

2000
Delaware Supreme Court
Annual Registration Statement

I N S T R U C T I O N S

- Active Lawyers in **PRIVATE PRACTICE** in Delaware shall complete:
 - Section 1 – Registration
 - Section 3 – IOLTA
 - Designation of Lawyer in Event of Death or Incapacity
 - Certificate of Compliance
 - Banking and Recordkeeping
 - Section 4 – Assessments

- Active Lawyers in **CORPORATE** or **GOVERNMENT PRACTICE** or having **NO PRACTICE** in Delaware, shall complete:
 - Section 1 – Registration
 - Section 2 – Declaration
 - Section 4 – Assessments

- Lawyers requesting **INACTIVE STATUS** shall complete:
 - Section 1 – Registration
 - Section 2 – Declaration
 - Section 4 – Assessments
 - Section 5 – Application for a Certificate of Inactive Status

- Remember to sign your Annual Registration Statement. Your Annual Registration Statement is not filed unless it is signed. An unsigned Annual Registration Statement will be returned to you for signature.

- Law firms with more than one lawyer may issue, in the law firm's discretion, one check for all of the lawyers in the firm.

- Return your Annual Registration Statement with check to:

Supreme Court of Delaware
P.O. Box 476
Dover, DE 19903

- If necessary to meet the February 1, 2000 deadline, your Annual Registration Statement with check may be hand-delivered to the Supreme Court at 820 North French Street, Wilmington.

DUE DATE: FEBRUARY 1, 2000

There will be a late assessment of \$50 for any Annual Registration Statement received after the due date.

Questions? Call (302) 739-4155

Please detach this instruction sheet when returning your Annual Registration Statement.

**2000
DELAWARE SUPREME COURT
ANNUAL REGISTRATION STATEMENT**

SECTION 1: To be completed and signed by all lawyers.

Name: _____

Supreme Court ID #: _____ Date of Birth: _____

Firm/Office Name: _____

Street: _____ P.O. Box: _____

City: _____ State: _____ Zip: _____ County: _____

Telephone: (_____) _____ Fax: (_____) _____

Internet Address: _____

Home Address: _____

City: _____ State: _____ Zip: _____ County: _____

Telephone: (_____) _____

Admitted to Delaware Bar (Month & Year): _____

List all other jurisdictions, including federal courts or administrative agencies, to which you are admitted to practice law: _____

Your current standing in those jurisdictions: _____

VERIFICATION AND DESIGNATION OF CLERK AS AGENT FOR SERVICE OF PROCESS

In the event that personal service cannot be made upon me, I hereby consent to the appointment of the Clerk of the Supreme Court as my agent upon whom service of process may be made for all actions, including disciplinary actions, that may arise out of my practice of law in the State of Delaware.

I hereby certify that all information contained in this Annual Registration Statement is true and correct.

SIGNATURE: _____ **DATE:** _____

SECTION 2: To be completed by lawyers in corporate or government practice or lawyers having no practice in Delaware or lawyers seeking Inactive Status.

DECLARATION THAT RULE 1.15 OF THE DELAWARE LAWYERS' RULES OF PROFESSIONAL CONDUCT IS INAPPLICABLE

(1) _____ I hereby declare that my entire compensation derived from the practice of law is received in my capacity as an employee handling legal matters of a corporation or of an agency of the federal, state, or local government, and I am not responsible for any client's funds or property, other than funds or property belonging to my employer.

(2) _____ I hereby declare that I am not engaged in the practice of law in Delaware.

Please continue to Section 4 (Assessments). Attorneys seeking INACTIVE STATUS, please complete Section 4 (Assessments) and Section 5 (Application for Inactive Status).

SECTION 3: To be completed by lawyers engaged in the private practice of law in Delaware.

**STATEMENT OF STATUS IN DELAWARE
INTEREST ON LAWYER TRUST ACCOUNTS (IOLTA)**

_____ I (my firm) have (has) enrolled in the Delaware IOLTA program.

_____ I (my firm) have (has) opted out of the Delaware IOLTA program.

_____ I (my firm) hereby opt(s) out of the Delaware IOLTA program.

DESIGNATION OF LAWYER IN EVENT OF DEATH OR INCAPACITY

In the event of my death or incapacity, I have made arrangements for another lawyer who is capable of conducting my legal practice to protect the interests of my clients. Yes _____ No _____

If the answer is yes, please provide the name of the lawyer or law firm:

SECTION 3 (Cont'd): To be completed by lawyers engaged in the private practice of law in Delaware.

