

**ATTORNEY TRUST ACCOUNT OVERDRAFT NOTIFICATION AGREEMENT FORM**

Form to accompany the set-up of a trust account authorizing notification to Nebraska Supreme Court Counsel for Discipline should any account overdraft occur. Form must be signed by a bank representative.

**PART A: ATTORNEY INFORMATION**

Contact information for the attorney or firm establishing the account.

Name: \_\_\_\_\_ Bar #: \_\_\_\_\_  
Firm: \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City State ZIP Fax: \_\_\_\_\_

**PART B: FINANCIAL INSTITUTION INFORMATION**

Contact information for the bank or institution holding the account.

Institution Name: \_\_\_\_\_  
Address 1: \_\_\_\_\_  
Address 2: \_\_\_\_\_ Phone: \_\_\_\_\_  
City State ZIP Fax: \_\_\_\_\_

**PART C: AGREEMENT**

The undersigned, being duly authorized by the above-named financial institution ("financial institution"), hereby applies for approval of the financial institution to receive attorney trust accounts. In consideration of the approval of the financial institution by the Counsel for Discipline of the Nebraska Supreme Court, the financial institution agrees to comply with the reporting requirements for such institutions as set forth in the Trust Account Overdraft Notification Rules of the Nebraska Supreme Court.

The financial institution specifically agrees:

- (1) To report to the Counsel for Discipline of the Nebraska Supreme Court in the event any properly payable instrument is presented against a lawyer trust account containing insufficient funds, irrespective of whether or not the instrument is honored.
- (2) That all such reports shall be in the following format:
  - (A) In the case of a dishonored instrument, the report shall be identical to the overdraft notice customarily forwarded to the depositor. The financial institution shall provide a copy or machine-readable copy of the dishonored instrument, if the instrument is available to the financial institution, to the Counsel for Discipline within 6 banking days of receiving a written request for a copy of the instrument from the Counsel for Discipline.

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- (B) In the case of instruments that are presented against insufficient funds, but which instruments are honored, the report shall identify the financial institution, the lawyer or law firm, the account number, the date of presentation for payment, and the date paid, as well as the amount of overdraft created thereby.
- (3) That such reports shall be delivered by mail, electronically, or otherwise to the Office of the Counsel for Discipline of the Nebraska Supreme Court within 5 banking days of the date on which an instrument is dishonored. If an instrument presented against insufficient funds is honored, the report shall be delivered by mail, electronically, or otherwise to the Office of the Counsel for Discipline of the Nebraska Supreme Court within 5 banking days of the date of presentation for payment against insufficient funds.
- (4) That pursuant to the Trust Account Overdraft Notification Rules of the Nebraska Supreme Court, it understands that every lawyer practicing or admitted to the practice in Nebraska has given consent to the reporting and production requirements set forth above.
- (5) That it understands that the financial institution may charge a particular lawyer or law firm the reasonable cost of producing reports and records required by the Trust Account Overdraft Notification Rules of the Nebraska Supreme Court.
- (6) That this Attorney Trust Account Overdraft Notification Agreement shall apply to all branches of the financial institution and shall not be canceled except upon 30 days’ notice in writing to the Counsel for Discipline of the Nebraska Supreme Court.

PART D: SIGNATURE

Agreed to this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Type or print name legibly: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Title: \_\_\_\_\_

Branch Information (provide addresses and phone numbers, attach additional sheets if needed):

Branch 1

Branch 2

Branch 3

Branch 4

SEND THE COMPLETED FORM TO:

Nebraska Supreme Court, Counsel for Discipline  
5001 Central Park Drive, Suite 300, Lincoln, NE 68504  
FAX: #402-471-1014