



## The Florida Bar

# INVENTORY ATTORNEY MANUAL

### DIRECTORY OF BRANCH OFFICES

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## **PREFACE**

A copy of this manual will be available to each Inventory Attorney assigned to an inventory proceeding. This manual is intended to acquaint all interested individuals with the inventory rules and procedures of The Florida Bar. This manual is intended to be only a guide and a starting point for persons appointed or interested in determining the requirements of the inventory attorney procedures. The Florida Bar makes no warranties about the content hereof. Suggestions for changes or additions to the manual are solicited.

WORD versions of the attached forms are available upon request from the Branch Offices of The Florida Bar.

**CAVEAT:** Because the Rules Regulating The Florida Bar are amended from time to time, readers of this manual are urged to consult the current Rules Regulating The Florida Bar at [www.floridabar.org](http://www.floridabar.org).

## **Authority and Governing Rules**

### ***RULE 1-3.8 RIGHT TO INVENTORY***

(a) Appointment; Grounds; Authority. Whenever an attorney is suspended, disbarred, becomes a delinquent member, abandons a practice, disappears, dies, or suffers an involuntary leave of absence due to military service, catastrophic illness, or injury, and no partner, personal representative, or other responsible party capable of conducting the attorney's affairs is known to exist, the appropriate circuit court, upon proper proof of the fact, may appoint an attorney or attorneys to inventory the files of the subject attorney (hereinafter referred to as "the subject attorney") and to take such action as seems indicated to protect the interests of clients of the subject attorney.

(b) Maintenance of Attorney-Client Confidences. Any attorney so appointed shall not disclose any information contained in files so inventoried without the consent of the client to whom such file relates except as necessary to carry out the order of the court that appointed the attorney to make the inventory.

(c) Status and Purpose of Inventory Attorney. Nothing herein creates an attorney and client, fiduciary, or other relationship between the inventory attorney and the subject attorney. The purpose of appointing an inventory attorney is to avoid prejudice to clients of the subject attorney and, as a secondary result, prevent or reduce claims against the subject attorney for such prejudice as may otherwise occur.

(d) Rules of Procedure. The Florida Rules of Civil Procedure are applicable to proceedings under this rule.

(e) Designation of Inventory Attorney. Each member of the bar who practices law in Florida shall designate another member of The Florida Bar who has agreed to serve as inventory attorney under this rule; provided, however, that no designation is required with respect to any portion of the member's practice as an employee of a governmental entity. When the services of an inventory attorney become necessary, an authorized representative of The Florida Bar shall contact the designated member and determine the member's current willingness to serve. The designated member shall not be under any obligation to serve as inventory attorney.

The preceding rule requires all members of The Florida Bar to designate an inventory attorney. Normally, there will be a responsible party capable of conducting the attorney's affairs who will act as needed, making it unnecessary for the Florida Bar or the courts to intervene. Thus, the rules do not contemplate seeking the formal appointment of an inventory attorney through Rule 1-3.8 except in extraordinary circumstances.

When the services of an inventory attorney become necessary, an authorized representative of The Florida Bar shall contact the designated member and determine the member's current willingness to serve. Bar Counsel or the proposed inventory attorney then will file a petition for appointment of inventory attorney (Form IA-1 attached) with the Chief Judge in the judicial circuit where the subject attorney's practice is located. A judge will be assigned to preside over the case and an order appointing the Inventory Attorney will be issued (Form IA-2). When Bar Counsel files the petition for appointment, Staff Counsel and Bar Counsel must receive notice of all pleadings.

It is important to remember that the inventory attorney does not become counsel to the clients of the subject attorney's practice. While the client(s) and the inventory attorney can agree to such representation by mutual consent, the role of the inventory attorney is to close out the practice by notifying clients and taking steps to return client files and funds to appropriate parties. Upon appointment as inventory attorney, a list should be compiled of the active cases so that clients can be notified of the need to obtain new counsel and the availability of their file. Files must be reviewed pursuant to Florida Bar Ethics Opinion 81-8 prior to seeking an order of destruction.

