

Division 4 - Financial Accountability

Definitions

5-41 In this division,

"accountant" means

- (a) a person who is a member in good standing of the Chartered Professional Accountants of Manitoba, and who is in public practice,
- (b) another person approved by the chief executive officer;
(AM. 12/15)

"books of original entry" means a book or books recording in chronological order the full details of all payments from trust, all transfers between individual client trust ledgers, all trust receipts and the form in which the trust money is received. (AM. 06/05; 12/18)

"cash" means current coins within the meaning of The Currency Act, notes intended for circulation in Canada issued by the Bank of Canada pursuant to The Bank of Canada Act and current coins or bank notes of countries other than Canada. (ENACTED 06/05)

"client trust ledger" means a separate record maintained for each client and matter, recording in chronological order, the full details of all trust transactions for that client, and the balance in the client's account;

"funds" means cash, currency, securities and negotiable instruments or other financial instruments that indicate the person's title or interest in them. (ENACTED 06/05)

"fiduciary property" means money, other than trust money, and valuables for which a member is responsible in a representative capacity or as a trustee but not as a lawyer; (ENACTED 09/17)
(AM. 12/18)

"investigator" means a person designated to investigate, inspect or audit the accounts, books and records of a member;

"member" Repealed 12/18

"money" includes cash, cheques, drafts, credit card sales slips, post office orders and express and bank money orders. (ENACTED 06/05)

"monthly trust reconciliation" means a comparison prepared each month by the member showing the reasons for any differences between the books of original entry, the client trust ledgers and the bank's records;

"pooled trust account" means an interest-bearing chequing account opened at a savings institution by a member for the benefit of a number of clients;

"public body" means:

- (a) a department or agent of Her Majesty in Right of Canada or of a Province;
- (b) an incorporated city, town, village, metropolitan authority, township, district, county, rural municipality or other incorporated municipal body or an agent of any of them; or
- (c) an organization that operates a public hospital and that is designated by the Minister of National Revenue as a hospital under the Excise Tax Act or an agent of the organization.
(ENACTED 06/05)

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“restricted trust account” means a pooled trust account used only for the purpose of transferring funds electronically to Teranet Manitoba LP on account of land transfer tax and registration fees on real property transactions. (ENACTED 09/17)

“savings institution” means a Manitoba branch of:

- (a) a chartered bank or a trust company that is authorized by law to receive money on deposit and is insured by the Canada Deposit Insurance Corporation,
- (b) or a credit union or caisse populaire incorporated under The Credit Unions and Caisses Populaires Act;

(AM. 02/13)

“specific trust investment account” means a separate interest-bearing account opened by a member in trust for a specific client at a savings institution, and is limited to a daily interest savings account, a term deposit or a guaranteed investment certificate;

“trust account supervisor” means a practising member who has been approved to operate a trust bank account; (ENACTED 12/18)

“trust bank account” means a pooled trust account or a specific trust investment account as defined herein;

“trust money” means

- (a) all money received by a member in connection with his or her legal practice that
 - (i) belongs in whole or in part to a client of the member, or
 - (ii) is received on a client’s behalf or to the direction or order of a client; or
- (b) money received by a member on account of fees for services not yet rendered or on account of disbursements not yet made, or for which a statement of account has not been rendered;

“trust safety appeals committee” means the committee responsible for considering appeals of decisions to deny or to approve with conditions a member’s application to become a trust account supervisor and appeals of decisions to revoke a member’s status as a trust account supervisor; (ENACTED 12/18)

“trust year end” Repealed 12/18

“valuable property” means anything of value, other than trust money, that can be negotiated or transferred by a member.

Trust Account Supervisor

5-42(1) Effective April 1, 2019, a member or a law firm shall, before opening a pooled trust account obtain, and at all times thereafter maintain, the approval of the chief executive officer to:

- (a) operate a trust bank account; and
- (b) designate a member as the trust account supervisor.

(ENACTED 12/18)

Transition for Current Account Holders

5-42(2) All members and law firms that have an open pooled trust account on March 31, 2019, must apply on or before April 1, 2019, to the chief executive officer to:

- (a) continue to operate a trust bank account; and
- (b) designate a member as the trust account supervisor.

