

Frequently Asked Questions - Online Law Firm Self-Report

The Law Firm Self-Report is going Online! Effective November 8, 2017, law firms will be able to e-file a completed Self-Report online via the Lawyer Portal. The Law Society is committed to improving and changing the way we support and service Responsible Lawyers by integrating e-business solutions to facilitate compliance with Trust Safety requirements. This will enable the Law Society to quickly identify opportunities to provide proactive support to Responsible Lawyers, while at the same time, identifying emerging risks.

General

1. What changes are you making to the Law Firm Self-Report?

Effective November 8, 2017 law firms will be able to e-file the Law Firm Self-Report online via the Lawyer Portal. Going forward, it will be mandatory for the Law Firm Self-Report to be filed online.

2. Why make a change to the current system?

Currently, law firms are only able to submit the Self-Report manually (i.e. firms download the report from the LSA website, populate, and then fax / mail / scan / email / hand deliver the form to Trust Safety). Approximately 2,400 Self-Reports are received annually. These reports are reviewed manually and exceptions identified are remediated on an individual basis. The current process is administratively burdensome and time consuming, for both law firms and the Law Society.

3. Why is the new system better?

In addition to alleviating the administrative burden on the law firms, benefits of online filing include:

- records are immediately updated;
- document is filed on time;
- ability and flexibility to file from your home, office or mobile device;
- service is available 24 hours a day, seven days a week;
- automated rating of form;
- ability to process reports quickly, intelligently, and efficiently and;
- providing the Law Society with data more quickly, which in turn help minimize risks and allows the Law Society proactively support lawyers to keep them compliant with the Trust Safety Rules.

4. What updates have been made to the Self-Report?

The Self-Report comprises of four sections outlined below:

1. Firm Practice Profile
2. Bank Account Information
3. Trust Bank Account Reporting
4. Law Firm Self-Report:

- Section A General Information
- Section B General Bank Account
- Section C Trust Bank Account

The sections that need to be completed will depend on whether the law firm operates a trust bank account. A [Law Firm Self-Report Checklist](#) has been created to help ensure you have properly completed the Self-Report.

Law firm Situation	Firm Practice	Bank Account	Trust Bank Account	Law Firm Self-Report		
	Profile	Information	Reporting	Section A	Section B	Section C
Law firm operates only a general bank account (does not receive, disburse or handle trust money)	✓	✓	N/A	✓	✓	N/A
Law firm operates a trust bank account	✓	✓	✓	✓	✓	✓
 Indicates section of the Law Firm Self-Report that must be completed						

5. What are my Trust Safety reporting requirements if I have been exempted from the requirement to maintain a trust account?

Your annual Trust Safety reporting requirements are to be completed online via the Lawyer Portal. The requirements are as follows:

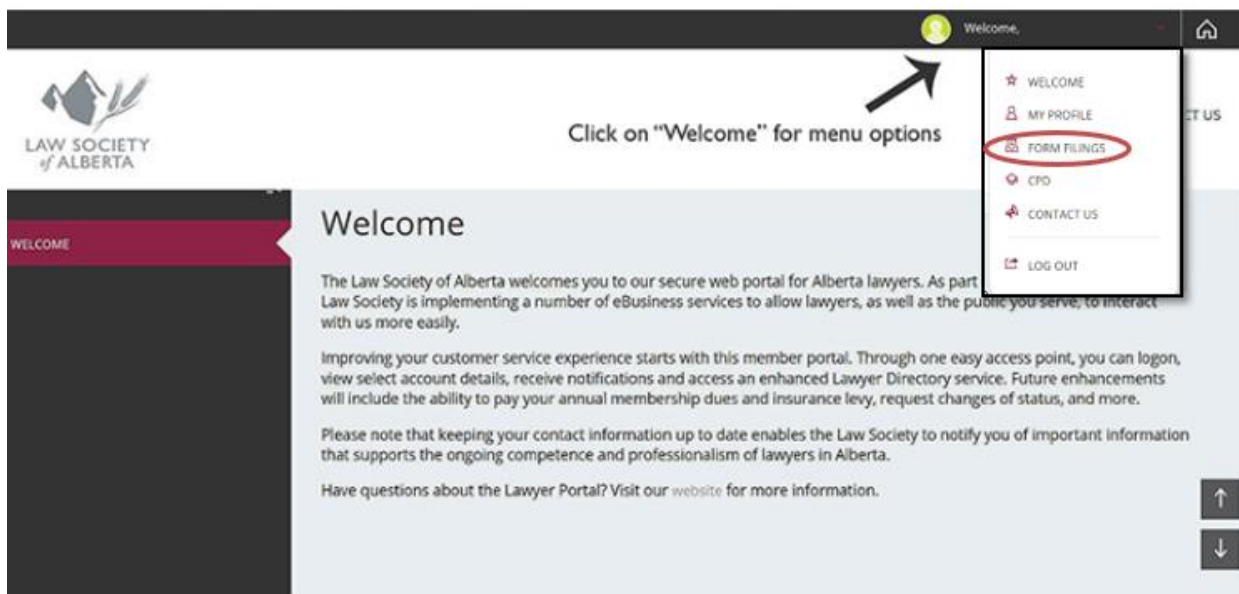
- Welcome Page - Read the Introduction information.
- Firm Practice Profile – Indicate area(s) of practice for the firm with percentages based on the approximate amount of time spent working in each area.
- Bank Accounts – Provide General bank account(s) information for the reporting period.
- Law Firm Self-Report
 - Submit Sections A and B of the Law Firm Self-Report
 - Check the NOT APPLICABLE option at the top of page 7. This will eliminate the requirement for section C.
- Lawyer Certification - Certify online to the accuracy of the information provided in the Self-Report.