The inventory attorney can apply for an injunction freezing the bank accounts of the subject attorney or for necessary writs. Each active client is notified that an inventory attorney has been appointed by sending a notification letter (Form IA-3) along with a Request for File Disposition (Form IA-4) to be completed by the client and returned to the inventory attorney.

An initial report of inventory attorney is filed with the Circuit Court (Form IA-5).

Once each client of the subject attorney has been notified, their files have been distributed to them, or they have declined to receive their files, or they cannot be located or they fail to respond to the notification and all trust account money has been delivered to the rightful owner, the inventory file may be closed by filing the Final Report of Inventory Attorney and Petition for Discharge (Form IA-7) and a proposed order of discharge (Form IA-9).

### ***Operating and Trust Account Funds - Rule 5-1.1***

Part of the responsibility of an inventory attorney requires disposition of funds. Money that is properly in the lawyer's operating account belongs to the lawyer or the deceased lawyer's estate. If appropriate, the inventory attorney may seek an order authorizing reimbursement of documented costs expended for the inventory matter. Money properly in the trust account does not belong to the lawyer. Prior to disbursing any funds from the trust account, the inventory attorney must contact the Florida Bar Clients' Security Fund and determine whether any claims already have been paid in connection with the subject lawyer. This will ensure no double payments are made on the same claim. When the rightful owner of funds in the trust account can be identified, a court order should be sought providing authority to disburse the funds to the rightful owner. If there are insufficient funds in the trust account to fulfill all trust obligations, a court order should be sought providing for pro rata distribution. If, after due diligence, the inventory attorney cannot locate the rightful owner, then that money should be disbursed to the Division of Financial Services, State of Florida, pursuant to rule 5-1.1(i) and Chapter 717, Florida Statutes. The telephone number for the abandoned property section is (850) 410-9000 or 1-888-258-2253, Florida Department of Financial Services, Bureau of Unclaimed Property. If the rightful owner cannot be identified, a court order may be sought authorizing payment of the funds to the Florida Bar Clients' Security Fund.

(i) Unidentifiable Trust Fund Accumulations and Trust Funds Held for Missing Owners. When a lawyer's trust account contains an unidentifiable accumulation of trust funds or property, or trust funds or property held for missing owners, the funds or property must be designated as unidentifiable or held for missing owners. The lawyer must make a diligent search and inquiry to determine the beneficial owner of any unidentifiable accumulation or the address of any missing owner. If the beneficial owner of an unidentified accumulation is determined, the funds must be properly identified as trust property in the lawyer's possession. If a missing beneficial owner is located, the trust funds or property must be paid over or delivered to the beneficial owner if the owner is then entitled to receive the funds or property. Trust funds and property that remain unidentifiable and funds or property that are held for missing owners must be disposed of as provided in applicable Florida law after diligent search and inquiry fail to identify the beneficial owner or owner's address.

## **Inventory Attorney Checklist**

The purpose of this checklist is to provide some general information as to practical steps for the inventory attorney to follow. It specifically does not address legal issues, such as malpractice insurance or probate matters.

Upon identification of an appropriate need, seek appointment as inventory attorney by petitioning for appointment of an inventory attorney with the Chief Judge in the circuit where the subject attorney practiced law. If the potential inventory attorney files the petition, please copy Staff Counsel of The Florida Bar as well as the local Chief Branch Discipline Counsel. In many instances, these matters are not handled through the Clerk of Court. The local bar counsel can provide guidance.

1) Upon receipt of the order of appointment, ascertain whether a date has been set for filing of the Initial Report of Inventory Attorney. If so, calendar this date as well as the due dates for future periodic reports. Avoid mentioning confidential attorney-client matters in your reports.

