

Virtually verifying your client's identity

If you are retained by a client to provide legal services, you must comply with Client Identification and Verification requirements. While Identification requires gathering information about the client, Verification of identity is the process of confirming that the client or third party is who, or what, they say they are. You can verify the client's identity using one of the following methods:

- A government-issued photo method;
- Credit file method; or,
- The dual process method.

If you are required to verify your client's identity, you can do so with the government-issued photo ID method either in person or virtually, and you must ensure that the document is authentic, valid, and current as per Rule 119.50 (6). To virtually verify client ID, follow these steps.



STEP 1: Identify risks

As part of your obligations as set out in the Rules of the Law Society, you have a duty to not act or continue to act for a client if you know or ought to know that your actions would assist in fraud or illegal conduct including money laundering. Check the Red Flags Quick Reference Guide for examples.

Perform due diligence on your client and any transaction you are involved in to identify potential risks and determine if it is appropriate to proceed.

STEP 2: Set up a virtual meeting

Book a virtual meeting with your client using secure and private videoconferencing technology and ask your client to have their ID with them when you meet.



STEP 3: Confirm client's ID is authentic

Use verification technology to confirm that the client's government-issued photo ID is genuine. Technology can compare the ID to known characteristics, security features or markers to determine if it is an authentic document.

STEP 4: Confirm client's ID is valid and current

During the video meeting, ask the client to hold their ID up to their camera and compare it to the ID that was authenticated. Check that the name and photo match and the expiry date is current. Ask the client to scan or take a high-resolution photo of their ID and send it to you.



STEP 5: Keep a record

Document the process you followed to verify your client's identity and retain a copy of all documents, including a scanned copy of ID and confirmation of its authenticity from verification technology provider.

Looking for a digital authentication provider?

There are several reputable companies that offer products that use authentication technology to verify identity in accordance with the digital verification method.

The Digital Identification and Authentication Council of Canada (DIACC) has developed a certification process for providers and lawyers can seek out providers with this certification as a starting point when exploring digital authentication and verification technology options.

For more anti-money laundering and client identification rules and resources, visit the Law Society website at lawsociety.ab.ca/aml



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