

Exhibit A

The IOLTA Fund of the Bar of New Jersey

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COURT RULES AND ADMINISTRATIVE DETERMINATIONS

- Rule: 1:21-6, the NJ Recordkeeping rule ([click here](#)), describes required trust accounts, account titles, location of accounts and other important recordkeeping requirements. Note that Rule 1:21-6 is approximately halfway down the page.
- Rule: 1:28A, the IOLTA Rule (see below).
- Administrative Determination - IOLTA and the "Best Customer" Standard 2009, concerns the IOLTA program requirements banks must meet in order to participate ([click here](#)).
- Administrative Determination- The Court views the IOLTA Fund as a banking customer and consumer in respect of the interest yield on pooled IOLTA accounts, February 6, 2003 ([click here](#)).

ORDERS

- Order Removing JP Morgan Chase Bank from List of Financial Institutions Approved to Hold Attorney Trust Accounts, 7/20/10 ([click here](#)).

NOTICES TO THE BAR

- Notice to the Bar Re: JP Morgan Chase Bank Trust Account Customers, 7/26/10 ([click here](#)).
- Notice to the Bar Re: Implementation of the Best Customer Standard in November 2005 and Attorney Responsibility for Bank Charges ([click here](#)).

2015 IOLTA
Registration Forms
for Attorneys

RULE 1:28A. INCOME ON NON-INTEREST BEARING**LAWYERS TRUST ACCOUNTS (IOLTA) FUND****1:28A-1. Purpose: Administration: Appointments**

(a) Administration. The Supreme Court shall appoint six Trustees to administer and operate, in accordance with these Rules, the IOLTA Fund of the Bar of New Jersey, whose purpose is to provide a means of using the return to IOLTA on income earned by depository institutions from funds held in IOLTA accounts to fund law-related, public-interest programs. In addition to the Trustees appointed by the Supreme Court, the following shall be ex officio members and will have the right to vote on all matters except grant applications made to the Board of Trustees, but they may participate in Board discussions of the grant applications: the President of the New Jersey State Bar Association; the First Vice President of the New Jersey State Bar Foundation; and the President of Legal Services of New Jersey, Inc.

(b) Qualification. Terms of Trustees. The original appointment shall be of two Trustees for a one-year term, one for a two-year term, one for a three-year term, one for a four-year term and one for a five-year term. At the expiration of such terms all subsequent appointments shall be for a term of five years, and no Trustee who has served a full five-year term shall be eligible for immediate reappointment. A vacancy occurring during a term shall be filled for the unexpired portion thereof. At least four of the Trustees appointed by the Supreme Court shall be members of the bar of this State.

(c) Organization: Meetings. The Trustees shall organize annually and shall then elect from among their number a chairperson and a treasurer to serve for a one-year term and such other officers for such terms as they deem necessary or appropriate. Meetings thereafter shall be held at the call of the chairperson. Except as may be otherwise provided by this rule or by regulations promulgated by the Trustees, five of the nine trustees, including the ex officio members, shall constitute a quorum and may transact all business not involving grants. Four of the six Trustees appointed by the Supreme Court shall constitute a quorum for all decisions concerning grants.

(d) Regulations. The Trustees shall adopt regulations, consistent with these rules and subject to the approval of the Supreme Court, governing the administration of the Fund, the procedures for the presentation, consideration, and payment of grants, and the exercise of their investment powers.

(e) Reimbursement. The Trustees shall serve without compensation.

Note: Adopted February 23, 1988, to be effective March 1, 1988; paragraphs (a), (b), (c) and (d) amended September 15, 1992, to be effective January 1, 1993; paragraph (a) amended July 10, 1998, to be effective September 1, 1998; caption of Rule 1:28A and paragraphs (a) and (b) of Rule 1:28A-1 amended February 6, 2003 to be effective March 1, 2003.