Name _____ Supreme Court ID # _____

CERTIFICATE OF COMPLIANCE

I am in compliance with the following specific requirements of the Delaware Lawyers' Rules of Professional Conduct. A "YES" answer indicates you are in compliance. A "NO" answer indicates you are not in compliance. If appropriate, you may answer "N/A" (not applicable).

- | | <u>YES/NO</u> |
|--|---------------|
| 1) A separate bank account, designated "Trust Account or Escrow Account," is used only for funds held in a fiduciary capacity. | _____ |
| 2) A separate bank account, designated "Attorney Business Account" or "Attorney Operating Account," is maintained for non-fiduciary funds. | _____ |
| 3) Cash receipt and cash disbursement journals are maintained for each bank account for the recording of fiduciary and non-fiduciary transactions.
NOTE: If using a manual system, transaction columns must be totaled and balanced each month. Answer "YES" only if transaction columns are totaled and balanced each month, otherwise, answer "NO". Computer system users answer "N/A". | _____ |
| 4) If using a manual system, and a general ledger is not maintained, a reconciled monthly cash balance for each bank account is obtained by agreeing totals from the cash receipts and cash disbursement journals to the ending check register balance.
NOTE: Since this reconciliation procedure is not required if using a computer accounting system, computer system users answer "N/A". | _____ |
| 5) Check register balances for <u>all</u> bank accounts are reconciled monthly to bank statement balances. | _____ |
| 6) With respect to trust or escrow accounts: | |
| a) A subsidiary ledger is maintained with a separate account for each client in which cash receipt and cash disbursement transactions and monthly balances are recorded. | _____ |
| b) Monthly listings of client balances are prepared showing client name, balance, and the total of all client balances.
NOTE: See (c) below if a negative balance appears on this listing. | _____ |
| c) If, through error, any funds disbursed for a client have been in excess of funds received from that client, resulting in a negative client balance, a timely transfer was made from the operating or business account to cover the excess disbursement.
NOTE: If there were no negative balances, answer "N/A". | _____ |

SECTION 3 (Cont'd): To be completed by lawyers engaged in the private practice of law in Delaware.

Certificate of Compliance (Cont'd)

YES/NO

d) The reconciled end-of-month cash balance agrees with the total of the client balance listing. _____

e) There are no unidentified client funds. _____

f) If any funds, which should have been disbursed, have remained in the trust or escrow account for an unreasonable length of time, steps are being taken to determine proper disbursement.

NOTE: If all funds were disbursed on a timely basis, answer "N/A." _____

g) If any attorney funds are in trust or escrow accounts to cover bank service charges, they are separately accounted for and the total is no more than \$500. _____

h) All earned fees are transferred to the attorney's operating or business account on a timely basis.

NOTE: Earned fees left in trust or escrow accounts longer than necessary constitutes commingling of funds. _____

7) If a separate bank account is maintained for real estate settlement transactions and client funds have been received but not disbursed, then:

a) A monthly listing is prepared showing client name, balance, and total of all client balances. _____

b) This total agrees with the reconciled cash balance.

NOTE: Answer "N/A" if a separate real estate account is not used or all funds received are disbursed prior to the end of the month. _____

8) All federal, state and local payroll, gross receipts and income taxes have been filed and paid on a timely basis. _____

If any of the above items have been answered "NO," indicating non-compliance, you must attach a letter explaining the reasons for the non-compliance, and the date you will be in compliance.

This **Certificate of Compliance** and the **Banking and Recordkeeping** section are being submitted in reliance upon the certification of the managing partner of my law firm that my firm is in compliance. **NOTE:** Lawyers relying upon the certification of their managing partner must personally complete the Certificate of Compliance but do not need to complete the Banking and Recordkeeping section.

Yes ____ No ____ Name of Managing Partner: _____

The provisions listed above are not intended to be all-inclusive. The Delaware Lawyers' Rules of Professional Conduct should be reviewed in their entirety to make certain you are in compliance with all of their provisions.

SECTION 3 (Cont'd): To be completed by lawyers engaged in the private practice of law in Delaware.

BANKING AND RECORDKEEPING

(1) List the names of all banks or other places in which you or your firm maintain accounts which an attorney or an employee of your firm may draw on and in which funds of clients or other persons not associated with your firm are placed, the title of each account, and the account number of each account. (This question relates to escrow accounts.)

(a) Name of Bank	(b) Name of Account	(c) Account Number	(Yes or No) (d) IOLTA a/c
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(2) List the names of all banks or other places in which you or your firm maintain accounts (other than those listed in response to paragraph (1) above) connected with your practice of law which you or some member of your firm has power to control, draw on, or deposit in. (This question relates to firm accounts.)