6. What's changed and what's new to the Self-Report?

- A. **Questions:** All previous questions are still included within the online Self-Report. However, the form has been updated and questions in the Self-report have either been consolidated or separately presented.
- B. **Bank Account Information:** All Law Firms are required to provide information regarding their Trust and General bank account(s) when submitting the Self-Report regardless of whether you upload your data to the Law Society or submit an Accountants report.
- C. **Trust Bank Account Reporting:** Law Firms who operate a trust account are required to complete a Bank Account Report for your Trust Accounts only. You do not need to complete a Bank Account Report for your General Account. This is required regardless of whether you upload your data to the Law Society or submit an Accountants report.
- D. **Lawyer Certification:** You are now able to certify online to the accuracy of the information provided in the Self-Report.
- E. **Separate Financial Institution Authorization Release Form:** We have separated the Financial Institution Authorization Release form (that authorizes the Law Society to obtain bank account records and information regarding your trust account directly from the financial institution when the LSA conducts an examination, review, audit or investigation in accordance with the Rules) from the Lawyer Certification as the financial institution still needs a manually signed copy from the lawyer.

7. How do I file a Self-Report Online?

Visit the [Lawyer Portal](#) to e-file your Self-Report. You will notice that the Lawyer Portal has a new design - see the screen capture below to identify where you can access Self-Report information.



More information on how to e-file your self-report is located on our website under: [Home >Lawyers & Students >Trust Accounting & Safety>Filing Requirements> File the Law Firm Self-Report](#)

8. Do I need to submit an Electronic Data Upload if I am submitting the Trust Bank Account Report and Self Report online?

Yes, you are required to submit the Self-Report online via the Lawyer Portal, which includes the Trust Bank Account Report and submit the Electronic Data Upload via our secure File Transfer Site Accellion. The Trust Safety Accounting Upload User Guides are available [here](#).

9. What bank accounts do I need to list or file a report on?

All Law firms are required to either provide information or file a report on the following Trust and General bank account(s) when submitting their Self-Report:

- **General Account:**
 - List all general bank accounts in Alberta that were opened and closed by the law firm during the reporting period. This would also include any separate payroll, GST or other accounts that may not be specifically in the name of the law firm. For example, a law firm may establish a management company that holds the lease and pays staffing costs. Please list these as this account and the related expenses pertain to the law firm
- **Trust Account:**
 - **Pooled Trust Account:** List and file a report on all pooled trust bank accounts in Alberta that were opened and closed by the law firm during the reporting period
 - **Separate Interest-Bearing Trust Accounts (SIBA):** List and file a report on all SIBA's in Alberta that were opened or closed by the law firm during the reporting period
For the purposes of reporting to the Law Society, the SIBA account can be set up as an individual SIBA account or as a Pooled SIBA account by financial institution (to record all the individual investment accounts that may have been set up (and closed) for clients) in your legal accounting system within the reporting period.

Please note:

- The Trust and General bank account(s) reported in your self-report should be the same accounts listed in your legal accounting system.