(ENACTED 12/18)

Members who share space

5-42.3) Subject to the approvals required in rules 5-42(1) and (2), where a member who receives trust money participates in an arrangement with other members to share space and certain common expenses but otherwise practises as an independent practitioner:

- (a) the member must open his or her own trust account, in his or her own name; and
 - (b) the member must not deposit trust money into a trust account opened by any other member.
- (AM. 12/18)

Trust Account Supervisor Responsibility

5-42.1(1) The trust account supervisor is responsible for:

- (a) The controls in relation to the operation of all law firm trust bank accounts and general accounts;
 - (b) The accuracy of the law firm's reporting requirements;
 - (c) The timeliness and accuracy of the law firm's record keeping requirements;
 - (d) Any of subrule (a), (b) or (c) that has been delegated to another person.
- (ENACTED 12/18)

Notification regarding new accounts

5-42.1(2) A member or law firm with an approved trust account supervisor may open a new pooled trust account provided that, within 30 days of opening the account, the trust account supervisor notifies the chief executive officer in writing of the existence of the account, the date on which the account was opened, the account number, the name and branch of the savings institution.

(AM. 12/18)

Notice of Withdrawal

5-42.1(3) A trust account supervisor who intends to withdraw from acting in that capacity must provide thirty days written notice to the chief executive officer and to the law firm.

(ENACTED 12/18)

Closure of Trust Accounts

5-42.1(4) If within thirty days of receipt of a notice under subrule (3), the law firm does not obtain the approval of the chief executive officer to continue to operate a trust bank account and to designate a member as the trust account supervisor, thereafter:

- (a) the law firm shall not accept any new matters where the law firm will be required to handle trust money; and
- (b) the law firm must close all trust bank accounts within 60 days

unless and until a new trust account supervisor is approved.

(ENACTED 12/18)

Trust Account Supervisor Eligibility

5-42.2(1) To be eligible to act as a trust account supervisor, an applicant must:

- (a) be a practising member;
- (b) meet the criteria for trust account supervisors established by the Law Society;
- (c) file the required application; and

(d) remit the application fee.
(ENACTED 12/18)

Authority of Chief Executive Officer

5-42.2(2) The chief executive officer may;

- (a) approve an application, with or without conditions;
- (b) deny an application; or
- (c) revoke an individual's approval to be a trust account supervisor.

(ENACTED 12/18)

Recovery of Expenses on Conditional Approval

5-42.2(3) Where the chief executive officer approves an application with conditions, the society is entitled to recover from the member who has been conditionally approved or from the law firm any expense incurred by the society in monitoring the member's compliance with the conditions.

(ENACTED 12/18)

Written Notice by Chief Executive Officer

5-42.2(4) Where the chief executive officer revokes a member's status as a trust account supervisor, approves with conditions or denies an application made pursuant to Rule 5-42(2), the chief executive officer must provide written notice to the member and to the law firm.

(ENACTED 12/18)

Closure of Trust Accounts

5-42.2(5) Upon receipt of a notice of revocation or denial under subrule (4):

- (a) the law firm must not accept any new matters where the law firm will be required to handle trust money; and
- (b) the law firm must close all trust bank accounts within 60 days

unless and until a new trust account supervisor is approved.

(ENACTED 12/18)

Custodial Order

5-42.2(6) If under rule 5-42.1(4) or 5-42.2(5), a new trust account supervisor has not been approved and if all trust bank accounts have not been closed within 60 days, the society may apply to the Court of Queen's Bench for an order appointing a custodian of the trust bank accounts pursuant to s. 57 of *The Legal Profession Act*. (ENACTED 12/18)

Appeal

5-42.3(1) A decision of the chief executive officer to deny, approve with conditions or revoke a member's approval as a trust account supervisor may be appealed to the trust safety appeal committee by filing the required notice of appeal within 14 days of receipt of the written decision and notification of the right of appeal. The appeal process will be governed by guidelines adopted by the benchers.

(ENACTED 12/18) (AM 05/19)

Appeal Panel

5-42.3(2) The chairperson of the committee must select a panel of three members of the committee to consider any appeal made under subsection (1). One of the panel members must be a public representative. Two of the panel members must have current practising certificates, unless it is not

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reasonably practicable to have two practising members on the panel, in which case the chairperson may appoint one practising member and one non-practising or inactive member to sit on the panel.