2) If a probate matter is pending for the former attorney, coordinate your actions with the Personal Representative as appropriate.

3) Identify any active cases. Former employees of the law firm may be helpful in locating a list of active clients and the upcoming calendar. Notify clients of your appointment as inventory attorney and of their need to seek new counsel. Return the file to the clients, at their expense, so that they can seek new counsel. It may be appropriate to notify courts with active cases of the unavailability of the subject attorney.

4) Identify law office bank accounts, including trust accounts, as well as safe deposit boxes and review records to identify appropriate disposition of funds and property. Generally, no disbursements from operating or trust accounts should be made absent court order. In a case where inadequate records make it impossible to determine the appropriate disposition of the funds, you may seek a specific court order to pay the remaining trust account funds to the Clients' Security Fund of The Florida Bar. This is only appropriate for unknown payees as the Fund cannot hold funds for specific payees. A court order is required.

5) The inventory attorney will incur expenses such as mailing or storage costs. Generally, the former attorney is responsible for these costs and it is appropriate to seek payment from sources such as the former attorney's estate. If the

operating account contains funds, it is appropriate to seek court approval to disburse those funds for costs reimbursement. In rare instances, the bar may be able to provide reimbursement. Please note that bar counsel's specific prior approval is required. If authorized, please provide invoices to your bar counsel on at least a monthly basis.

6) Once immediate client needs have been met, it is appropriate to consider disposition of the former attorney's law office, furniture, and office equipment. Again, it is always best to coordinate matters with the estate, if any, and to seek a court order authorizing disposition of property subsequent to a detailed report of the inventory attorney.

7) Closed client files can be disposed of, with a court order, after it has been determined that no original items will be destroyed where the loss would prejudice a former client. Original wills belong to the clients. Shredding assistance is available from the bar.

8) In some cases, it may be appropriate for the inventory attorney to retain original matters from client files for a defined or an indefinite period. If so, the order terminating the appointment of inventory attorney should note this.

# **FORM IA-1**

## **FILED BY BAR COUNSEL FOR THE FLORIDA BAR OR THE PROPOSED INVENTORY ATTORNEY**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL  
CIRCUIT

IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

In Re:

THE FLORIDA BAR,

Petitioner,

Circuit Court Case No. \_\_\_\_\_

Florida Bar File No. \_\_\_\_\_

[SUBJECT ATTORNEY],

A \_\_\_\_\_ [disbarred, deceased, suspended, etc.]  
attorney.

\_\_\_\_\_/

### **PETITION FOR APPOINTMENT OF INVENTORY ATTORNEY**

(The Florida Bar OR Proposed Inventory Attorney) brings this  
Petition for Appointment of Inventory Attorney and says:

1. This Court has jurisdiction to entertain this petition and over  
the subject matter hereof pursuant to Rule 1-3.8, Rules Regulating The  
Florida Bar.

2. [Subject attorney] was a member of The Florida Bar and  
subject to the jurisdiction of this Court.

(OPTIONAL PARAGRAPHS, choose appropriate one):



3. [Subject attorney has been disbarred/suspended, etc.] as of [enter date of order], by the Supreme Court of Florida, a copy of the [date of order] order is attached herewith and made a part hereof.

[OR]

[Subject attorney is deceased/disabled, etc.,] and unable to practice law.

4. [Subject attorney] has no partner, executor or other responsible party capable of conducting [subject attorney's] affairs connected with the practice of law.

5. [Subject attorney] is in actual or constructive possession of certain files of clients and/or former client files.

6. [Subject attorney's] inability to practice law creates the probability of prejudice to such clients.

7. In order to protect the legal rights of the clients of [subject attorney] and minimize liability of [subject attorney], if any, it is essential that all active files of [subject attorney] be inventoried pursuant to Rule 1-3.8, Rules Regulating The Florida Bar and appropriate action be taken to notify and otherwise protect said clients as provided in said rules.