10. What date parameters should I use for the bank account report (bank reconciliation)?

The data that is required for each trust bank account is:

- Total bank deposits for the year
- Total bank withdrawals for the year
- December 31 bank statement balance
- Total of the outstanding (uncashed) trust cheques as at December 31
- Total of the outstanding deposits as at December 31
- Net other adjustments such as bank errors, posting errors, etc. as at December 31
- Reconciled bank balance as at December 31
- Total of the client trust listing as at December 31 for each specific trust bank account

11. How can I get the data required for the Trust Bank Account Report?

These totals can be calculated using the transaction download feature available with your financial institution's online banking services.

12. The Firm Area of Practice percentages, is it by time or by billing amounts?

Indicate your area(s) of practice with percentages based on the approximate amount of time spent working in each area. Ideally there should be a direct correlation between the amount of time spent in a practice area and the total amount billed.

13. What about deadlines? Are they still the same?

As per the [Trust Safety Rule changes](#) earlier this year, a mandatory filing date (year-end) of December 31, with a filing deadline of March 31 has been established for all annual filing requirements: Self-Report and Accountant's Report or Upload.

14. What happens if the deadline is missed?

Law firms that do not file the required reports by the due date (March 31) will be subject to [late fees and administrative suspension](#) of the Responsible Lawyer.

15. What if my law firm name is incorrect?

Currently, this cannot be changed on the online Self-Report via the Lawyer Portal. Please submit your request to correct your law firm's name to Membership Services (membership@lawsociety.ab.ca) to make the change before submitting your Self-Report.

16. How do I make a correction if I've already submitted the Self-Report?

Please contact Trust Safety at 403-228-5632 or email trust.safety@lawsociety.ab.ca to reset your Self-Report to incomplete.

17. Does the Form save if I need more time?

As soon as you start to enter information into the Form and as you move through the pages of the Self-Report, the program is automatically saving your entries.

If you need to complete the Form over a few days you can do so without losing any of the information you have already entered. You can make changes to the Form until you press the "**Submit**" button.

18. Can I print a copy of the online self-report for my Accountant?

Yes, the Self-Report including the bank account report can be printed by clicking on the "**Print**" button at the bottom of each page.

19. What is the timeout period for a single active session?

To keep your environment secure, the Lawyer Portal will expire within **15** minutes of inactivity.

20. Can my bookkeeper have access to the Forms Filings section of the Lawyer Portal?

The **Form Filings Menu** item in the Member Account Menu is available to:

- All active lawyers currently employed at the Firm;
- Former Responsible Lawyers for the Firm, even if they are no longer employed there; and
- Firm administrators.

If you grant access to your bookkeeper as a firm administrator, then your bookkeeper will have access to the portal.

21. Where do I find the Trust Account and Client Ledger Shortages Form?

This Form is located on the Law Society's website under Lawyers & Students –[Trust Accounting & Safety - Forms for Financial Records, Accounts & Trusts](#)

22. Where do I find the Cash Rule Breach Reporting Form?

Currently, this form is not available. You can provide the applicable information by email to trust.safety@lawsociety.ab.ca. Please include information such as the date, client, amount, matter, reason for the cash rule breach and what processes are in place to ensure this Rule is not breached in the future.

23. How does a lawyer report that they have acted in a representative capacity?

If any lawyers within a law firm have such appointments, they must answer **Yes to Question 5** in the Self Report and attach the Representative Capacity Undertaking form. The Undertaking is located on Law Society's website under Lawyers & Students –[Trust Accounting & Safety - Forms for Financial Records, Accounts & Trusts](#).

24. Where can I find the Financial Institution Authorization Release form to complete my Self-Report?

The Financial Institution Authorization Release form is located on the Law Society's website under [Lawyers & Students –Trust Accounting & Safety - Forms for Financial Records, Accounts & Trusts](#)

25. Where can I get support and technical assistance?

A technical [User Guide](#) and [Self-Report Guideline](#) has been developed to assist Law Firms in E-filing the Self-Report.

If you have difficulty submitting your form, Trust Safety staff is available answer questions and provide any information required to assist Law Firms to smoothly e-file the Self-Report via the Lawyer Portal.

Questions? Do not hesitate to contact us, we are here to help. Please email trust.safety@lawsociety.ab.ca or call 403-228-5632.

Feedback? Please email AskTrustSafety@lawsociety.ab.ca or call 403-228-5632. We want to hear from you!