(ENACTED 12/18)

Hearing

5-42.3(3) A panel must conduct an appeal based on a consideration of written submissions and other relevant materials, except where the chairperson of the committee directs or the appellant requests an oral hearing. During an oral hearing neither the appellant nor any other person may give oral evidence, except with leave of the appeal panel and then only in such exceptional circumstances as the appeal panel may determine. The testimony of an appellant or any other person at an oral hearing must be taken under oath unless the chairperson of the panel waives the requirement. An oath must be administered by the chairperson of the panel. (ENACTED 12/18)

Decision Final

5-42.3(4) The panel may dismiss the appeal, make any decision the chief executive officer could have made, or allow the appeal with or without conditions. A decision of the panel is final.

(ENACTED 12/18)

Trust Records

5-43(1) A member or law firm must maintain up-to-date trust records and supporting documentation for all pooled trust accounts, restricted trust accounts and specific trust investment accounts. The trust records must include:

- (a) a book or books of original entry; and
- (b) a client trust ledger for each client and each legal matter.

(AM. 09/17; 12/18)

Monthly trust reconciliations

5-43(2) A member or law firm must produce a monthly trust reconciliation, including all pooled, restricted and specific trust investment accounts, no later than the end of the following month, and include detailed reasons for any differences between:

- (a) the amount of money held in the trust bank account according to the member's records;
- (b) the total of the individual client trust ledgers; and
- (c) the amount of money held in the trust bank account according to the bank's records.

(AM. 09/17; 12/18)

Balances in clients' trust ledgers

5-43(3) The reconciliation in subsection (2) must be saved in a universally readable format or printed each month, and must be supported by a client list showing the balance of trust money held in each client's trust ledger.

(AM 12/18)

Record of valuable property

5-43(4) A member or law firm must maintain a record of all valuable property held in trust.

(AM. 12/18)

Electronic trust records

5-43(5) Where a member or law firm maintains electronic records the member or law firm must:

- (a) save in a universally readable format or print a copy of the books of original entry

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immediately after each month end;

- (b) ensure that the system is capable of producing a printed copy of any individual client trust ledger, showing a full history of all trust transactions for that client;
- (c) maintain a backup copy of the electronic records, which must be updated at least monthly, and stored in a secure manner in an off-site location; and
- (d) save in a universally readable format or print a client's closed trust ledger before it is purged from the electronic file and store it in a central file maintained for purged ledgers.

(AM. 12/18)

Hand posted trust records

5-43(6) Where a member or law firm maintains trust records that are entered and posted by hand, they shall be entered and posted in ink. (ENACTED 06/05) (AM. 12/18)

Trust records must be current

5-43(7) A member's or law firm's trust records must be entered and posted so as to be current at all times. (ENACTED 06/05) (AM. 12/18)

Handling of trust money

5-44(1) A member or law firm must

- (a) deposit or cause to be deposited all trust money into a pooled trust account as soon as practicable after receipt of the money;
- (b) subject to Rules 5-45(5)(e) and 5-47(3) make all withdrawals from a pooled trust account by consecutively numbered cheques drawn to the order of the person to whom the money is to be paid, unless otherwise authorized by the chief executive officer;
- (c) not withdraw money from a trust bank account to pay for the recovery of the member's or law firm's fees or disbursements unless a statement of account is prepared and sent or delivered to the client at the time the money is withdrawn;
- (d) ensure that all cheques drawn on a trust bank account are signed only by the member or another practising lawyer in the law firm or by those persons in conjunction with other employees of the law firm, unless otherwise authorized by the chief executive officer;
- (e) not sign a trust cheque in blank or post-date a trust cheque;
- (f) not overdraw a trust bank account;
- (g) not overdraw any individual client's trust ledger account;
- (h) not pay any of the member's personal or general office accounts from a trust bank account;
- (i) at all times maintain sufficient balances on deposit in a trust bank account to meet all of the member's and law firm's obligations with respect to trust money;
- (j) not make transfers of trust money from one client's account to another client's account unless the member or law firm has obtained either:
 - (i) the written authorization of the client from whose account the money is transferred; or
 - (ii) the verbal authorization of the client from whose account the money is transferred, which authorization is subsequently confirmed in writing to the client by the

member.

- (k) not retain any money other than trust money or fiduciary property in a trust bank account.
- (l) ensure that trust money is paid out expeditiously once a legal matter is concluded, but if there are exceptional circumstances a member or law firm may apply to the chief executive officer for permission to retain the funds in trust for a longer period of time.