8. [Subject attorney] is believed to have maintained a trust account and an office operating account.

9. That [Inventory Attorney], a member of The Florida Bar,

[Inventory Attorney Bar Number] [Inventory Attorney Address] [Inventory Attorney Phone], [Inventory Attorney email address] has consented to act as inventory attorney.

WHEREFORE, (The Florida Bar OR Inventory Attorney), by and through its undersigned representative, requests that this Honorable Court:

A. Appoint [Inventory Attorney], an attorney licensed to practice law in the State of Florida, as inventory attorney for [Subject Attorney] with the full powers and duties pursuant to Rule 1-3.8, Rules Regulating The Florida Bar.

B. Direct that [Inventory Attorney] proceed as soon as possible.

C. Direct that [Inventory Attorney] shall furnish progress reports to this Court with copies to The Florida Bar periodically at such times and at such intervals as this Court may deem appropriate until the completion of (his/her) duties as inventory attorney and approval of the final report by this Court.

D. Direct that such writs as are necessary to enable the inventory attorney to carry out (his/her) duties under this court order will be issued forthwith by the clerk of this Court upon application of said attorney.

E. Direct that [Inventory Attorney] shall have full access to and authority to make deposits to and disbursements from the trust account(s),

operating account(s), escrow account(s), estate account(s) of [subject attorney] or any accounts held by [subject attorney] in any representative capacity, and shall comply with the provisions of Rules 5-1 and 5-2, Rules Regulating The Florida Bar in all transactions involving said accounts.

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Bar Counsel OR Inventory Attorney  
The Florida Bar Branch Address OR  
Inventory Attorney Address, telephone  
number, and email address  
Florida Bar Number:

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Petition for Appointment of Inventory Attorney has been furnished to the Chief Judge [insert appropriate name and address]; to Adria Quintela, Staff Counsel, The Florida Bar, 1300 Concord Terrace, Suite 130, Sunrise, Florida 33323, at [aquintel@floridabar.org](mailto:aquintel@floridabar.org); to Bar Counsel, The Florida Bar [insert appropriate address]; and to [Subject of the inventory matter or Personal Representative and appropriate address] on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Bar Counsel OR Inventory Attorney

## **FORM IA-2**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL  
CIRCUIT

IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

In Re:

THE FLORIDA BAR,

Petitioner,

Circuit Court Case No. \_\_\_\_\_

Florida Bar File No. \_\_\_\_\_

[SUBJECT ATTORNEY],

A \_\_\_\_\_ [disbarred, deceased, suspended, etc.]  
attorney.

\_\_\_\_\_/

### **ORDER APPOINTING INVENTORY ATTORNEY**

Pursuant to the Petition of (The Florida Bar or Inventory Attorney) for  
appointment of an inventory attorney pursuant to Rule 1-3.8, Rules  
Regulating The Florida Bar, and the Court being otherwise fully advised in  
the premises and finding that it is appropriate to appoint an inventory  
attorney in this matter:

IT IS ORDERED AND ADJUDGED:

1. [Inventory Attorney /Address/Phone/email], is hereby  
appointed as inventory attorney for [Subject Attorney] with full powers and  
duties pursuant to Rule 1-3.8, Rules Regulating The Florida Bar to carry out  
the function as inventory attorney.

2. The inventory attorney is directed to proceed as soon as possible to inventory the files of [Subject Attorney] and to take such action as he/she deems indicated to protect the interests of the clients of [Subject Attorney] as well as the interest of [Subject Attorney].

3. The inventory attorney is specifically authorized to accept employment as attorney in connection with the activities of cases found in the files inventoried as long as each client is given a free choice for the further employment of counsel.

4. The inventory attorney shall not be obligated to accept employment as attorney in connection with any or all of the active cases found in the files inventoried but he/she, at his/her option, may refuse to handle such files.