1:28A-2. Attorney IOLTA Trust Accounts

(a) Attorney Participation. Commencing on the date established by regulations to be adopted by the Board of Trustees pursuant to Rule 1:28A-1(d), every attorney who practices in this State shall maintain in a financial institution in New Jersey, in the attorney's own name or in the name of a partnership of attorneys, or in the name of the professional corporation or limited liability entity of which the attorney is a member, or in the name of the attorney or partnership of attorneys by whom employed, an IOLTA non-interest-bearing trust account or accounts for all clients' funds that are not placed at interest for the benefit of the client.

(1) The IOLTA non-interest-bearing trust account may be established with any financial institution approved by the Supreme Court to hold attorney trust funds under R. 1:21-6(a) and insured by the Federal Deposit Insurance Corporation or an analogous federal government agency. Funds in each IOLTA non-interest-bearing trust account will be subject to withdrawal on request and without delay.

(2) Funds shall be deposited in an IOLTA non-interest-bearing trust account authorized by this Rule when an attorney determines that a trust account deposit will not be placed at interest for a client. Such a determination shall be made whenever an attorney determines that either (A) the amount of the funds or the period of time that the funds are held, if deposited in an interest-bearing account, would not earn interest in excess of the cost incurred to secure such interest, or (B) because of particular costs in accounting, administration, or attribution of income, as may occur when multiple parties or clients pool advance payments against the costs of litigation in a single fund, a client's funds should not be deposited in an interest-bearing account because they will not realize income. No ethical impropriety will attend an attorney's depositing such funds in an IOLTA non-interest-bearing trust account in accordance with this Rule.

(3) An attorney or law firm shall maintain one or more IOLTA non-interest-bearing trust accounts and shall submit to the approved financial institutions in which such accounts are maintained such forms as may be necessary to establish and maintain such accounts, on forms prescribed by the Trustees, and provide a copy of such form to the IOLTA Fund Trustees. If such a form is not filed, the signed registration statement required by Rule 1:20-1 and Rule 1:21-6 shall constitute such authorization.

(b) Deposit of Funds in IOLTA Account. An attorney will exercise good-faith judgment in determining initially whether the funds of a client are of a nominal amount, are expected to be held by the attorney for a short period of time, or otherwise fall within the circumstances described in (a) above.

In exercising that judgment, the attorney will also consider such other factors as:

(1) the cost of establishing and maintaining a separate non-IOLTA, interest-bearing trust account, including service charges, bookkeeping and accounting and tax-reporting procedures;

(2) the nature of the transaction(s) involved;

(3) the likelihood of delay in the matter for which the funds are held;

(4) whether the funds received by an attorney in a fiduciary capacity from a client or beneficial owner will generate less than \$150 of interest, provided that that \$150 figure may be used by an attorney as a minimum threshold indicating whether monies received in a fiduciary capacity should be placed in an IOLTA trust account, but shall not preclude the use of a higher figure if the costs or circumstances warrant; and

(5) the other circumstances described in (a) above.

(c) Periodic Review of Deposits. At reasonable intervals, an attorney should consider whether changed circumstances require different action respecting the deposit of client funds.

(d) Registration; Enforcement. The accounts required by this Rule shall be registered annually with the IOLTA Fund in the manner prescribed by the IOLTA Fund Trustees. The Trustees shall annually report the names of all attorneys failing to comply with the provisions of this Rule to the Supreme Court for inclusion on a list of those attorneys deemed ineligible to practice law in New Jersey by Order of the Court. An attorney shall be removed from the Ineligible List without further Order of the Court on submission to the Trustees of the prescribed forms.

(e) Duties of Financial Institution. The financial institution must:

(1) from its income on such IOLTA accounts remit to the Fund the amount remaining after providing such institutions a just and reasonable return equivalent to their return on similar non-

IOLTA interest-bearing deposits. These remittances shall be monthly unless otherwise authorized by the Fund. And

(2) report in the form provided by the Fund.

