/>).

Institutions can submit payment for electronic reporting by ACH (initiated by financial institution) or wire transfer (DUE on or before the 15th of each month).

Contact the Foundation at 512.320.0099 x 108 or ioltabanks@teajf.org for ACH or wire transfer information.

Beneficiary Information: Texas Access to Justice Foundation

Physical Address: 1601 Rio Grande St. Suite 351 Austin, TX 78701

If sending payment by check, please remit IOLTA Remittance Report and check to lockbox address below:

Texas Access to Justice Foundation
P.O. Box 679969
Dallas, TX 75267-9969

DO NOT send by Fed Ex, UPS, DHL, etc. to the lockbox.

An example of the IOLTA Remittance Report in Microsoft Excel (.xlsx) format is shown below:

Note: there should be no headings for the columns

| A | B | C | D | E | F | G | H | I | J | K | L |
|-----------|-----------|-----------------|--------|---|-----------|-----------|-------|-------|------|-------|------------|
| 111111111 | Bank Name | Sue Smith IOLTA | 12345 | | 1/01/2009 | 1/31/2009 | 0.50% | 51.37 | 0.00 | 51.37 | 125,000.00 |
| 111111111 | Bank Name | John Doe IOLTA | 234567 | | 1/01/2009 | 1/31/2009 | 0.50% | 46.03 | 0.00 | 46.03 | 112,000.00 |
| 111111111 | Bank Name | Law & Law Firm | 45678 | C | 1/01/2009 | 1/31/2009 | 0.25% | 9.43 | 0.00 | 9.43 | 45,903.00 |
| 111111111 | Bank Name | Smith Firm | 567891 | N | 1/01/2009 | 1/31/2009 | 0.25% | 5.50 | 0.00 | 5.50 | 26,775.00 |

The electronic report in Excel (.xls or .xlsx) format will have the following layout in columns A-L:

Column Description of information to be reported in this report:

- A. Financial institution’s ABA routing number (NO BLANK CELLS)
- B. Financial institution’s name (NO BLANK CELLS)
- C. Attorney’s or law firm’s name (NO BLANK CELLS)
- D. IOLTA account number (NO BLANK CELLS)
 - i. Format cells: Number
 - ii. Category: Number
 - iii. Decimal places: 0
- E. Account status—use the following codes: UPPER CASE ONLY: N, C, D. This is the only column that BLANK cells are allowed.
 - i. Blank for open accounts
 - ii. N for new accounts
 - iii. C for closed accounts
 - iv. D for dormant accounts
- F. Beginning interest date: The first day of the month or the first day of the quarter (NO BLANK CELLS)
 - i. Format cells: Number
 - ii. Category: Date
 - iii. Type: 3/14/2014 (first option)
 - iv. Locale (Location): English (U.S.)
- G. Ending Interest Date: The last day of the month or the last day of the quarter (not last business day) (NO BLANK CELLS)
 - i. Format cells: Same as Column F

- H. Interest rate, in percentage (%) format, that was paid on each account during the period (NO BLANK CELLS)
 - i. Format cells: Number
 - ii. Category: Percentage
 - iii. Decimal places: 4
 - iv. Data entry for this column: use multiplying factor
 - v. Examples: data entry for .65% is .0065 (which changes to 0.6500% upon entry) data entry for .10% is .001 (which changes to 0.1000% upon entry) data entry for .05% is .0005 (which changes to 0.0500% upon entry)

- I. Gross interest, in dollars and cents format, that was earned during the period (NO BLANK CELLS)
 - i. Format cells: Number
 - ii. Category: Number
 - iii. Decimal places: 2
 - iv. Use 1000 Separator
 - v. Negative numbers: - 1,234.10 (first option)

- J. Fees and service charges (if any), in dollars and cents format, that were charged during the period (NO BLANK CELLS)
 - i. Format cells: Same as Column I

- K. Net interest, in dollars and cents format, that was earned during the period (NO BLANK CELLS)
 - i. Format cells: Same as Column I

- L. Account's monthly average balance in dollars and cents format (NO BLANK CELLS)
 - i. Format cells: Same as Column I

ACCOUNT ERRORS

Please contact TAJF as soon as possible regarding any errors that you may encounter with IOLTA accounts and IOLTA reporting. Errors may include IOLTA accounts that were not opened correctly, inaccurate reporting and payment of IOLTA interest, incorrect tax ID number, etc. Further information can be provided by TAJF staff, whose contact information can be found in this Guidebook.