5. The inventory attorney shall furnish a progress report to this Court with copies to The Florida Bar, c/o [Bar Attorney Counsel], Bar Counsel, [Branch] Name/Address/Email Address] within 60 days of this order, and shall thereafter furnish periodic progress reports as this court may direct until completion of the duties as inventory attorney and approval of a final report by this Court.

6. The Clerk of this Court shall issue, upon application of [Inventory Attorney], such writs as may be necessary to carry out this order.

7. The inventory attorney shall have specific authority to have access to the law office bank accounts of the subject attorney, whether such bank account is operating, escrow, trust, estate or in any representative capacity.

DONE AND ORDERED in Chambers at \_\_\_\_\_,  
County of \_\_\_\_\_, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
[Judge's Name], Circuit Judge

Copies Provided To:

[Personal Representative Name], Personal Representative OR [Subject Attorney], [insert appropriate address]

Adria Quintela, Staff Counsel, The Florida Bar, 1300 Concord Terrace,  
Suite 130, Sunrise, Florida 33323, at [aquintel@floridabar.org](mailto:aquintel@floridabar.org);

Bar Counsel, The Florida Bar [insert address and email]

[Inventory Attorney], Inventory Attorney [insert address and email]

## **FORM IA-3**

[Letterhead]

[Date]

[Client Name]

[Client Address]

Re: [Subject Attorney]; Circuit Court Case No. \_\_\_\_\_

The Florida Bar File No. \_\_\_\_\_

Dear [Client Name]:

I have been appointed by the circuit court as the Inventory Attorney for the files of [Subject Attorney] due to the fact that [Subject Attorney] has [died/been disbarred, etc.]. **(NOTE: If the subject attorney was disbarred, has died, disappeared or has been adjudicated incompetent, that fact should be substituted).**

[Mr./Ms. Subject Attorney Last Name]'s files indicate that (he/she) has represented you in a legal matter. If this representation has not been fully completed, it is suggested that you contact and secure a new attorney and have your new attorney contact me immediately.

Your office file can be secured upon request, and must be picked up by you in person. No files will be delivered by mail unless you so indicate on the enclosed REQUEST FOR FILE DISPOSITION. Please indicate on the enclosed REQUEST FOR FILE DISPOSITION what disposition you wish to have made of the file and mail this request to me at [Inventory Attorney/Address]. If you wish the file to be mailed to you, you will be asked to provide appropriate mailing costs in advance.

Please allow at least 5 working days after mailing the request before attempting to pick up your file.

If you have any questions, I can be contacted by telephone at [Inventory Attorney Phone], or my office at [Inventory Attorney Address].

Sincerely,

[Inventory Attorney]  
Inventory Attorney



# **FORM IA-4**

## **REQUEST FOR FILE DISPOSITION**

TO: [Inventory Attorney]  
[Inventory Attorney  
Address]

Re: [Subject Attorney]; TFB File No. \_\_\_\_\_

I HEREBY request disposition of my office file held by [Inventory Attorney] as follows:

\_\_\_\_\_ I will pick up my file at your [Inventory Attorney Office Location] office.

\_\_\_\_\_ The legal matter contained in the file has been completed and the file may be destroyed.

\_\_\_\_\_ This is your authority to send the file via regular U.S. Mail to the person indicated below after I provide appropriate mailing costs to you.

Sincerely,

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

## **FORM IA-5**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL  
CIRCUIT

IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

In Re:

THE FLORIDA BAR,

Petitioner,

Circuit Court Case No. \_\_\_\_\_

Florida Bar File No. \_\_\_\_\_

[SUBJECT ATTORNEY],

A \_\_\_\_\_ [disbarred, deceased, suspended, etc.]  
attorney.