Note: Adopted February 23, 1988, to be effective March 1, 1988; former rule deleted and R. 1:28A-3 renumbered as 1:28A-2 September 15, 1992, to be effective January 1, 1993; paragraph (a)(1) of former R. 1:28A-3 amended November 7, 1988, to be effective January 2, 1989; rule amended September 15, 1992, to be effective January 1, 1993; new paragraph (d) adopted and former paragraph (d) redesignated as paragraph (e) December 13, 1993, to be effective January 3, 1994; paragraph (a) amended July 10, 1998 to be effective September 1, 1998; paragraphs (a) and (e) amended February 6, 2003 to be effective March 1, 2003.

1:28A-3. Duties of Trustees and Officers

(a) Audit and Report. The Trustees shall arrange for an independent audit annually and at such other times as the Supreme Court shall direct, such audits to be at the expense of the Fund. The annual audit shall be included in a report to be submitted annually by the Trustees to the Supreme Court, reviewing in detail the administration of the Fund during the preceding year.

(b) Applications to the Supreme Court. The Trustees may apply to the Supreme Court for interpretations of these Rules and of the extent of their powers thereunder and for advice regarding the proper administration of the Fund.

(c) Treasurer's Duties. The treasurer shall maintain the assets of the Fund in separate accounts and shall disburse monies therefrom only on the action of the Trustees pursuant to these Rules. He or she shall file a bond annually with the Trustees with such surety as may be approved by them and in such amount as they may fix.

Note: Adopted as R. 1:28A-4 February 23, 1988, to be effective March 1, 1988; renumbered as R. 1:28A-3 and paragraphs (b) and (c) amended September 15, 1992, to be effective January 1, 1993.

1:28A-4. General Powers of Trustees

(a) Reserve Fund. The Trustees of the Fund are authorized to maintain a reasonable reserve fund. At least annually, after a reasonable reserve fund has been created, the Trustees will solicit applications for grants and award grants to those entities deemed to be meritorious under the regulations of the Fund. Grant-making decisions of the Board are final and are not subject to appeal or judicial review.

(b) Grants. Grants will be made only for the following purposes:

- (1) legal aid to the poor;
- (2) improvement of the administration of justice;
- (3) education of lay persons in legal and justice-related areas; or
- (4) such other programs for the benefit of the public as are specifically approved by the New Jersey Supreme Court from time to time.

(c) Awards. The Board of Trustees shall award:

- (1) to Legal Services of New Jersey, Inc., not less than 75% of the funds available annually for grants, to be used directly by itself and, through subgrants, by its local member Legal Services programs, in conducting legal assistance activities on behalf of the poor throughout New Jersey;
- (2) to the New Jersey State Bar Foundation, not less than 12.5% of the funds available annually for grants to be used for the purposes enumerated in R. 1:28A-4(b)(1)-(4) above; and
- (3) to other entities deemed to be meritorious under the regulations of the Fund, the balance of the funds available annually for grants to be used for the purposes enumerated in R. 1:28A-4(b)(1)-(4) above.

The foregoing may be amended by the Supreme Court from time to time in the public interest.

(d) General Powers. In addition to the powers conferred by these Rules on the Trustees, they shall have the following general powers:

- (1) to receive, hold, manage, distribute, and invest the funds received by the Fund and such other funds as it may receive by voluntary contribution or otherwise;

(2) to employ and compensate consultants, agents, legal counsel, and such other employees as they deem necessary and appropriate consistent with personnel policies of the Judiciary; and

(3) to monitor and insure compliance with the provisions of this Rule.

Note: Adopted as R. 1:28A-5 February 23, 1988, to be effective March 1, 1988; renumbered as R. 1:28A-4 and amended September 15, 1992, to be effective January 1, 1993.

