



Supreme Court

Trust Account Overdraft Notification Agreement - Article IV, Rule 2

To:

Clerk of the Supreme Court
Licht Judicial Complex
250 Benefit Street, 7th Floor
Providence, RI 02903

From:

Financial Institution (Entity):

Name: _____
Address (*in Rhode Island; or if none, then in another location*):

Financial Institution (Designated Contact Person):

Name: _____
Address:

Email Address: _____
Telephone Number: _____

Financial Institution's Agent for Service of Process:

Name: _____
Address (*in Rhode Island; or if none, then in another location*):

Email Address: _____
Telephone Number: _____

Identify the "insurance entity(ies) regulated by the United States and/or the State of Rhode Island or any agency or instrumentality thereof which insures the entities deposits":

The undersigned, being a duly authorized officer of the named financial institution and the person(s) specifically authorized to enter into this Agreement, hereby applies to be approved to receive Attorney Trust Accounts. In consideration of the Supreme Court's approval of the named financial institution, the financial institution agrees to comply with the reporting requirements for such financial institutions as set forth in Article IV, Rule 2, as may be amended from time to time.

Specifically, the named financial institution agrees, pursuant to Article VI, Rule 2(b)-(c), to "report to the Disciplinary Board in the event any properly payable instrument is presented against a trust account containing insufficient funds, irrespective of whether the instrument is honored" in the following format(s):

1. In the case of dishonored instrument, the report shall be identical to the overdraft notice furnished to the depositor, and shall include:
 - (i) A copy of the dishonored instrument;
 - (ii) The name of the financial institution;
 - (iii) The name and address of the attorney or law firm;
 - (iv) The account number;
 - (v) The date of presentation for payment;
 - (vi) The amount of the dishonored instrument; and
 - (vii) The account balance at the time of presentment.

2. In the case of instruments that are presented against insufficient funds but which instruments are honored, the report shall include:
 - (i) A copy of the paid instrument;
 - (ii) The name of the financial institution;
 - (iii) The name and address of the attorney or law firm;
 - (iv) The account number;
 - (v) The date of presentation for payment;
 - (vi) The date paid;
 - (vii) The amount of the instrument paid; and
 - (viii) The amount of the overdraft created thereby.

3. Such reports as set forth in Paragraphs 1 and 2 above shall be made simultaneously with, and within the time provided by law for notice of dishonor, if any, to depositors. If an instrument presented against insufficient funds is honored, then the report shall be made within five (5) banking days of the date of presentation for payment against insufficient funds.

This agreement shall apply to all branches of the named financial institution and shall not be cancelled except upon thirty (30) days' notice in writing to the Rhode Island Supreme Court Clerk, Licht Judicial Complex, 250 Benefit Street, 7th Floor, Providence, RI 02903.

The named financial institution agrees, if so approved, that within thirty (30) days of any change in the facts set forth in the approved agreement, it shall file a change of circumstances statement prescribed by the Clerk of the Supreme Court describing such change.

The named financial institution agrees, if so approved, that every year between December first and December thirty-first, it shall file a completed annual renewal statement prescribed by the Clerk of the Supreme Court.

This Agreement is signed and dated by the following individual authorized by law to execute binding contracts on behalf of the financial institution.

Date _____

Authorized Signatory (Signature)

Authorized Signatory (Print Name)

Authorized Signatory (Print Title)

State of _____

County of _____

On this _____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____

personally known to me or proved to me through satisfactory evidence of identification, which was _____, to be the person who signed above in my presence, and who swore or affirmed to me that the contents of the document are truthful to the best of his or her knowledge.

Notary Public: _____

My commission expires: _____

Notary identification number: _____