(AM. 06/05; 06/10; 05/15, 09/17; 12/18)

Restriction on receipt of cash

5-45(1) A member or law firm must not receive or accept from a person, in respect of any one client matter or transaction, cash in an aggregate amount of \$7,500.00 or more Canadian dollars. (ENACTED 06/05) (AM. 12/18)

Recordkeeping for cash receipts

5-45(2) In addition to the recordkeeping requirements set out in rules 5-43(1) and 5-48(1), where the member or law firm receives cash for a client, the member's or law firm's records must also include a book of duplicate receipts, with each receipt identifying or containing:

- (a) the date on which cash is received;
- (b) the person from whom cash is received;
- (c) the amount of cash received;
- (d) the client for whom cash is received;
- (e) any file number in respect of which the cash is received; and
- (f) the signature of the member or a person authorized by the member who receives the cash and the signature of the person from whom the cash is received.

(ENACTED 06/05) (AM. 12/18)

Foreign currency conversion for cash

5-45(3) For the purposes of rule subsection (1), when a member receives or accepts cash from a person in a foreign currency, the member or law firm shall be deemed to have received or accepted the cash converted into Canadian dollars at:

- (a) the official conversion rate of the Bank of Canada for the foreign currency as published in the Bank of Canada's Daily Noon Rates that is in effect at the time the member or law firm receives or accepts the cash; or
- (b) if the day on which the member receives or accepts cash is a holiday, the official conversion rate of the Bank of Canada in effect on the most recent business day preceding the day on which the member or law firm receives or accepts the cash.

(ENACTED 06/05) (AM. 12/18)

Application of cash restriction

5-45(4) Subsection (1) applies to a member engaged in any of the following activities on behalf of a client or giving instructions on behalf of a client in respect of the following activities:

- (a) receiving or paying funds;
- (b) purchasing or selling securities, real property or business assets or entities;
- (c) transferring funds by any means.

(ENACTED 06/05) (AM. 12/18)

Exceptions to cash restriction

5-45(5) Despite subsection (4), subsection (1) does not apply when the member receives cash:

- (a) from a financial institution or public body;
- (b) from a peace officer, law enforcement agency or other agent of the Crown acting in an official capacity;
- (c) pursuant to a court order or an order of a tribunal;
- (d) to pay a fine or penalty;
- (e) in an amount of \$7,500 or more for fees, disbursements, expenses or bail, provided that any refund out of such receipts is also made in cash.

(ENACTED 06/05) (AM. 12/18)

Acknowledgement of cash refund required

5-45(6) When a member or law firm pays a cash refund under paragraph (e) of subsection (5), the member or law firm must obtain a signed and dated acknowledgement of the payment from the person who receives the refund. (ENACTED 06/05) (AM. 12/18)

Change of trust year end date

5-46 Repealed 12/18

Specific trust investment account

5-46(1) A member or law firm may, after first depositing trust money into a pooled trust account, subsequently withdraw the trust money or a portion of it and deposit it into a specific trust investment account, provided:

- (a) the specific trust investment account is opened in the name of the member or law firm in trust for the person to whom the money belongs; and
- (b) full details of the specific trust investments are recorded in the member's or law firm's trust records.

(AM 12/18)

Removing funds from specific trust investments

5-46(2) When withdrawing funds from a specific trust investment account, a member or law firm must deposit all resulting trust money directly back into a pooled trust account.

(AM 12/18)

Restricted Trust Account

5-47(1) A member or law firm may, after first depositing trust money into a pooled trust account, subsequently withdraw the trust money or a portion of it and deposit it into a restricted trust account for the purpose of facilitating the registration of documents with Teranet Manitoba LP, provided that:

- (a) the only funds deposited into the restricted trust account are for the payment of land transfer tax and registration fees at Teranet Manitoba LP; and
- (b) no more funds are deposited than are required to pay the document registration fees and land transfer tax for a client's real property transaction.

