



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

TO: Members of The West Virginia State Bar

FROM: Anita R. Casey, Executive Director

RE: 2016-17 Annual Membership Fees, Financial Responsibility Disclosure (FRD) and IOLTA Reporting for Active But Not Practicing Members

Enclosed are forms for payment of your membership fees for fiscal year 2016-17 and for completion of your Financial Responsibility Disclosure (FRD) and IOLTA reporting requirements. **All attorneys are encouraged to complete this information online. There will be a \$20 processing fee assessed per attorney to process paper forms.** Payments submitted online can be made by credit card. You may also complete your FRD and IOLTA reporting online and select the option to pay by check and avoid the \$20 paper processing fee.

Member forms **postmarked after September 1, 2016**, are subject to an automatic **\$25** late FRD reporting penalty, a **\$25** late payment penalty and a **\$200** late IOLTA reporting penalty. Online reporting also has a **September 1, 2016**, due date with penalty assessments for fees, FRD and IOLTA reports received **after midnight on September 1, 2016**. Please contact Cheryl Petty Moats at cheryl@wvbar.org or 304-553-7229 with questions regarding membership.

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. **NOTE: Active But Not Practicing and Inactive members do not have to complete the FRD or IOLTA information.**

Any questions regarding completion of your IOLTA information should be directed to Tyler Shoub at shoubt@wvbar.org or 304-553-7239.

ARC/cpm

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 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. Your notice must be postmarked or received online by **September 1, 2016**. If your notice is not postmarked or received online by **September 1, 2016** an automatic **\$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 10

Rule 10 of the West Virginia State Bar's Administrative Rules requires an annual reporting with The West Virginia State Bar by each active West Virginia lawyer. A copy of Rule 10 can be found online at www.wvbar.org under the For Attorneys – IOLTA tab.

The undersigned hereby declares compliance with the rule 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 10:

Name of Account

Account Number

Name of Financial Institution

Mailing Address of Financial Institution

Telephone Number of Financial Institution

Email Address of Financial Institution Contact

NOTE: If this account will be used by more than one lawyer, please attach a list of all such lawyers and include their West Virginia State Bar membership numbers.

_____ **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)

West Virginia State Bar I.D. Number

Signature of Lawyer

Date

All active members of The West Virginia State Bar must complete, sign, and return this IOLTA Notice to the WV State Bar office. Your notice must be postmarked or received online by **September 1, 2016**. If your notice is not postmarked or received online by **September 1, 2016** a **\$200 late filing fee** will attach to your account.

Please return this completed form to:

Attn: IOLTA
2000 Deitrick Boulevard, Charleston, WV 25311

Questions:

Tyler Shoub – shoubt@wvbar.org
Phone: 304-553-7239