

**Financial Institution IOLTA Eligibility Form
Certification of Compliance Statement
The State Bar of California – Legal Services Trust Fund Program**

Name of financial institution: _____

Routing number of financial institution: _____

Name of person executing this form: _____

Title: _____

Address: _____

Telephone: _____ Email: _____

Fax: _____

Contact Person (if different): _____

Title: _____

Address: _____

Telephone: _____ Email: _____

Fax: _____

Business and Professions Code, Sections 6091.2, 6211, 6212, 6213 requires attorneys with IOLTA accounts to hold those accounts at financial institutions offering to pay dividends or interest rates to IOLTA customers that are "comparable" to what they pay their similarly situated customers. Revisions effective 2008 also update the kinds of investment vehicles that attorneys can use for their IOLTA accounts, particularly large-balance accounts, allowing IOLTA funds to be held in conservative, high-yield bank products.

(Please note documentation requirements in Section II)

II. Service Charges (Please check one)

A. ____ Service charges on IOLTA accounts will be waived for the benefit of legal aid programs serving low-income individuals and communities.

B. ____ If service charges are not waived, comply with allowable "reasonable" service charges. Financial institutions may only deduct the following service charges from the interest or dividends earned on each IOLTA account: per-check charges, per-deposit charges, monthly fees such as fees in lieu of minimum balance, federal deposit insurance fees, or sweep fees. Fees and charges must be calculated in accordance with the institution's standard practice and may be deducted only from the interest or dividends earned on the IOLTA account. These charges may not be deducted from the principal balance, and they may not be deducted from the interest or dividends earned on other IOLTA accounts. (Please note documentation requirement in section III).

Service Fees Charged on IOLTA Accounts

- a. Monthly maintenance / in lieu of minimum balance fee, if any \$
- b. Minimum balance for waiving maintenance fee \$
- c. Any other fees charged? (Yes or No) _____

If "Yes," please describe in the box below

III. Documentation Requirement

No further documentation is required for financial institutions choosing to pay the Established Compliance Rate or to enroll as a Leadership Bank. (Options A or B)

If you checked option C, attach substantiating documentation as noted below.

- Internal rate sheet showing all deposit/investment accounts from Box C (Options 1 through 4).
- Explanatory product literature and disclosures in support of the single account option selected in Box C.
- Any analysis or explanation in support of the single account option selected.
- All documentation and disclosures for business sweep products if you selected Option 2 or 3.

If all documentation submitted is complete and supports the requirements of the IOLTA Program, we will issue an acknowledgement that your financial institution is an IOLTA eligible financial institution.

I certify that the above statements are true and accurate and that the information requested in Sections I and II has been provided.

Authorized Signature: _____

Date: _____

Thank you for your interest in becoming an IOLTA eligible financial institution. The Trust Fund Program will review your information and contact you if further information or action is required.

Please forward completed form to:

Elena Enzweiler
The State Bar of California
IOLTA Compliance & Bank Relations
Legal Services Trust Fund Program
180 Howard Street
San Francisco, CA 94105-1639
(415) 538-2532 direct
(415) 538-2389 fax
elena.enzweiler@calbar.ca.gov