FINANCIAL INSTITUTION MERGERS

Please contact the Foundation for information on reporting mergers. It is important that the Foundation is notified immediately of any mergers/ acquisitions; we have to implement changes into our IOLTA system and do not want duplicate accounts.

FREQUENTLY ASKED QUESTIONS

Q: Do all attorneys need IOLTA accounts?

Only attorneys that handle client trust funds that are nominal in amount or held for a short time are required to establish IOLTA accounts. Licensed attorneys in Texas who do not handle client trust funds are not required to establish an IOLTA account.

Q: Where do attorneys deposit client trust funds that do not meet the short-term or nominal fund requirements of IOLTA?

Client trust funds that do not meet the nominal or short-term fund requirements of an IOLTA account should be deposited in a separate demand account to earn interest for the benefit of that client. The attorney must use that client's tax ID number instead of TAJF's tax ID number.

Q: What taxpayer ID number should be used when opening an IOLTA account?

TAJF's TIN is 74-2354575. This is the TIN that must be used when opening an IOLTA account. The attorney's or law firm's TIN should **never** be used when an IOLTA account is opened. Form 1099 reporting should be suppressed. The attorney or law firm address should be the tax address.

Q: Are IOLTA accounts subject to service charges? Who pays the services charges?

Most financial institutions waive service charges and fees. If the financial institution assesses service charges and fees, then they should be reasonable and customary. Reasonable fees may only be deducted from interest or dividends that are earned on IOLTA accounts; they may not be deducted from the IOLTA principal. Other fees and service charges must be incurred by the attorney. Please refer to page 6 for more information.

Q: How do financial institutions assist attorneys or law firms in opening IOLTA accounts?

The financial institution and attorney must complete the IOLTA Notice to Financial Institution form, which instructs the financial institution on how to establish an IOLTA account. The financial institution or attorney must fax or mail a copy of the completed form to the Foundation. The IOLTA Notice to Financial Institution is in the back of the Guidebook.

Q: Who should I contact if an IOLTA account goes into a dormant status and the financial institution cannot find the attorney?

There are two options: First, contact TAJF staff members to verify attorney or law firm address on file. Second, contact the State Comptroller's Office for assistance with unclaimed funds. They have their own process and can be reached at 1-800-321-2274 or by www.window.state.tx.us.

Q: Are there any tax consequences for the client or for the attorney?

There are no tax consequences for the attorney, law firm, or client. The Foundation is exempt from federal income tax under Section 501(a) of the Internal Revenue Code; therefore, 1099 forms or other reports of interest are not required to be submitted to the Internal Revenue Service, the Foundation, the attorney, or the law firm.

Q: How can my financial institution become a Prime Partner?

Contact the Foundation's staff about how your financial institution can become a Prime Partner.

TAJF CONTACT INFORMATION

For additional information or to answer questions that you may have, please visit our website www.teajf.org or contact the Foundation's staff:

Ayesha White

IOLTA Administrator

512-320-0099, ext. 108

AWhite@teajf.org

Paul Clinkscates

Director of Finance

512-320-0099, ext. 109

PClinkscates@teajf.org

IOLTA NOTICE TO FINANCIAL INSTITUTION AND FOUNDATION

Attorneys and law firms must comply with the comprehensive IOLTA (Interest on Lawyers' Trust Accounts) Program. Under this program, client funds which are nominal in amount or held for a short time must be placed with an eligible financial institution IOLTA account. with the interest earned paid to the Texas Access to Justice Foundation.

All IOLTA accounts in Texas will bear the tax identification number of the Texas Access to Justice Foundation, **74-2354575**. The account will be exempt from backup withholding and reporting. For additional information or assistance, contact **IOLTA, P.O. Box 12886, Austin, Texas, 78711-2886, 1-800-252-3401 (in Texas only), 512-320-0099, fax 512-469-0112**.

Directions for Attorneys & Law Firms

1. Take the IOLTA Notice to your financial institution to be completed when the account is opened.
2. Open an IOLTA account in the attorney's or law firm's name.



