

SUPREME COURT OF LOUISIANA

ORDER

Acting in accordance with Article V, Sections 1 and 5 of the Louisiana Constitution of 1974, and the inherent power of this Court,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

Rule 1.15, Sections (g)(7) and (h) of the Louisiana Rules of Professional Conduct be and are hereby enacted to read as follows:

Rule 1.15. Safekeeping Property

* * * * *

(g)(7) “Unidentified Funds” are funds on deposit in an IOLTA account for at least one year that after reasonable due diligence cannot be documented as belonging to a client, a third person, or the lawyer or law firm.

(h) A lawyer who learns of Unidentified Funds in an IOLTA account must remit the funds to the Louisiana Bar Foundation. No charge of misconduct shall attend to a lawyer’s exercise of reasonable judgment under this paragraph (h).

A lawyer who either remits funds in error or later ascertains the ownership of remitted funds may make a claim to the

Louisiana Bar Foundation, which after verification of the claim will return the funds to the lawyer.

These rule changes shall become effective upon signing, and shall remain in full force and effect thereafter, until amended or changed through future Orders of this Court.

New Orleans, Louisiana, this _____ day of March, 2016

FOR THE COURT:

Bernette Joshua Johnson, Chief Justice