ADDITIONAL CERTIFICATION REQUIREMENT FOR

EXCESS PROCEEDS WITHDRAWAL

Effective immediately, the Tax Protocol is amended to require that all lawyers attempting to withdraw excess proceeds on behalf of a client SHALL, as a condition to the granting of any petition, supply the following certification:

“I certify that I have been retained directly by (NAME OF CLIENT) pursuant to written contingent fee agreements between (NAME OF CLIENT) and me.  The written contingent fee agreements have been executed by (NAME OF CLIENT) provide that I have been retained by them, individually and not through a third party or assignee, to represent them in filing their petition for the excess proceeds.  The written contingent fee agreements with (NAME OF CLIENT) comply with the Property Tax Code in that they limit my total fee to (THE CURRENT AMOUNT ALLOWED BY STATUTE) or twenty-five percent of the amounts awarded to my clients, whichever is less.”

If you have already filed and set a Petition to Withdraw, you need not reset it solely to supply the above certification.  Please simply supplement the record with your certification prior to the submission date.