

# SAMPLE FORM

## **VERIFICATION OF IDENTITY AGREEMENT WHERE THE CLIENT\* IS NOT PRESENT IN CANADA AND IS NOT INSTRUCTING THE LAWYER FACE TO FACE**

This sample form agreement in letter format may be used by lawyers retaining agents to verify the identity of clients, or individuals who are instructing counsel on behalf of an organizational client, where the client or instructing individual is not in Canada and is not instructing the lawyer face to face. In this sample form agreement, the identity of an individual is being verified by the examination of the person's driver's licence or passport. Although the rules do not require the agent to examine more than one piece of identification, depending on the circumstances of the file, a lawyer may want an agent to examine more than one piece of identification. This sample form agreement should be modified to suit the circumstances of the matter or transaction.

*[Firm Letterhead]*

*[Delivery Method]*

*[Name and Address of the Agent]*

Dear *[Agent]*:

Re: *[Insert the name of the client "our client"]*  
*[Insert the name of the matter or transaction]*

We are acting in the above-noted matter and would like to retain you to verify the identity of our client. In this regard, we will require that you meet with our client and take the following steps to verify our client's identity:

1. Examine the original, valid and unexpired passport or driver's licence [identity document] of our client.
2. Make a legible photocopy of this identity document and ensure that it contains our client's name, the number of the document, the name of the issuing authority, the date of issue and our client's photograph.
3. Print and certify on this photocopy as follows:

I, the Attestor named below, hereby certify to *[name of lawyer receiving the attestation]* that I met with *[insert name of individual]* on *[insert date]* and verified this individual's identity by examining the original the individual's identity document, of which a photocopy is reproduced on this page, and which copy legibly shows the name of the individual, the number of the identity document, the name of the issuing authority, the date of issue, and a photograph that is a true likeness of the said individual. To the best of my knowledge and belief, the identity document that I examined is valid and unexpired.

\* Client includes another party that a lawyer's client represents or acts for in relation to obtaining legal services from a lawyer.

Attested to by me at *[insert place of signature]* on \_\_\_\_\_, 200\_\_\_\_.

Signature of Attestor: \_\_\_\_\_

Printed Name of Attestor: \_\_\_\_\_

Title or Profession of Attestor: \_\_\_\_\_

Address of Attestor: \_\_\_\_\_

\_\_\_\_\_

Telephone Number of Attestor: \_\_\_\_\_

4. Date and sign the photocopy containing the above certification in the spaces set out for the date and signature and return it to us no later than *[insert date]*.

Any amendments to these instructions must be approved in writing by our firm.

If you are agreeable to verifying the identity of our client on the terms and conditions set out in this letter, please confirm your agreement by signing two copies of this letter on the signature line below and return one copy to the undersigned.

Yours truly,

**Signature of Lawyer**

*[Insert the name of the Lawyer]*

I hereby agree to verify the identity of the person referred to above on the terms and conditions set out in the above letter.

Dated at *[insert location]* on *[insert date]*.

**Signature of the Agent**

*[Insert the name of the Agent]*