

VETOES

account; providing for the liability of an attorney who disburses funds under the provisions of this Act, and generally relating to the authority of an attorney to disburse funds, at settlement, received in a real estate settlement transaction.

BY repealing and reenacting, with amendments,

Article 10 - Attorneys at Law and Attorneys in Fact
Section 44(a)
Annotated Code of Maryland
(1987 Replacement Volume and 1987 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 10 - Attorneys at Law and Attorneys in Fact

44.

(a) (1) If any attorney is entrusted with, or receives and accepts, or otherwise holds, deposit moneys or other trust moneys, of whatever kind or nature, such moneys, in the absence of court order to the contrary shall be expeditiously deposited in an account or accounts maintained as a separate account or accounts for funds belonging to others. In no event shall the attorney commingle any such funds with such attorney's funds or use any such funds for any purpose other than the purpose for which they were entrusted to the attorney.

(2) Each attorney shall have discretion to determine whether such trust moneys are to be deposited in a noninterest bearing checking account, in an interest bearing checking account, in one or more savings accounts, in one or more accounts subject to negotiable orders of withdrawal ("NOW accounts"), or in any combination thereof with any bank or savings and loan association authorized by federal or State law to do business in this State. If in the judgment of the attorney any trust moneys received from any client or beneficial owner are too small in amount or are reasonably expected to be held for too short a period of time to generate at least \$50 of interest or such larger amount of interest as in the judgment of the attorney may be equivalent to the cost of administering an account for the benefit of the client or beneficial owner, such moneys may be pooled and commingled by the attorney with other such moneys held for other clients or beneficial owners, and the aggregate interest earned on such commingled account shall be paid at least quarterly, net of any service charges, by the depository bank or savings and loan association, to the Maryland Legal Services Corporation exclusively for the charitable purposes defined in its statutory charter.