(ENACTED 09/17) (AM. 12/18)

5-47(2) If more funds are deposited than are required for the registration fees and land transfer tax for a client's real property transaction, the excess funds shall be transferred forthwith by way of trust cheque

into the pooled trust account from which they originated.
(ENACTED 09/17) (AM. 12/18)

Withdrawal by Teranet Manitoba LP

5-47(3) A member or law firm may authorize Teranet Manitoba LP to withdraw from a restricted trust account trust money required to pay the document registration fees and the land transfer tax related to a client's real property transaction, provided that such authorization specifies:

- (a) the amount of money to be withdrawn;
- (b) the deposit account number;
- (c) the firm number;
- (d) the client file number; and
- (e) registration details

and provided that Teranet Manitoba LP agrees to provide to the member or law firm confirmation of receipt of the authorization, containing the same information, not later than 6:00 p.m. on the day immediately after the day of which the member or law firm submitted the authorization.

(ENACTED 09/17) (AM. 12/18)

Reconcile to Client File Report

5-47(4) Upon receipt of a client file report from Teranet Manitoba LP, the member or law firm shall compare the client file report with the member's or law firm's accounting records and reconcile and correct any discrepancies. (ENACTED 09/17) (AM. 12/18)

Suspension for failure to file

5-47(10) Repealed 12/18

Exception to requirement to file annual trust account report

5-47(11) Repealed 12/18

Exception for practising lawyers

5-47(12) Repealed 12/11

General records and accounts

5-48(1) A member or law firm must deposit into a general account only money received in connection with the member's or law firm's practise of law that is not trust money. A member or law firm must maintain at least one general operating account and the following general books and records:

- (a) a general book of original entry recording in chronological order the full details of all general money received and disbursed. These books must identify the form in which the money is received;
- (b) an accounts receivable ledger or other suitable system that records for each client, the accounts rendered, payments made on account, and the balance owing to or from the client;
- (c) all supporting records including bank statements, pass books, cancelled cheques, cash receipts, deposit slips, bank advices and similar documents and invoices.

(ENACTED 12/03) (AM. 06/05; 12/18)

Hand posted general records

5-48(2) Where a member or law firm maintains general records that are entered and posted by hand,

they shall be entered and posted in ink. (ENACTED 06/05; 12/18)

General records must be current

5-48(3) A member's or law firm's general records must be entered and posted so as to be current at all times. (ENACTED 06/05) (AM 12/18)

Acting in a Representative Capacity

5-49(1) A member is acting in a representative capacity if the member is:

- (a) the personal representative, executor or administrator, or one of the personal representatives, executors or administrators, of the estate of a deceased person;
- (b) a trustee, or one of the trustees, of a trust under an appointment made pursuant to a trust instrument creating the trust;
- (c) a trustee, or one of the trustees, of the property of another person under an appointment by a court;
- (d) a *de facto* trustee; or
- (e) an attorney, or one of the attorneys, of a person under a power of attorney, whether

general or special, enduring or otherwise whether or not the appointment arises from a solicitor and client relationship. (ENACTED 09/17) (AM 12/18)

Fiduciary Property in Trust Account

5-49(2) Where a member receives fiduciary property in a representative capacity and deposits such property into the member's or law firm's trust bank account, the member must comply with all the rules in this division and in division 12 as if the fiduciary property were trust money. (ENACTED 09/17) (AM 12/18)

Fiduciary Property Not in Trust Account

5-49(3) A member is not required to deposit fiduciary property received by a member acting in a representative capacity into the member's or the law firm's trust bank account or record the fiduciary property in the member's or the law firm's prescribed financial records if:

- (a) the member provides written notice to the chief executive officer that the member is acting a representative capacity within 30 days of commencing to act in that capacity;
- (b) the member maintains a record of all known appointments or assumptions of a representative capacity and a list of the beneficiaries of the estate or trust together with their last known address or contact information;
- (c) the member maintains the books, records, accounts and documentation of the estate or trust in an organized and accessible manner so as to accommodate an examination, review, audit or investigation by the Society;
- (d) the member cooperates with the Society's auditor or investigator in the conduct of any examination, review, audit or investigation.

(ENACTED 09/17) (AM 12/18)

Appointment Outside Solicitor-Client Relationship

5-49(4) Where a member acts in a representative capacity that arises outside of the solicitor and client relationship, the member must provide notice in writing to the beneficiaries of the trust and where possible the party making the appointment that neither the Professional Liability Claims Fund nor the Reimbursement Fund will respond to a claim in relation to the member's handling of the fiduciary property.

