STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION

COUNTY BEFORE THE RESIDENT SUPERIOR COURT JUDGE OF THE [JUDICIAL DISTRICT #]

FILE #

IN RE: [ATTORNEY NAME], ATTORNEY AT LAW

VERIFIED PETITION FOR ORDER APPOINTING TRUSTEE OF DECEASED ATTORNEY’S LAW PRACTICE

Pursuant to N.C. Gen. Stat. § 84-28 and 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0126 of the Discipline & Disability Rules of the North Carolina State Bar, the North Carolina State Bar, by and through its Director, petitions and requests the Resident Superior Court Judge of the [*Judicial District #*] District to enter an order appointing a member of the Judicial District Bar to serve as Trustee of the law practice of [*Mr./Ms.*] [*Attorney Last Name*] due to [*his/her*] death. In support of this petition, the North Carolina State Bar shows the Court as follows:

1. According to the records of the North Carolina State Bar, [*Mr./Ms.*] [*Attorney Last Name*] was licensed to practice law [*date of license*]. At the time of [*his/her*] death, [*Mr./Ms.*] [*Attorney Last Name*] practiced law in [*County Name*] County, North Carolina.
2. According to the records of the North Carolina State Bar, the last address of record for [*Mr./Ms.*] [*Attorney Last Name*] is [*address*].
3. [*Mr./Ms.*] [*Attorney Last Name*] died on or around [*date of death*].
4. At the time of [*his/her*] death, [*Mr./Ms.*] [*Attorney Last Name*] had no partners or associates capable of winding down [*his/her*] law practice and ensuring that the interests of [*his/her*] clients and/or former clients are protected.
5. On information and belief, there remain funds belonging to clients or third parties on deposit in trust or fiduciary accounts held solely in the name of [*Mr./Ms.*] [*Attorney Last Name*]. At the time of [*his/her*] death, [*Mr./Ms.*] [*Attorney Last Name*] had no partners or associates capable of carrying out [*his/her*] obligations under Rules

1-15.1 and 1-15.2 under the Revised Rules of Professional Conduct.

1. [*Trustee Name*], an attorney licensed to practice in North Carolina and a member in good standing of [*Judicial District #*] Bar, has indicated that [*he/she*] is willing to serve as trustee of the North Carolina law practice of [*Mr./ Ms.*] [*Attorney Last Name*], pursuant to Section .0126 of the Discipline & Disability Rules of the North Carolina State Bar, for purposes of protecting the interests of [*Mr./Ms.*] [*Attorney Last Name*]’s clients.
2. [*Trustee Name*]’s mailing address is: [*Trustee’s Address*].

WHEREFORE, the Petitioner prays for:

1. An order appointing [*Trustee Name*], an attorney licensed to practice in North Carolina and a member in good standing of the [*Judicial District #*] Judicial District Bar, to serve as trustee of the law practice of [*Mr./Ms.*] [*Attorney Last Name*], and authorizing [*Trustee Name*] (hereafter “the Trustee”) to gain possession of [*Mr./Ms.*] [*Attorney Last Name*]’s client files, to secure [*Mr./Ms.*] [*Attorney Last Name*]’s trust and/or fiduciary accounts, to gain possession of [*Mr./Ms.*] [*Attorney Last Name*]’s attorney trust and/or fiduciary account records (including all bank statements, all canceled checks (front and back), all deposit slips, all check stubs and all client ledger cards) and to take such actions as are necessary to protect the interests of the clients and/or former clients of [*Mr./Ms.*] [*Attorney Last Name*]; and
2. For such other and further relief as the Court deems appropriate.

Respectfully submitted, this the day of , 20 .