Butler County Bar Association
Designated Inventory Attorney

Attorneys do a great job looking out for their clients and anticipating their needs. Our profession demands that of us. But Attorneys do not do such a good job of taking care of themselves. For a multiplicity of reasons, the attorney comes second.

One area where we do not take care of ourselves is in planning for the unexpected illness, disability or worse, death. In 2014, the Office of Disciplinary Counsel in Columbus was storing over 2200 boxes of client files recovered from the offices of missing or deceased Ohio attorneys. We are all too often unprepared for what would happen to our practice in the event we become even temporarily unavailable to serve our clients. Your Butler County Bar Association is ready to take the necessary steps to ensure that your clients' interests are protected, even in your absence.

The Designated Attorney Inventory program is a small, simple, but important step toward protecting your practice. Your Bar Association fields many calls each year looking for information on attorneys who are retired, missing, incapacitated or deceased attorneys. We can help these callers only if we have a little information. Firms, past associates, or partners are very helpful, but the solo practitioner is at risk. When we cannot locate information on an attorney, we are left with one recourse. The Supreme Court Rules for the Government of the Bar of Ohio: "[D]isciplinary counsel or the chair of a certified grievance committee may appoint one or more attorneys to inventory the files of an attorney and take action . . . as is necessary to protect the interest of clients of the attorney." Gov. Bar R. V §26.

The Designated Inventory Attorney project provides a starting point for clients trying to find you or needing help when you are incapacitated or even winding down your practice. This Project is a service to the Bar, the public, and attorneys' surviving families. We have initiated a voluntary system to enable you to designate an inventory attorney. The following checklist will help begin the process.

The Designated Inventory Attorney Program checklist:

1. Considerations in Selecting a Designated Inventory Attorney
    a. Select a licensed Ohio attorney whom you trust.
    b. Discuss what will need to be done in the event you are unavailable.
    c. Explain where to find important documents, files, and any other important information that may be specific to your practice.
    d. Don't make your designated inventory attorney's job more difficult than necessary. This is a great time to scrutinize your records management and retention policies.
    e. Your designated inventory attorney does not need to be a person capable of handling all of your outstanding cases. They simply need to be able to close down your practice.
    f. Inform the BCBA, your office staff, and family of your designated inventory attorney selection.

2. Suggested Information to Share with Your Designated Inventory Attorney
    a. Primary and satellite office addresses and access information
    b. Staff names and duties
    c. Landlord and lease information
    d. Information on calendaring, billing, and case management systems
    e. Passwords or where you keep them
    f. Safe location, combination or where you keep it
    g. Contact information for key vendors such as accountant, payroll service, insurance agent and IT consultant
    h. Safety deposit box location
    i. IOLTA and operating account numbers and location(s)
    j. Professional liability insurance carrier and policy number
    k. Office insurance carrier and policies
    l. Location of active client files and archived files

3. How to Participate in the BCBA Designated Inventory Attorney Program
    a. Download a copy of the inventory attorney designation form.
    b. Complete the form in collaboration with your designated inventory attorney.
    c. Do not attach additional documentation or submit confidential information on the form. All those items and their location should be shared with the Designated Inventory Attorney.
    d. Provide a copy of the form to your Designated Inventory Attorney and submit your completed designation form to the BCBA by mail or email to bcba@bcba-oh.org.

4. This service is free to Butler County Bar Association members. Nonmembers may utilize this service for an initial filing fee of $25, and $10 for subsequent revisions.

The BCBA will maintain a record of your designated inventory attorney.

Questions? Please call (513) 896-6671

Butler County Bar Association
1501 First Avenue
Middletown, OH 45044

Butler County Bar Association
Designated Inventory Attorney

Designation of Inventory Attorney Form

The attorneys named below wish to participate in the Designated Inventory Attorney Program. The Inventory Attorney designated below should be contacted in the event of the death, disappearance, disability, or leave of absence of the Designating Attorney.

Please PRINT clearly or type.

Name of **Designating Attorney** _____

Ohio Bar Number _____

Office Address _____

Office Phone_____

Cell Phone_____

Email_____

Signature of Designating Attorney _____ Date_____

vvv

Name of **Inventory Attorney** _____

Ohio Bar Number _____

Office Address _____

Office Phone_____

Cell Phone_____

Email_____

Signature of Inventory Attorney _____ Date_____

This designation is not intended to create a legally binding agreement.

Please return your completed designation form to the BCBA by US mail or in person to 1501 First Avenue, Middletown, OH 45044, or scan and email to bcba@bcba-oh.org.

Questions? Please call (513) 896-6671

Butler County Bar Association
1501 First Avenue
Middletown, OH 45044