



THE WEST VIRGINIA STATE BAR

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TO: IOLTA Participating Financial Institutions

FROM: The West Virginia State Bar

DATE: March 2021

The West Virginia State Bar occasionally receives inquiries about who may have signature authority on IOLTA accounts. A lawyer is not prohibited in West Virginia from delegating check-signing authority to someone other than the lawyer. However, when delegating signature authority, the lawyer has a non-delegable duty to protect and preserve the funds in the client trust account. The lawyer can be disciplined, under the West Virginia Rules of Professional Conduct, for failure to safeguard the IOLTA funds and supervise the subordinate.

Should you have questions, please contact Patricia Schoolcraft, ACP, Paralegal, at schoolcraftp@wvbar.org.