\_\_\_\_\_/

### **INITIAL REPORT OF INVENTORY ATTORNEY**

[Inventory Attorney], as Inventory Attorney for the files of [Subject Attorney], reports to the Court as follows:

1. I was appointed as inventory attorney by order of the court dated [Date of Order].
2. Approximately [# of Files] files of [Subject Attorney] were brought to my attention and so far as is known at this time this constitutes all of the active and inactive office files. Approximately [# of Active Files] of these files are active files on which [Subject Attorney] is the attorney of record. Each file has been examined and the party in interest has been notified of the pendency of this inventory proceeding and that their file may

be secured from me upon application.

3. The remaining files numbering approximately [# of files] contain copies of documents, letters and miscellaneous papers of no apparent value or use. Each file is being examined and an evaluation is being made as to the necessity of notifying the client. If the file shows action or inquiry during the past six years, a letter will be written to the client, a copy of which is hereto attached as Exhibit A, with a return letter to me indicating their choice as to the disposition of the file.

a. Where files indicate that there has been no action or inquiry during the past six years or that they have been fully completed, such files are being held as "no action files," subject to future disposition or destruction.

b. OPTIONAL: This court has granted authority to return all files to [Subject Attorney]'s former clients or to have them destroyed as the court may direct. A copy of this authority is hereto attached as Exhibit B.

4. As of the date of this report, approximately [# Letters mailed] letters have been mailed to clients concerning their files; approximately [# of No Action Files] files have been designated as "no action files" and [#Files Delivered] files have been delivered to clients or their respective attorney, or agent.

5. On [Date applied for Injunction], I applied for and received an injunction freezing the bank accounts of [Subject Attorney]. The total amount in said bank(s) held under such order is \$ \_\_\_\_\_ as will appear from the letter(s) from said bank(s) attached as Exhibit(s) \_\_\_\_\_. There are no other assets of [Subject Attorney] known to me at this time.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

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[Inventory Attorney], Inventory  
Attorney  
[Inventory Attorney Address]  
[Inventory Attorney Phone]  
[Inventory Attorney Bar No.]  
[Inventory Attorney email address]

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the Chief Judge [insert appropriate name and address]; to Adria Quintela, Staff Counsel, The Florida Bar, 1300 Concord Terrace, Suite 130, Sunrise, Florida 33323, at [aquintel@floridabar.org](mailto:aquintel@floridabar.org); to Bar Counsel, The Florida Bar [insert appropriate address]; and to [Subject of the inventory matter or Personal Representative and appropriate address] on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Bar Counsel OR Inventory Attorney

## **FORM IA-6**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL  
CIRCUIT

IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

In Re:

THE FLORIDA BAR,

Petitioner,

Circuit Court Case No. \_\_\_\_\_

Florida Bar File No. \_\_\_\_\_

[SUBJECT ATTORNEY],

A \_\_\_\_\_ [disbarred, deceased, suspended, etc.]  
attorney.

\_\_\_\_\_/

### **SECOND REPORT OF INVENTORY ATTORNEY**

[Inventory Attorney], as Inventory Attorney for the files of [Subject  
Attorney], reports to the court the following:

1. -Since the filing of the first report, I have ascertained that I  
received approximately [# of Files] office files. Of these files  
approximately [# of Files] require no action.
2. The items reported in paragraph \_\_\_\_ and paragraph \_\_\_\_ of  
the initial report have been disposed of by delivery of files to clients or  
to their new attorneys.
3. The status of the office files of [Subject Attorney] is  
approximately as follows, as of this date:

- a) Letters mailed to clients \_\_\_\_\_
- Requests for files \_\_\_\_\_
- Request to destroy files \_\_\_\_\_
- No response to letters \_\_\_\_\_
- Letters returned undelivered \_\_\_\_\_
- b) Requests for files \_\_\_\_\_
- Files delivered \_\_\_\_\_
- Files requested, but not delivered \_\_\_\_\_

4. Disposition of the remaining files is recommended as follows:

- a) The approximately [# of Files] "no action" files be destroyed.
- b) The [# of Files] "no response" files be destroyed.
- c) The persons interested in the remaining [# of Files] files requested but not retrieved files be given a second notice and that any files not retrieved be destroyed as of [Date].
- d) The receipts for the [# of Files] files delivered to clients be held by your petitioner until [Date], and on that date be destroyed.