1:28A-5. Confidentiality

All activities conducted and records made or maintained by the IOLTA Fund in connection with its operations under this rule shall not be disclosed, except that the IOLTA Board is authorized to:

(a) Release such information as it may deem necessary to carry out its responsibilities as prescribed by this rule, including the identity of recipients and amounts and purposes of grant awards, and data concerning participating financial institutions; and

(b) Release statistical and other information in its annual report to the Supreme Court or as requested by the Supreme Court.

Note: Former Rule 1:28A-5 redesignated as Rule 1:28A-4 September 15, 1992 to be effective January 1, 1993. New Rule 1:28A-5 adopted July 12, 2002 to be effective September 3, 2002.

● **Notice to the Bar and Supreme Court Administrative Determination (see below)**

Re: Amendments to Rules Governing the IOLTA Program (R. 1:28A)

Last September, the Supreme Court published for comment Rule amendment proposals that had been presented by the Trustees of the IOLTA Program. Comments on the amendments were received and reviewed by the Court. At the direction of the Court, IOLTA Trustees met in January with representatives of the banking industry to discuss the proposed changes.

After consideration of the proposals and the comments they generated, the Supreme Court has adopted modified amendments to Rules 1:21-6(a) and 1:28A. The amendments take effect March 1, 2003.

In addition to adopting the Rule amendments, the Court has prepared an Administrative Determination that addresses the changes to the IOLTA Rules and Guidelines. The Administrative Determination is being published simultaneously with this Notice and the Rule amendments.

Stephen W. Townsend, Esquire
Clerk of the Supreme Court
Dated: February 6, 2003





PARTICIPATION FORM

(INSTRUCTIONS ON REVERSE SIDE)

Instructions to Attorneys about Using this Form: This form should be completed and returned to IOLTA. Do not send it to the bank. Use this form for NEW accounts that are expected to have an average balance over \$2,500 or for an EXISTING trust account that was formerly designated a Low-Balance account, but which is now eligible to be converted to an interest-bearing IOLTA account.

TO:

FROM:

FINANCIAL INSTITUTION

ATTORNEY FIRM

ADDRESS

ADDRESS

Instructions to Financial Institution:

FIRM CONTACT

PHONE

The account named below is my/the firm's general trust account. I/we shall participate in the Interest on Lawyer's Trust Accounts (IOLTA) Program established pursuant to New Jersey Court Rule 1:28-A. Please change the account identified below to an interest-bearing transaction account. Interest shall be paid by you directly to IOLTA. The effective date for use of this account shall be as soon as possible but no later than the first of the month following receipt of the form.

FOR IRS REPORTING:

1. Name the account: IOLTA/ _____
(Attorney/firm name: include "Attorney Trust Account")
2. Trust Account Number _____
3. Enter IOLTA's T.I.N. #22-2878549
4. IOLTA's name shall not appear on checks or deposit slips.

Account signatory - (please print)

Signature

Date

Return to: **The IOLTA Fund of the Bar of New Jersey**
New Jersey Law Center
One Constitution Square
New Brunswick, NJ 08901-1520
(732) 247-8222
www.ioltanj.org

Your participation helps provide equal access to justice – thank you.

IF YOU ARE FILING ON BEHALF OF A FIRM, BE SURE TO INCLUDE A LIST OF FIRM ATTORNEYS ADMITTED TO THE BAR OF NEW JERSEY.

INSTRUCTIONS FOR COMPLETING THE PARTICIPATION FORM:

1. If any account listed is used by more than one attorney, please attach a list (or firm letterhead, if appropriate) of each attorney who uses such account. In instances of shared law firm accounts where all IOLTA-eligible trust funds of attorneys in the firm are deposited in the account designated on the Participation Form, **ONLY ONE FORM NEED BE RETURNED PER FIRM** (and per account, if necessary), with the signature of the managing partner or other authorized attorney representative.
2. If you have more than one IOLTA-eligible account, please make copies of the Participation Form and complete a form for each account. This form is also available online at www.ioltanj.org
3. Rule 1:28-A directs The IOLTA Fund of the Bar of New Jersey to implement and administer the IOLTA program. Where appropriate, the IOLTA staff will transmit a copy of your form authorizing the IOLTA conversion to your financial institution.
4. Please be sure to SIGN the form.
5. You may wish to make and retain a copy of this form for your records. You must certify compliance with Rule 1:28-A on the Annual Attorney Registration Statement.
6. If you have other questions about IOLTA, please call the number listed below or visit us online at www.ioltanj.org.

