

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1207

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 6-08.1-02 and a new section to chapter 27-13 of the North Dakota Century Code, relating to an exemption to bank confidentiality requirements for attorney trust account overdrafts and to conduct of attorneys.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new subsection to section 6-08.1-02 of the North Dakota Century Code is created and enacted as follows:

A disclosure made to the North Dakota supreme court or another state's authority with responsibility for enforcing rules of professional conduct for lawyers regarding dishonor of an instrument issued against any trust account maintained by a lawyer or law firm, as these terms are defined in section 6-08-16.2.

**SECTION 2.** A new section to chapter 27-13 of the North Dakota Century Code is created and enacted as follows:

**Attorney for attorney fiduciary required.** An attorney serving as a fiduciary of an estate, trust, or conservatorship must be represented by another attorney. The attorney serving as fiduciary or the attorney's firm may not serve as attorney for the fiduciary. This section does not apply to matters in which the decedent, trustor, beneficiary, or protected person is a spouse, child, grandchild, parent, grandparent, or sibling of the attorney serving as a fiduciary."

Renumber accordingly