

## Representative Capacity Undertaking

### Instructions:

This form must be completed when a lawyer acts in a representative capacity during a reporting period, pursuant to Rule 119.26.

Please submit this form to [Trust.Safety@lawsociety.ab.ca](mailto:Trust.Safety@lawsociety.ab.ca)

### SECTION A - EXECUTOR / PERSONAL REPRESENTATIVE / POWER OF ATTORNEY

1. The representative capacity I acted under was a:

Personal Matter

Professional Matter (as a Barrister & Solicitor)

If "Personal Matter", please proceed to section B.

If "Professional Matter", please answer 2 to 6.

2. During the reporting period, the total number of matters in which you acted in a representative capacity was: \_\_\_\_\_

3. Please list the individual matters, client names and total dollar value of all assets, as of the end of the reporting period, in which you acted in representative capacity:

#	Matter Number	Client Name	Total dollar value of all assets
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Attach separate schedule to list additional matters.

4. Was the total dollar value indicated in (3) recorded in the firm's accounting records? Yes No

If "No", provide an explanation below.

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5. Were books and records maintained in accordance with Rule 119.36, in a permanent, easily traceable form together with all supporting documents? Yes No

If "No", provide an explanation below.

6. Were the funds held in/disbursed through your law firm's trust account? Yes No

If Yes, please indicate the type of account (Select all that apply):

*Pooled Trust Account*

Separate Interest Bearing Account

Estate and Power of Attorney Trust Account

Other (Provide description) \_\_\_\_\_

If "No", please indicate the type of account below:

Trustee Account

Other (Provide description)

## **END OF SECTION A**

Please use this space to add any additional comments related to the above questions

**SECTION B - DECLARATION**

I, \_\_\_\_\_, undertake to provide, on demand:

- a) particulars relating to my acting in a representative capacity;
- b) a list of the beneficiaries of the estate or trust, together with their last known address;
- c) to the extent of my lawful ability, the books, records, accounts and documents of the estate or trust, in a form sufficient to accommodate an examination, review, audit or investigation ordered by the Executive Director, and
- d) to cooperate with the Society's auditor or investigator in the conduct of any examination, review, audit or investigation so ordered.

all pursuant to subrule 119.26.

Date \_\_\_\_\_ Signature of Member \_\_\_\_\_

The information provided in this form will be used by the Law Society of Alberta for one or more purposes contemplated by the *Legal Profession Act*, the Rules of the Law Society, the Code of Conduct, or a resolution of the Benchers and will be accessible to all departments of the Law Society, including the Alberta Lawyers Insurance Association. The information may be used or disclosed by the Law Society of Alberta, now or in the future, for regulatory purposes, including Law Society of Alberta investigations and proceedings. We may contact you to obtain additional information, or to obtain clarification on the information you provided. Should you have any questions about this, please contact the Privacy Officer at 403-229-4700.