



Donate your  
**residual client balances**  
to provide a lifeline  
for people in crisis

THE  
ACCESS  
TO JUSTICE  
FOUNDATION



# Our vision is a society where everyone has access to justice

**Only 33% of adults agreed with the statement “people like me can afford help from a lawyer”. Legal Services Board**

**“If 40,000 people were prevented from becoming homeless for one year in England and Wales, it would save the public purse £370 million.” Crisis**

We raise funds and distribute them to advice agencies which make an enormous difference to the lives of vulnerable people.

We provide funding and support to organisations to help:

- Keep family breadwinners in employment through challenging unlawful discrimination;
- Prevent young families from being made homeless;
- Support disabled people to avoid poverty by achieving a basic level of income;
- Help victims of sexual violence and torture to rebuild their lives.

We fund Law Centres, local citizens' advice, independent advice agencies, pro bono projects and national charities, all of which help to facilitate access to justice.

**Fred\* was an 18 year old care leaver who had been sleeping in a tent for a year as he had been provided with no support or advice on leaving care. A concerned neighbour brought him to the advice centre. They liaised with the local authority and he was housed and provided with support to help him build a new life.**

\*Names have been changed

# Donating Residual Client Balances

## Balances under £500

Please take the following steps in accordance with rule 5.1(c) of the SRA Accounts Rules:

**Step 1:** Identify residual client account balances of less than £500.

**Step 2:** Take reasonable steps to return the money to the rightful owner. The reasonableness of such steps will depend on:

- The age of the residual balance;
- The amount of the residual balance;
- Costs associated with tracing the client.

Firms will be expected to make more intensive efforts to locate the rightful owner for larger or more recent balances; or for balances where more details are held about the client.

The SRA suggest the following methods for tracing a client: making use of social media, making a search of Companies House and/or the Probate Registry, making use of the Department and Pensions' letter forwarding service, undertaking any free searches on the internet.

**Step 3:** Record the steps taken to return the money to the rightful owner and retain those records, together with all relevant documentation for at least six years.

**Step 4:** Donate the balance to the Access to Justice Foundation (see details on the next page). Ensure that no costs incurred in attempting to trace or communicate with the rightful owner are deducted from the residual balance.

**Step 5:** Keep appropriate accounting records, including:

- A central register, which records the name of the rightful owner on whose behalf the money was held; the amount; the name of the recipient charity (and their charity number); and the date of the payment.
- All receipts from the charity and confirmation of any indemnity provided against any legitimate claim subsequently made for the sum they have received.

## Balances over £500

Rule 5.1(c) also refers to residual client balances over £500 and notes that firms will require SRA authorisation before this money can be removed from the client account. If you become aware of any client accounts with a residual balance over £500, please follow the SRA guidance and submit an application for approval.

[www.sra.org.uk/solicitors/resources/withdrawal-of-residual-client-balances](http://www.sra.org.uk/solicitors/resources/withdrawal-of-residual-client-balances)

***Sandra\*, a single mother who suffers from a combination of physical and mental health problems, faced destitution and the prospect of being homeless when her benefits were refused. That's when a local advice charity stepped in, appealing the decision and restoring the correct level of benefits.***



It's not just peanuts

## Indemnifying Donations

We can provide a written indemnity for all residual client balance donations. If your client resurfaces, you can ask for the funds back.

## Sending your donation

Please transfer funds to account number 0001 8272, sort code 45 52 40, account name 'The Access to Justice Foundation'. Please include 'RCB' and your firm's name in the transfer reference. You can email [clientbalances@atjf.org.uk](mailto:clientbalances@atjf.org.uk) with the donation details so that a receipt and indemnity can be sent.

Alternatively, please send a cheque payable to 'The Access to Justice Foundation' to PO Box 64162, London WC1A 9AN and include a note with the client name and internal reference number.

More information about our work and donating Residual Client Balances can be found on our website [www.atjf.org.uk](http://www.atjf.org.uk)