



E-News – June 27, 2016 Unidentified Funds in Your IOLTA Account?

It is not uncommon, particularly when closing a trust account, to discover funds that cannot be traced to its rightful owner (a client, a third person, or the lawyer or law firm). Often unidentified funds are a legacy issue, resulting from long-forgotten minimum balance deposits, uncollected fees, or bookkeeping errors. What are lawyers supposed to do with these unidentified funds?

Effective July 1, 2015, Rule of Professional Conduct 1.15 was amended to address this issue. Under the rule, a lawyer who learns of unidentified funds in an IOLTA account must make periodic efforts to identify and return the funds to the rightful owner. If after 12 months the lawyer determines that further efforts are unlikely to succeed, the unidentified funds must be remitted to the Lawyers Trust Fund of Illinois (LTF). LTF will use the funds to support, expand and improve civil legal aid services in Illinois.

For more information, visit **LTF online** (www.ltf.org) for detailed instructions and the required [remittance reporting form](#) (PDF). You can also [learn more about the unidentified funds rule](#), watch a [short video](#), read the [amended rule](#), or [contact LTF](#).

An e-blast was sent to all lawyers by the ARDC in July 2015 that explained the requirements of the unidentified funds rule.

[https://www.iardc.org/Rule_1.15\(i\)_Unidentified_Trust_Funds.pdf](https://www.iardc.org/Rule_1.15(i)_Unidentified_Trust_Funds.pdf)