(ENACTED 09/17) (AM 12/18)

Report on termination of practice

5-50(1) Where a member withdraws from the practice of law:

- (a) as a sole practitioner or a law firm with which the member practises winds up its practice, the member or the law firm must file a final report no later than four months after all trust bank accounts have been closed, in the form prescribed by the chief executive officer.
- (b) the member must provide written notice to all known persons for whom the member has been appointed to act in a representative capacity or for whose benefit the member is acting in a representative capacity of the member's withdrawal from practice and that neither the Professional Liability Claims Fund nor the Reimbursement Fund will respond to a claim in relation to the member's handling of the fiduciary property after the member's withdrawal from practice. (AM. 09/17; 12/18)

Closure of trust accounts

5-50(2) A member or law firm must close all trust bank accounts within three months after withdrawal from or winding up of a practice, in accordance with rule 2-74(2). (AM. 12/18)

Extension of time to file report, close trust accounts

5-50(3) The chief executive officer may extend the time for the member or the law firm to file the reports required in subsection (1) or to close the trust bank accounts as required by subsection (2) and may approve another form of report. (AM. 12/18)

Failure to file report

5-50(4) Where a member or law firm fails to file the report required under this rule within the time prescribed or within such other time requirement approved by the chief executive officer, the chief executive officer may require an investigator to inspect the accounts and records of the member or the law firm to determine whether there has been compliance with the rules in this division. (AM 12/18)

Inspection report

5-50(5) The investigator must issue a report to the chief executive officer advising whether or not the member or law firm has complied with the rules in this division. (AM. 12/18)

Costs of inspection

5-50(6) Where the chief executive officer authorizes an inspection under subsection (4), the member or the law firm must pay to the society the costs of the inspection of the accounts and records. (AM. 12/18)

Investigation of accounts and records

5-51(1) The benchers, the complaints investigation committee, or the chief executive officer may, at any time, require an investigator to investigate the accounts and records of a member or a law firm for the purpose of ascertaining whether there has been compliance with the Act, rules, and the provisions of the code. (AM 05/08; 12/18)

Investigation report

5-51(2) Where the investigator determines that there has been non-compliance with the Act, rules or the provisions of the code, he or she must report the particulars of any breach to the chief executive officer. (AM. 05/08; 12/18)

Report may be treated as complaint

5-51(3) Where the chief executive officer receives a report pursuant to subsection (2) he or she may treat the report as if it were a complaint received under rule 5-60. (AM. 12/18)

Production of records

5-52(1) Subject to subsection (2), a member, the law firm and the trust account supervisor must cooperate with an investigator and must produce on demand and answer questions about all records, books, files and any other document, in any form, kept by or for the member or the law firm that may be reasonably required by the investigator to conduct his or her inspection or investigation. (AM. 12/03; 05/08; 12/18)

Production of general records

5-52(2) An investigator may only demand production of a member's or the law firm's general records and accounts when they are required by the investigator for the purposes of tracing trust funds or determining if trust funds have been deposited into the member's general account. (ENACTED 12/03) (AM. 12/18)

CDIC compliance

5-53 Where a pooled trust account, a restricted trust account or a specific trust investment account is maintained by a member or a law firm in a savings institution which is insured by the Canada Deposit Insurance Corporation ("CDIC") the member or law firm must comply with the reporting and disclosure obligations set forth in the Canada Deposit Insurance Corporation Act and the Schedule thereto. (AM. 09/17; 12/18)

Retention of records

5-54(1) A member must:

- (a) keep the books, records and accounts referred to in this division for at least ten years; and
- (b) on the completion and closing of a client's file, maintain an electronic copy in a universally readable format on the electronic file or place on the file a copy of the individual client trust ledger. (AM. 06/05; 12/18)

Location of records

5-54(2) A member or law firm must keep the books, records and accounts for all trust bank accounts and all general accounts referred to in this division pertaining to the most recent three-year period at the member's or the law firm's chief place of practice in Manitoba, unless otherwise authorized by the chief executive officer. (A.M. 09/17; 12/18)

Unauthorized appropriation

5-55 A member must not appropriate any money or property of a client held in trust or otherwise under the member's control for or on account of the member's fees without the express or implied authority of the client. (AM. 12/18)

Failure to comply with rules

5-56 Failure to comply with any of the rules in this division without reasonable excuse may constitute professional misconduct. (AM. 12/18)

Borrowing from client

5-56(1) Repealed 02/13

Exceptions

5-56(2) Repealed 02/13