5. The undersigned, as inventory attorney, has incurred the following expenses for which reimbursement is requested:

- a) Cost of mailing [# of Letters] letters at \$\_\_\_\_\_.
- b) Miscellaneous expense per statement attached \$\_\_\_\_\_.

There are funds in [Subject Attorney]'s operating account in the sum of \$\_\_\_\_\_. Permission from this Court is requested to reimburse these expenses from this operating account. The remaining

funds are the legal property of [Subject Attorney] and authority of this Court is sought to disburse them to [Subject Attorney] or to the Division of Financial Services, State of Florida, [if the undersigned is unable to locate the subject attorney through reasonable efforts] [or if the estate is closed].

6. There is a trust account balance of \$\_\_\_\_\_, representing trust funds of [Subject Attorney] held in trust for clients. Diligent search and inquiry will be made to ascertain the owners of these funds and seek further authority of this Court to disburse them to the owner of the funds.

WHEREFORE, an order is requested:

- a) Authorizing the destruction of files or such other disposition as the Court may direct;
- b) Authorizing the payment of expenses incurred by the inventory attorney in the distribution and destruction of files; and
- c) Holding in abeyance the disposition of the trust funds of [Subject Attorney] until such time as the rightful owners are located and a report is filed requesting proper disbursement of the funds.

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[Inventory Attorney], Inventory  
Attorney

[Inventory Attorney Address]

[Inventory Attorney Phone]

[Inventory Attorney Bar No.]  
[Inventory Attorney email address]

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the Chief Judge [insert appropriate name and address]; to Adria Quintela, Staff Counsel, The Florida Bar, 1300 Concord Terrace, Suite 130, Sunrise, Florida 33323, at [aquintel@floridaabar.org](mailto:aquintel@floridaabar.org); to Bar Counsel, The Florida Bar [insert appropriate address]; and to [Subject of the inventory matter or Personal Representative and appropriate address] on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Bar Counsel OR Proposed Inventory  
Attorney



## **FORM IA-7**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL  
CIRCUIT

IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

In Re:

THE FLORIDA BAR,

Petitioner,

Circuit Court Case No. \_\_\_\_\_

Florida Bar File No. \_\_\_\_\_

[SUBJECT ATTORNEY],

A \_\_\_\_\_ [disbarred, deceased, suspended, etc.]  
attorney.

\_\_\_\_\_/

### **FINAL REPORT OF INVENTORY ATTORNEY AND PETITION FOR DISCHARGE**

On [Date of Court Order], the undersigned was appointed as inventory attorney for the files and records of [Subject Attorney] pursuant to Rule 1-3.8, Rules Regulating The Florida Bar.

The undersigned has filed (his/her) report(s) of (his/her) actions as inventory attorney. On [Date of Order], an order was entered directing the distribution and payment of certain trust accounts and personal bank accounts of [Subject Attorney] and directing the destruction of the remaining office files.

Pursuant to said order of [Date of Order], the undersigned has

destroyed all of the remaining office files of [Subject Attorney].

The undersigned has paid the funds in the trust accounts of [Subject Attorney] to [fill in appropriate name or agency].

The undersigned has paid the funds in the operating account to [fill in appropriate name or agency].

WHEREFORE, having completed all duties as inventory attorney for [Subject Attorney], [Inventory Attorney] respectfully requests the entry of an order approving (his/her) actions and discharging [Inventory Attorney] as inventory attorney.

