



THE WEST VIRGINIA STATE BAR

2000 Deitrick Blvd. Charleston, WV 25311

www.wvbar.org

Phone: 1.304.553.7220

Toll Free: 1.866.989.8227

Fax: 1.304.558.2467

FROM: Anita R. Casey, Executive Director

RE: **2013-2014 Annual Membership Fees, Financial Responsibility Disclosure (FRD) and IOLTA Reporting Requirements**

Effective with the reporting year 2013-14, The West Virginia State Bar is going to online payment of fees and reporting of FRD and IOLTA information. Assistance in completing the forms online can be obtained by contacting Mike Mellace (304-5537223 or mellacem@wvbar.org) at the Bar. Since September 1, 2013, falls on a Sunday and September 2, 2013 is Labor Day, effective at midnight on **September 3, 2013** an automatic and separate \$25.00 late penalty assessment for both late payment of fees and submission of FRD reports will be added.

If you are not quite ready to use on-line reporting, you may still pay your fees and report by paper, however, there is a \$10.00 processing fee assessed. If you choose to report by paper, enclosed you will find appropriate forms. The forms must be returned to The State Bar, Attention Membership, 2000 Deitrick Boulevard, Charleston, WV 25311. The envelope containing the forms must be postmarked no later than **September 3, 2013.** Since September 1, 2013, falls on a Sunday and September 2, 2013, is Labor Day, Members whose forms are postmarked after September 3, 2013, will be subject to an automatic and separate \$25.00 late penalty assessment for both fees and FRD reporting. For questions regarding membership please contact Cheryl Petty at Cheryl@wvbar.org / 304-553-7229 or Anita Casey at caseya@wvbar.org / 304-553-7228.

Failure to comply with payment of fees and FRD reporting will result in an automatic suspension from active membership in The State Bar. While there is no requirement for West Virginia lawyers to have professional liability insurance, there is a requirement to disclose whether or not you have insurance. Your Financial Responsibility Disclosure information is made available to the public both on the website and by calling The State Bar offices. NOTE: **Members who are on “inactive” or “active but not practicing” status, do not have to comply with the mandatory FRD and IOLTA reporting requirements.**

Beginning with fiscal year 2012-13, members are required to do IOLTA Reporting. This reporting will make the collection of IOLTA information easier and more accurate. Any questions regarding your IOLTA Reporting should be directed to Anita Casey.

**THE WEST VIRGINIA STATE BAR
ANNUAL MEMBER FEES CHECK SUBMISSION 2013-14**

First Name: _____

Middle Name: _____

Last Name: _____

Bar ID#: _____

Member Fees Payment Selection

(For payment please attach a check with your bar ID number written on it for the amount selected below)

Please select one of the options below based upon the fee and penalty amount shown on your Final Formal written notice before suspension:

Active or Active Not Practicing Member – Amount: _____

Active or Active Not Practicing Member (Admitted between July 1, 2011 and June 30, 2013) Amount Enclosed: _____

Inactive Member – Amount Enclosed: _____

Check number (of attached payment): _____

Please provide your updated contact information if it has changed recently:

Firm: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Phone Number: _____

Fax Number: _____

Email Address: _____

NOTICE OF COMPLIANCE WITH STATE BAR BYLAWS
ARTICLE III (A). FINANCIAL RESPONSIBILITY DISCLOSURE

The By-Laws of The West Virginia State Bar require annual disclosure about the financial responsibility for professional liability claims of each active lawyer admitted to practice law in West Virginia.

1. Are you exempt from the provisions of this Rule because you are engaged in the practice of law as a full-time government lawyer or in-house counsel and do not represent clients outside that capacity?
 Yes No

If your answer to the above question is no, please answer the following questions:

2. I am engaged in the private practice of law and represent clients? Yes No
3. I am currently covered by professional liability insurance with limits of not less than \$100,000 per claim and \$300,000 policy aggregate covering generally insurable acts, errors and omissions occurring in the practice of law, other than the extended reporting endorsement. Yes No

If your answer to the above question is yes, please provide the following optional information:

Insurance Provider Name _____

Insurance Provider Address: _____

Insurance Policy Number: _____

4. If your answer to question number 3 was NO, advise whether you have another form of adequate financial responsibility/funds available in the form of a deposit in a financial institution of cash, bank certificates of deposit or United States Treasury obligation, a bank letter of credit or a surety or insurance company bond to cover errors and omissions occurring in the practice of law in an amount not less than \$100,000 to satisfy any liability arising from such errors or omissions and describe with reasonable particularity the funds.

5. Do you have any unsatisfied final judgment(s) after appeal against either you or any firm or professional corporation in which you have practiced, for acts, errors or omissions including, but not limited to, acts of dishonesty, fraud or intentional wrongdoing arising out of the performance of legal services?
 Yes No

6. If your answer to the above question is YES, please provide below information including the date, amount and court where the judgment(s) was rendered.

Name (please print) _____

By signing this notice, I am verifying the accuracy of the information provided.

Signature

WVSB ID #

DATE

All active members of The West Virginia State Bar must complete, sign, and return this FRD Notice to the WV State Bar office. Since September 1, 2013, falls on a Sunday and September 2, 2013, is Labor Day, your notice must be postmarked by **September 3, 2013**. If your notice is not postmarked on or before September 3, a **\$25 late filing fee** will attach to your account. **Failure to comply with this Notice will result in an automatic suspension from active membership in the State Bar. In addition to the \$25.00 penalty authorized by Article III (A) Section 4, a penalty of \$75.00 shall be added to the fees owed by all members who are suspended for the financial responsibility disclosure non-compliance.**

The West Virginia State Bar
Interest on Lawyers Trust Accounts (IOLTA) Program
Notice of Compliance with Rule 1.15

Rule 1.15 of the West Virginia Rules of Professional Conduct establishes a comprehensive Interest on Lawyers Trust Accounts (IOLTA) program effective September 15, 1991.

This Notice of Compliance with Rule 1.15 must be filed annual with The West Virginia State Bar by each West Virginia lawyer participating in the IOLTA program, as required by The State Bar's Operating Regulations and Procedures for the Comprehensive IOLTA Program. A copy of Rules 1.15, instructions for completing the Notice of Compliance, and the Operating Regulations can be foundation online at www.wvbar.org.

The undersigned hereby declares compliance with the rules by checking one of the following options:

Option 1. I HAVE established the following interest - or dividend-bearing trust account for nominal or short-term client deposits, with interest or dividends payable to The West Virginia State Bar, in compliance with Rule 1.15:

Name of Account

Account Number

Name of Financial Institution

Mailing Address of Financial Institution

Telephone Number of Financial Institution

YES (please circle), I have attached a blank deposit slip, or facsimile thereof, for this account. In addition, if this account will be used by more than one lawyer, I have attached a list of all such lawyers, and The West Virginia State Bar membership numbers and signatures of all such lawyers.

Option 2. I HAVE NOT established an interest - or dividing-bearing client trust account as I do not receive, maintain, or disburse client funds in West Virginia.

Name of Lawyer (please print)

The West Virginia State Bar I.D. Number

Signature of Lawyer

Date

Please return this completed form to:

The West Virginia State Bar
Attn: IOLTA - NOC RULE 1.15
2000 Deitrick Boulevard, Charleston, WV 25311
Phone: 304-553-7220; Fax: 304-558-2467
E-Mail: caseya@wvbar.org; Web: www.wvbar.org