Directions for Financial Institutions

1. The IOLTA account should be established in the name and mailing address of the attorney or law firm.
2. Suppress Form 1099 reporting.
3. Complete an IOLTA Notice to Financial Institution and mail or fax it to the Foundation.
4. Interest on the average monthly balance should be remitted by wire transfer, ACH or check at least quarterly to the Foundation.
5. A completed IOLTA remittance report must be transmitted with each IOLTA remittance payment.

Attorneys and law firms must take this form to their financial institution for completion to enroll in the IOLTA program. A copy of the notice must be sent to Texas Access to Justice Foundation, P. O. Box 12886, Austin, Texas, 78711-2886 or faxed to 512-469-0112.

The undersigned is complying with the IOLTA program ordered by the Supreme Court of Texas.

1. Attorney/Firm Name _____

1a. List ALL Attorneys & Texas State Bar Card Numbers _____

2. Attorney/Firm Address _____

3. Attorney/Firm Phone Number _____

4. Account Name _____

5. Account Number _____

6. Financial Institution _____ City _____

7. Trust Account Signatories _____

*******FAX TO 512-469-0112 WHEN COMPLETED*******

IOLTA NOTICE TO FINANCIAL INSTITUTION AND FOUNDATION

Attorneys and law firms must comply with the comprehensive IOLTA (Interest on Lawyers' Trust Accounts) Program effective July 1, 1989. Under this program, client funds which are nominal in amount or held for a short time must be placed in an interest-bearing trust account, such as a negotiable order of withdrawal (NOW) account with the interest earned paid to the Texas Access to Justice Foundation.

All IOLTA accounts in Texas will bear the tax identification number of the Texas Access to Justice Foundation, **74-2354575**. The account will be exempt from backup withholding and reporting. For additional information or assistance, contact **IOLTA, P.O. Box 12886, Austin, Texas, 78711-2886, 1-800-252-3401 (in Texas only), 512-320-0099, fax 512-469-0112**.

Directions for Attorneys

1. Take the IOLTA Notice to your financial institution to be completed when the account is opened.
2. Open an IOLTA account in the attorney's or law firm's name.



Directions for Financial Institutions

1. The IOLTA account should be established in the name and mailing address of the attorney or law firm.
2. Suppress Form 1099 reporting.
3. Complete an IOLTA Notice to Financial Institution and mail or fax it to the Foundation.
4. Interest on the average monthly balance should be remitted by wire transfer, ACH or check at least quarterly to the Foundation.
5. A completed IOLTA remittance report must be transmitted with each IOLTA remittance payment.

Attorneys and law firms must take this form to their financial institution for completion to enroll in the IOLTA program. A copy of the notice must be sent to Texas Access to Justice Foundation, P. O. Box 12886, Austin, Texas, 78711-2886 or faxed to 512-469-0112.

The undersigned is complying with the IOLTA program ordered by the Supreme Court of Texas.

1. Attorney/Firm Name John Smith/Law Office of John Smith

1a. List ALL Attorneys & Texas State Bar Card Numbers John Smith/ Bar # 12345678

2. Attorney/Firm Address 1234 Attorneys Address Drive Austin TX, 78701 (DO NOT USE FOUNDATION ADDRESS)

3. Attorney/Firm Phone Number (111) 123-4567

4. Account Name Texas Access to Justice Foundation – John Smith/Law Office of John Smith

5. Account Number 11111111

6. Financial Institution Bank ABC City Austin

7. Trust Account Signatories John Smith (printed) John Smith (typed) John Smith (signature)

*******FAX TO 512-469-0112 WHEN COMPLETED*******



IOLTA BANK ACCOUNT CLOSURE FORM

This form should be used to notify the Foundation when an IOLTA account is officially closed by the bank.

A copy of the account closure form must be mailed or faxed to:

Texas Access to Justice Foundation

P O Box 12886

Austin, TX 78711-2886

Fax: 512.469.0112

1. Attorney or Firm Name _____

2. Attorney Texas State Bar Card Number _____

3. Attorney or Firm Phone Number _____

4. Account Name _____

5. Account Number _____

6. Financial Institution _____

7. Financial Institution City _____

8. Close Date _____

Comments: _____

*****FAX TO 512.469.0112 WHEN COMPLETED*****