

CHECKLIST FOR CLOSING YOUR TRUST ACCOUNTS

1. Fully reconcile the trust accounts. Any funds remaining in an account should correspond to specific clients or nominal funds used to open the account or should cover reasonably anticipated bank charges. See IRPC 1.15.
2. Contact the bank to determine whether there will be any charges associated with closing the accounts. If a closing fee will be assessed, deposit sufficient funds to cover the closing fee. (You are responsible for this bank charge – do not use client funds to cover this fee. See IRPC 1.15.)
3. Prepare and send final client bills, if necessary.
4. Disburse funds belonging to you (earned fees, reimbursement for costs advanced) and deposit into your business account.
5. Disburse funds belonging to clients. Send to clients with a duplicate copy of their final bill or prepare cover letters transmitting your checks.
6. For unclaimed trust account funds belonging to clients whose last known address was in Idaho, follow the procedures set forth in the Disposition of Unclaimed Property Act, Idaho Code §14-501 et.seq., www.sto.idaho.gov/unclaimedproperty/holder-reporting-info. Note that if the unclaimed funds consist of an uncashed witness fee, or other payments not cashed by a third party, the funds revert to the client and should be reimbursed to the client.
7. Do not close the accounts until all outstanding checks have cleared.
8. Shred unused checks and deposit slips once the trust accounts are closed. This will prevent fraud and protect you from mistakenly using checks and deposit slips from your closed accounts.
9. Keep the trust check registers, client ledgers, bank statements, and other records for at least five years: “Complete records of [trust] account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.” IRPC 1.15(a).
10. Although no rule specifically requires it, it is prudent to notify the Idaho State Bar when an account is closed between annual certifications. Send notice of the closure of your trust accounts to:

Idaho State Bar Licensing
Annette Strauser
P.O. Box 895
Boise, ID 83701-0895

Include your name and contact information, the name of the financial institution, city and state of the financial institution, bank routing number, and Idaho trust account number.