NOVA SCOTIA
BARRISTERS' SOCIETY

Trust Account and Client Ledger Shortages

Regulation 10.6 *Reporting and addressing errors*

Instructions

A practising lawyer or law firm must maintain sufficient balances on deposit in trust to meet the practising lawyer's or law firm's obligations with respect to money held in trust for clients, and all shortages must be restored immediately by the practising lawyer or law firm.

A practising lawyer or law firm must immediately report to the Executive Director any overdrafts in the practising lawyer's or law firm's trust account, including any relevant information regarding the reason for the overdraft if

    (a) the overdraft was not corrected within 7 days of the time the shortage arose; or

    (b) the overdraft is an amount greater than $2500, regardless of when it occurred.

Please use this form to report any overdrafts to the Executive Director. *Email the form to **TrustAccounts@nsbs.org**. We do not require the original.*

Any overdraft of less than $50 does not have to be reported immediately to the Executive Director but must be reported on the practicing lawyer or law firm's annual trust account report filed pursuant to Regulation 4.11. Furthermore, please note that a practicing lawyer or law firm is required to immediately report to the Executive Director any theft of money by any person from the practicing lawyer's or law firm's trust accounts or general accounts.

SECTION A – LAW FIRM INFORMATION

1. Law firm name:
2. Firm/member number:
3. Lawyer responsible for file:

SECTION B – FILE INFORMATION (if shortage is attributable to a client file)

1. File number:
2. Name of client:

SECTION C – DETAILS OF SHORTAGE

1. Date Discovered   Date Occurred   Date Corrected   Amount   Reason (Select one of the following)
    (mm/dd/yyyy)   (mm/dd/yyyy)   (mm/dd/yyyy)

2. Please provide further explanation:

3. Please attach the client ledger card (if applicable) and at least one of the following supporting documents as proof of correction:

    > Bank stamped deposit slip or transaction details from online bank printout
    > Bank statement
    > Copy of the cheque

SECTION D – LAWYER CERTIFICATION

I,   , certify that the foregoing information is complete and correct to the best of my knowledge.

Date (mm/dd/yyyy)   Responsible Lawyer