Respectfully submitted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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[Inventory Attorney], Inventory Attorney  
[Inventory Attorney Address]  
[Inventory Attorney Phone]  
[Inventory Attorney Bar No.]  
[Inventory Attorney email address]

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the Chief Judge [insert appropriate name and address]; to Adria Quintela, Staff Counsel, The Florida Bar, 1300 Concord Terrace, Suite 130, Sunrise,

Florida 33323, at [aquintel@floridaabar.org](mailto:aquintel@floridaabar.org); to Bar Counsel, The Florida Bar  
[insert appropriate address]; and to [Subject of the inventory matter or  
Personal Representative and appropriate address] on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

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Bar Counsel OR Proposed Inventory  
Attorney

## **FORM IA-8**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

In Re:

THE FLORIDA BAR,

Petitioner,

Circuit Court Case No. \_\_\_\_\_

Florida Bar File No. \_\_\_\_\_

[SUBJECT ATTORNEY],

A \_\_\_\_\_ [disbarred, deceased, suspended, etc.] attorney.

\_\_\_\_\_/

### **Order**

Pursuant to the reports of [Inventory Attorney], as inventory attorney for the  
files of [Subject Attorney], and the court being fully advised,

IT IS ORDERED:

1. The approximately [Number of Files] "no action" files and the [Number of Files] "no response" files be destroyed immediately.
2. The [Number of Files] files authorized to be destroyed by the persons interested in said files be destroyed immediately.
3. The [Number of Files] files requested but not picked up, and the [Number of Files] files belonging to clients whose letters were returned undelivered, be held by the inventory attorney until [Date], and all such files not delivered by that date be destroyed.
4. The receipts for files delivered to clients to be held by the inventory

attorney until [Date], or for such additional time as the inventory attorney may elect, and on such date be destroyed.

5. The sum of \$\_\_\_\_\_ in the operating account in the name of [Subject Attorney] on deposit in [Name and Address of Banking Institution] be paid to [fill in appropriate name or agency].

6. The balance of \$\_\_\_\_\_ in the trust account in the name of [Subject Attorney] on deposit in [Name and Address of Banking Institution] be paid to [fill in appropriate name or agency].

DONE AND ORDERED in Chambers at \_\_\_\_\_, County of \_\_\_\_\_, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

[Judge's Name], Circuit Judge

Copies Provided To:

[Personal Representative Name], Personal Representative OR [Subject Attorney],  
[insert appropriate address]

Adria Quintela, Staff Counsel, The Florida Bar, 1300 Concord Terrace, Suite 130, Sunrise, Florida 33323, at [aquintel@floridabar.org](mailto:aquintel@floridabar.org);

Bar Counsel, The Florida Bar [insert address and email]

[Inventory Attorney], Inventory Attorney [insert address and email]

## **FORM IA-9**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

In Re:

THE FLORIDA BAR,

Petitioner,

Circuit Court Case No. \_\_\_\_\_

Florida Bar File No. \_\_\_\_\_

[SUBJECT ATTORNEY],

A \_\_\_\_\_ [disbarred, deceased, suspended, etc.] attorney.

\_\_\_\_\_/

### **ORDER**

Pursuant to the request of [Inventory Attorney], as inventory attorney for the files of and records of [Subject Attorney], for the approval of a final report and for discharge, and the court being fully advised, it is

#### **ORDERED:**

1. The final report of inventory attorney for the files and records of [Subject Attorney] be and is hereby approved.
2. [Inventory Attorney] is discharged as the inventory attorney for the files and records of [Subject Attorney].

DONE AND ORDERED in Chambers at \_\_\_\_\_, County of \_\_\_\_\_, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
[Judge's Name], Chief Circuit Judge

Copies Provided To:

[Personal Representative Name], Personal Representative OR [Subject Attorney],  
[insert appropriate address]

Adria Quintela, Staff Counsel, The Florida Bar, 1300 Concord Terrace, Suite  
130, Sunrise, Florida 33323, at [aquintel@floridabar.org](mailto:aquintel@floridabar.org);

Bar Counsel, The Florida Bar [insert address and email]

[Inventory Attorney], Inventory Attorney [insert address and email]