

AMERICAN BAR ASSOCIATION  
 STANDING COMMITTEE ON CLIENT PROTECTION

**State by State Adoption of ABA Client Protection Programs**

|           | <b>Trust<sup>1</sup><br/>Account<br/>Overdraft<br/>Notification<br/>(37)</b> | <b>Random<sup>2</sup><br/>Audit of<br/>Trust<br/>Accounts<br/>(11)</b> | <b>Payee<sup>3</sup><br/>Notification<br/>(12)</b> | <b>Disclosure<sup>4</sup><br/>of<br/>Insurance<br/>(23)</b> | <b>Mandatory<sup>5</sup><br/>Fee<br/>Arbitration<br/>(12)</b> | <b>Mediation<sup>6</sup><br/>Non-Fee<br/>Disputes<br/>(23)</b> |
|-----------|--|--|--|---|---|--|
| <b>AL</b> | Yes  | No   | No   | No  | No  | No   |
| <b>AK</b> | No   | No   | No   | Yes   | Yes   | Yes  |
| <b>AZ</b> | Yes  | No   | No   | Yes   | No  | Yes  |
| <b>AR</b> | Yes  | No   | No   | No  | No  | No   |
| <b>CA</b> | Yes  | No   | Yes  | No  | Yes   | Yes  |
| <b>CO</b> | Yes  | No   | No   | No  | No  | No   |
| <b>CT</b> | Yes  | Yes  | Yes  | No  | No  | Yes  |
| <b>DE</b> | Yes  | Yes  | Yes  | Yes   | No  | Yes  |
| <b>DC</b> | Yes  | No   | No   | No  | Yes   | No   |
| <b>FL</b> | Yes  | No   | No   | No  | No  | Yes  |
| <b>GA</b> | Yes  | No   | Yes  | No  | Yes   | Yes  |
| <b>HI</b> | Yes  | Yes  | Yes  | Yes   | No  | No   |
| <b>ID</b> | Yes  | No   | No   | Yes   | No  | No   |
| <b>IL</b> | No   | No   | No   | Yes   | No  | No   |
| <b>IN</b> | Yes  | No   | No   | No  | No  | Yes  |
| <b>IA</b> | Yes  | Yes  | No   | No  | No  | No   |
| <b>KS</b> | Yes  | Yes  | Yes  | Yes   | No  | No   |
|           | Yes  | No   | No   | No  | No  | Yes  |

| <b>KY</b> |   |   |                               |  |                            |   |
|-----------|---|---|-------------------------------|--|----------------------------|---|
|           | <b>Trust<br/>Account<br/>Overdraft<br/>Notification</b> | <b>Random<br/>Audit of<br/>Trust<br/>Accounts</b> | <b>Payee<br/>Notification</b> | <b>Disclosure<br/>of<br/>Insurance</b> | <b>Fee<br/>Arbitration</b> | <b>Mediation<br/>Non-Fee<br/>Disputes</b> |
| <b>LA</b> | Yes   | No  | No                            | No                                     | No                         | Yes                                       |
| <b>ME</b> | No  | No  | No                            | No                                     | Yes                        | No  |
| <b>MD</b> | Yes   | No  | No                            | No                                     | No                         | Yes                                       |
| <b>MA</b> | Yes   | No  | Yes                           | Yes                                    | No                         | No  |
| <b>MI</b> | No  | No  | No                            | Yes                                    | No                         | No  |
| <b>MN</b> | Yes   | No  | No                            | Yes                                    | No                         | No  |
| <b>MS</b> | No  | No  | No                            | No                                     | No                         | Yes                                       |
| <b>MO</b> | No  | No  | No                            | No                                     | No                         | Yes                                       |
| <b>MT</b> | Yes   | No  | No                            | No                                     | Yes                        | No  |
| <b>NE</b> | No  | Yes   | No                            | Yes                                    | No                         | No  |
| <b>NV</b> | Yes   | No  | Yes                           | Yes                                    | No <sup>7</sup>            | No  |
| <b>NH</b> | No  | Yes   | No                            | Yes                                    | No                         | No  |
| <b>NJ</b> | Yes   | Yes   | Yes                           | No                                     | Yes                        | No  |
| <b>NM</b> | No  | No  | No                            | Yes                                    | No                         | Yes                                       |
| <b>NY</b> | Yes   | No  | Yes                           | No                                     | Yes                        | Yes                                       |
| <b>NC</b> | Yes   | Yes   | No                            | Yes                                    | Yes                        | Yes                                       |
| <b>ND</b> | No  | No  | No                            | Yes                                    | No                         | No  |
| <b>OH</b> | Yes   | No  | No                            | Yes                                    | Yes                        | No  |
| <b>OK</b> | Yes   | No  | No                            | No                                     | No                         | No  |
| <b>OR</b> | Yes   | No  | No                            | Mandatory<br>Ins. Req.                 | No                         | Yes                                       |
|           | <b>Trust</b>  | <b>Random</b>                                     | <b>Payee</b>                  | <b>Disclosure</b>                      | <b>Fee</b>                 | <b>Mediation</b>                          |

