

## FREQUENTLY ASKED QUESTIONS

### JP MORGAN CHASE DEAUTHORIZATION

AUGUST 2010

**Q.: Why is the Supreme Court requiring me (or my firm) to move my trust account out of JP Morgan Chase?**

*A.: JP Morgan Chase Bank has decided to exit the attorney trust account business in NJ.*

**Q.: What kinds of attorney trust accounts are impacted?**

*A.: An attorney trust account is any account that an attorney maintains separately from any business accounts, personal accounts or fiduciary accounts and into which the attorney places funds entrusted to him by his clients. Affected accounts include those designated as "IOLTA," non-interest bearing pooled trust accounts certified to the IOLTA Fund as "low-balance" accounts, Client Funds Accounts (CFA), and any checking, savings, or CD accounts in which a NJ-admitted attorney holds funds on behalf of a client.*

**Q.: Do I have to move any trust account for which I am the trustee?**

*A.: No. Court Rule 1:21-6 distinguishes between the attorney trust account and other fiduciary accounts that an attorney may maintain as an executor, guardian, trustee, or receiver, etc.*

**Q.: Do I have to also move my attorney business account, or any other business or personal accounts?**

*A.: No.*

**Q.: My NY (or PA or DE or other state) "attorney trust accounts" are at Chase. Do I need to move them as well?**

*A.: No.*

**Q.: If I have two "attorney trust accounts" at Chase, must I transfer both to another bank?**

*A.: Yes.*

**Q.: I have a Chase Client Funds Account ("CFA"). Am I required to move this account, too?**

*A.: Yes.*

**Q.: The banks on the list that accompanied the letter and Notice are not convenient; can I pick the bank on the corner (in the lobby, next door, etc) even if it is not on the list?**

*A.: No.*

**Q.: Can I get an exception because of geographic hardship and move my trust account to a bank that is not on the list?**

*A.: Put your request in writing to Ellen Ferrise at the IOLTA Fund.*

**Q.: How much time do I have to accomplish this transfer?**

**A.:** *Sixty (60) days from the date you received your notification from the Office of Attorney Ethics.*

**Q.: How should I do this? I have outstanding checks that have not been cashed.**

**A.:** *Open a new account and transfer the balance of any client funds to the new account, less any uncleared or uncashed checks. Notify the payees of uncleared checks that you are closing the account on which those checks were written and they must cash your trust account check immediately. On or before the last day on which you can have a JP Morgan Chase account (60 days from receipt of the notification from the Office of Attorney Ethics), transfer the remaining balance to your new account and close the old account. Note the date of the bank change on your client ledgers.*

**Q.: I have tried to find the payee(s) of uncashed checks but with no luck. What do I do now?**

**A.:** *You must commence a formal process to escheat the funds to the Clerk of the Superior Court. See Rule 1:21-6(j). In the meantime, you may transfer the funds to the new trust account and note the change of banks on the client ledger card.*

**Q.: Should I ask my new bank for an IOLTA?**

**A.:** *No, ask for a non-interest bearing checking account, using your own Tax I.D. When IOLTA receives your new registration and participation forms, they will notify your new bank that the account should be an IOLTA. The bank will then switch to IOLTA's Tax I.D.*

**Q.: How do I get IOLTA forms?**

**A.:** *Retrieve the 2010 IOLTA Registration, Notice to the Bar and Participation Form from the IOLTA website: [www.ioltanj.org](http://www.ioltanj.org). There is a square button on the lower left which links directly to these forms.*

*Return the 2010 IOLTA Registration and Participation Form to IOLTA. IOLTA will notify their operational contact person at your new bank and ask that your new account be converted to an IOLTA. If you fail to register the new account, you will be deemed out of compliance with Rule 1:28A.*

**Q.: I have a question that is not answered here.**

**A.:** *Put your question in writing to Charles Centinaro at the Office of Attorney Ethics.*

**Mailing Addresses:**

The IOLTA Fund of the Bar of New Jersey  
New Jersey Law Center  
One Constitution Square  
New Brunswick, NJ 08901-1520  
Executive Director: Ellen Ferrise

**Telephone Numbers, etc:**

732-247-8222  
Fax: 732-247-6868  
[www.ioltanj.org](http://www.ioltanj.org)  
email: [info@ioltanj.org](mailto:info@ioltanj.org)

The Office of Attorney Ethics  
P.O. Box 963  
Trenton, NJ 08625  
Director: Charles Centinaro

609-530-4008  
Fax: 609-530-5238  
[www.judiciary.state.nj.us/oe/index.htm](http://www.judiciary.state.nj.us/oe/index.htm)  
email: [oe.mailbox@judiciary.state.nj.us](mailto:oe.mailbox@judiciary.state.nj.us)