(a) Name of Bank	(b) Name of Account	(c) Account Number
_____	_____	_____
_____	_____	_____
_____	_____	_____

(3) List the address or addresses where you or your firm's books of accounts and records required by the Court to be kept by members of the Bar are located, and give the name and office address of the person or persons who supervise the preparation and maintenance of such books of accounts and records on your or your firm's behalf.

Address(es) where books of accounts and records are maintained:

1) _____

2) _____

3) _____

Name(s) and address(es) of person(s) who prepare(s) and maintain(s) books of accounts and records:

1) _____

2) _____

3) _____

Please continue to Section 4 (Assessments).

SECTION 4. To be completed by all lawyers.

ASSESSMENTS

_____ (1) **Admitted to Delaware Bar more than 10 years as of January 1, 2000.
(Pay this rate if you were admitted before January 1, 1990.)**

Annual Registration	\$ 10.00
Lawyers' Fund for Client Protection	\$ 50.00
Office of Disciplinary Counsel	\$260.00
Mandatory Continuing Legal Education	\$ 35.00

Enclose one check in the amount of \$355 made payable to the "Delaware Supreme Court."

_____ (2) **Admitted to Delaware Bar more than 5 years but less than 10 years as of January 1, 2000.
(Pay this rate if you were admitted after January 1, 1990 but before January 1, 1995.)**

Annual Registration	\$ 10.00
Lawyers' Fund for Client Protection	\$ 40.00
Office of Disciplinary Counsel	\$170.00
Mandatory Continuing Legal Education	\$ 35.00

Enclose one check in the amount of \$255 made payable to the "Delaware Supreme Court."

_____ (3) **Admitted to Delaware Bar less than 5 years as of January 1, 2000.
(Pay this rate if you were admitted after January 1, 1995.)**

Annual Registration	\$ 10.00
Lawyers' Fund for Client Protection	\$ 30.00
Office of Disciplinary Counsel	\$115.00
Mandatory Continuing Legal Education	\$ 35.00

Enclose one check in the amount of \$190 made payable to the "Delaware Supreme Court."

_____ (4) **Presently employed by government or corporation on a full-time basis and maintaining
no private practice whatsoever, regardless of year admitted to the Delaware Bar.**

Annual Registration	\$ 10.00
Lawyers' Fund for Client Protection	\$ 30.00
Office of Disciplinary Counsel	\$ 95.00
Mandatory Continuing Legal Education	\$ 35.00

Enclose one check in the amount of \$170 made payable to the "Delaware Supreme Court."

_____ (5) **Presently employed by a Delaware Court as a Justice of the Peace, Court Commissioner,
or Master on a full-time basis and maintaining no private practice whatsoever,
regardless of year admitted to the Delaware Bar.**

Annual Registration	\$ 10.00
Mandatory Continuing Legal Education	\$ 35.00

Enclose one check in the amount of \$45 made payable to the "Delaware Supreme Court."

_____ (6) **Applying for Certificate of Inactive Status.**

Annual Registration	\$ 10.00
Application Assessment	\$ 65.00

**Enclose one check in the amount of \$75 made payable to the "Delaware Supreme Court"
and your completed Application for a Certificate of Inactive Status (Section 5).**

_____ (7) **Applying for Certificate of Retirement.** No Assessments. Send letter of request to the Court Clerk.

SECTION 5: To be completed by lawyers seeking Inactive Status.

**DELAWARE SUPREME COURT
2000 APPLICATION FOR A CERTIFICATE OF INACTIVE STATUS**

To the Supreme Court:

Pursuant to Supreme Court Rule 69(d)(i), I herewith apply for a Certificate of Inactive Status and state that I am not actively engaged in the practice of law in Delaware. I have completed and returned my 2000 Annual Registration Statement.

I certify that there are no charges pending or threatened against me before any court, the Board on Professional Responsibility, or any similar disciplinary agency in this or any other jurisdiction. I further certify that I do not know of any facts respecting my conduct which would result in the filing of charges or disciplinary action against me.

Signature

Print Your Name

Address

2000 CERTIFICATE OF INACTIVE STATUS

The Supreme Court of Delaware, upon the representations contained in the above application for this Certificate, hereby issues a Certificate of Inactive Status to _____ as a person who is not actively engaged in the practice of law in Delaware under Supreme Court Rule 69(d).

Date: _____

Clerk