|           | <b>Account<br/>Overdraft<br/>Notification</b> | <b>Audit of<br/>Trust<br/>Accounts</b> | <b>Notification</b> | <b>of<br/>Insurance</b> | <b>Arbitration</b> | <b>Non-Fee<br/>Disputes</b> |
|-----------|---|--|---------------------|-------------------------|--------------------|-----------------------------|
| <b>PA</b> | Yes   | No                                     | Yes                 | Yes                     | No                 | Yes                         |
| <b>RI</b> | Yes   | No                                     | Yes                 | Yes                     | No                 | No                          |
| <b>SC</b> | Yes   | No                                     | No                  | No                      | Yes                | No                          |
| <b>SD</b> | No  | No                                     | No                  | Yes                     | No                 | No                          |
| <b>TN</b> | Yes   | No                                     | No                  | No                      | No                 | No                          |
| <b>TX</b> | No  | No                                     | No                  | No                      | No                 | Yes                         |
| <b>UT</b> | Yes   | No                                     | No                  | No                      | No                 | Yes                         |
| <b>VT</b> | Yes   | Yes                                    | No                  | No                      | No                 | Yes                         |
| <b>VA</b> | Yes   | No                                     | No                  | Yes                     | No                 | No                          |
| <b>WA</b> | Yes   | Yes                                    | No                  | Yes                     | No                 | Yes                         |
| <b>WV</b> | No  | No                                     | No                  | Yes                     | No                 | No                          |
| <b>WI</b> | Yes   | No                                     | No                  | No                      | No                 | No                          |
| <b>WY</b> | No  | No                                     | No                  | No                      | Yes                | Yes                         |

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<sup>1</sup> ABA Model Rules for Trust Account Overdraft Notification:: <http://www.abanet.org/cpr/clientpro/opreface.html>

<sup>2</sup> ABA Model Rules for Random Audit of Lawyer Trust Accounts: <http://www.abanet.org/cpr/clientpro/apreface.html>

<sup>3</sup> ABA Model Rule for Payee Notification: <http://www.abanet.org/cpr/clientpro/ppreface.html>

<sup>4</sup> ABA Model Court Rule on Insurance Disclosure:  
[http://www.abanet.org/cpr/clientpro/Model\\_Rule\\_InsuranceDisclosure.pdf](http://www.abanet.org/cpr/clientpro/Model_Rule_InsuranceDisclosure.pdf)

Includes Oregon which mandates insurance.

<sup>5</sup> ABA *Model Rules for Fee Arbitration*:: <http://www.abanet.org/cpr/clientpro/fapreface.html>

<sup>6</sup> ABA *Model Rules for Mediation of Client-Lawyer Disputes*: <http://www.abanet.org/cpr/clientpro/medpreface.html>

<sup>7</sup> In 2004, the Bar's Board of Governors approved amending the Fee Dispute Arbitration By-Laws to read, "...if during two (2) years prior to the filing of the binding arbitration agreement by the petitioner, the respondent attorney has been the subject of three (3) or more fee disputes within the jurisdiction of the Committee, then the fee dispute arbitration proceeding shall become mandatory."