The IOLTA Fund of the Bar of New Jersey
New Jersey Law Center
One Constitution Square
New Brunswick, NJ 08901-1520
(732) 247-8222
www.ioltanj.org

**NOTICE TO THE BAR
2015 IOLTA REGISTRATION**

This is an official notice. To be in compliance for 2015 with New Jersey Supreme Court Rule 1:28A as amended your response is required not later than February 2, 2015.

Pursuant to R.1:28A, participation in the IOLTA program is mandatory for any attorney engaged in the private practice of law. The Regulations of the IOLTA Fund of the Bar of New Jersey approved by the New Jersey Supreme Court require that IOLTA accounts shall be registered annually with the IOLTA Fund.

Note that the Low Balance exemption amount remains \$2,500 for the 2015 Registration.

By executing the enclosed form (and the Participation Form if applicable), the undersigned attorney declares compliance for 2015 with the IOLTA Rule and Regulations. **The form must be filed by all attorneys admitted in New Jersey or on behalf of attorneys admitted in New Jersey who are part of a law firm.**

Information about approved trust account depositories is available online at www.ioltanj.org.

Board of Trustees, IOLTA Fund of the Bar of New Jersey

2015 IOLTA REGISTRATION INSTRUCTIONS

**THE ENCLOSED REGISTRATION FORM MUST BE COMPLETED AND
RETURNED TO IOLTA IN ORDER TO COMPLETE THE 2015 IOLTA REGISTRATION.**

INSTRUCTIONS FOR COMPLETING THE REGISTRATION FORM:

1. The 2015 IOLTA Registration Form must be returned to the IOLTA Fund of the Bar of New Jersey by February 2, 2015. This form may be executed on behalf of a multi-attorney law firm with the signature of the managing partner or other authorized attorney representative verifying firm-wide compliance with the IOLTA Rule. Attach a list (or firm letterhead, if appropriate) of each attorney in the firm admitted in New Jersey.
2. Please be sure to check the appropriate items, fill in the name, firm name and address, trust account number(s), financial institution, and SIGN the form.
3. **IT IS POSSIBLE THAT ITEMS 1, 2, AND 3 ARE ALL APPLICABLE TO YOU. ALL ATTORNEY TRUST ACCOUNTS SUBJECT TO R.1:28A MUST BE REGISTERED ANNUALLY WITH THE IOLTA FUND.**

Check ITEM 1 if you have IOLTA trust account(s) and enter the trust account number and name of financial institution for each IOLTA account in BOX 1: IOLTA Trust Accounts. **INCLUDE A LIST OF ALL FIRM ATTORNEYS ADMITTED IN NEW JERSEY.**

Check ITEM 2 if you maintain general attorney trust account(s) with a combined average balance of less than \$2,500. Fill in the trust account number and name of financial institution for each account in BOX 2: Low-Balance Accounts. You will be considered an inactive participant until such time as you notify the Fund that the combined average balance of such accounts exceeds \$2,500. An inactive participant remains in compliance with Rule 1:28A, however the designated attorney trust accounts are NOT converted to interest bearing IOLTA accounts. **INCLUDE A LIST OF ALL FIRM ATTORNEYS ADMITTED IN NEW JERSEY.**

NOTE: Accounts in which ALL monies are at interest for clients are considered Low Balance accounts for IOLTA purposes. Sub-accounts that are not interest-bearing for clients must be interest-bearing for IOLTA. Only the master account needs to be registered.

Check ITEM 3 if you have a non-interest bearing trust account(s) which should be converted to an interest bearing IOLTA trust account. **NOTE: This includes accounts formerly designated as Low-Balance which now have an average balance of more than \$2,500. ALSO COMPLETE AND RETURN THE ENCLOSED PARTICIPATION FORM.**

Check ITEM 4 if you are not required to comply with R.1:21-6. (e.g. government attorney, retired)

4. You may wish to make and retain a copy of the completed form for your records. You must certify compliance with Rule 1:28A on the Annual Attorney Registration Statement.
5. If you need further assistance, please call us at the number below.

THE PARTICIPATION FORM SHOULD BE COMPLETED AND RETURNED ONLY IF THE DESIGNATED ACCOUNT IS TO BE CONVERTED TO AN INTEREST-BEARING IOLTA ACCOUNT.

COMPLETE THE REGISTRATION FORM AND RETURN BY FEBRUARY 2, 2015 TO:

IOLTA Fund of the Bar of New Jersey
New Jersey Law Center
One Constitution Square
New Brunswick, NJ 08901-1520
(732) 247-8222
www.ioltanj.org

2015 IOLTA REGISTRATION

CHECK ALL APPLICABLE ITEMS. FILL IN ACCOUNT NUMBER AND FINANCIAL INSTITUTION. COMPLETE FIRM INFORMATION AND SIGN THE FORM.

- 1. I certify that I currently maintain the interest bearing IOLTA account(s) listed below in BOX 1. (If you have additional accounts to be designated as IOLTA see item 3.)
- 2. I certify that the combined average balance in the trust accounts listed in BOX 2 is **\$2,500** or less and understand that these accounts will NOT be converted to interest bearing IOLTA accounts. I further certify that I will notify the IOLTA Fund of the Bar of New Jersey at such time as the average combined balances of said accounts exceed **\$2,500** and/or I establish other non-interest bearing attorney trust accounts or subaccounts that are subject to Rule 1:28A.
- 3. I presently have an attorney trust account(s) which should now be converted to an IOLTA account and **I HAVE COMPLETED AND ENCLOSED A PARTICIPATION FORM.** [NOTE: This includes NEW accounts with balances over **\$2,500** or those formerly designated as Low-Balance accounts which now have an average balance of more than **\$2,500.**]
- 4. I certify that I do not have an attorney trust account containing nominal or short-term funds which is subject to the IOLTA requirement because I am not required to comply with R.1:21-6(a) and have so indicated on the Annual Attorney Registration Statement. I further certify that I will notify the IOLTA Fund of the Bar of New Jersey at such time as I establish a trust account which is subject to the IOLTA Rule.

FILL IN THE INFORMATION BELOW IF YOU CHECKED ITEMS 1 OR 2. IF YOU CHECKED ITEM 3 YOU MUST COMPLETE THE ENCLOSED PARTICIPATION FORM AND RETURN IT ALONG WITH THIS NOTICE.

BOX 1: IOLTA TRUST ACCOUNTS	BOX 2: LOW-BALANCE ACCOUNTS (together less than \$2,500)
Account Number: _____ Financial Institution: _____ _____	Account Number: _____ Financial Institution: _____ _____
Account Number: _____ Financial Institution: _____ _____	Account Number: _____ Financial Institution: _____ _____

If you have additional accounts, please attach a separate sheet. Indicate if the additional accounts are IOLTA accounts or Low-Balance Accounts.

INCLUDE A LIST OF ALL FIRM ATTORNEYS ADMITTED TO THE BAR OF NEW JERSEY.

PLEASE PRINT

Managing Partner or Authorized Attorney _____

Email Address _____

Firm Name & Mailing Address _____

Telephone No. _____

Signature _____ Date _____

For further assistance call (732) 247-8222.

Complete and return this form by February 2, 2015 to:

IOLTA Fund of the Bar of New Jersey
 New Jersey Law Center
 One Constitution Square
 New Brunswick, NJ 08901-1520
www.ioltanj.org