

grand jury unless the records are provided to the agency before the scheduled appearance date. This may also encourage banks to comply.

Figure 4 (Schedule A) shows a "laundry list" of records requested, from both business and personal accounts, for all records from the accounts' openings to their close. This request could be minimized by shortening the time period of the records requested (if the time under investigation were actually shorter) or by requesting only checks over a threshold dollar amount. The threshold could be \$500, \$1,000, or more, depending upon the general level of checks written on the account.

If an investigator were reviewing records to uncover sources of possible illegal income, then deposit patterns in the statements such as multiple large deposits on the same day, repeated deposits of the same amount, deposits made with regularity, deposits over \$5,000, or deposits over \$1,000 made in even \$100s may allow for a lesser request for records (Morley, 1989, p. 19).



## Figure 4

### Bank Record Subpoena

#### Schedule A

All bank records of \_\_\_\_\_, account number \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ including:

- A. All open or closed checking, savings, and NOW accounts:
  - 1. Signature cards.
  - 2. Bank statements.
  - 3. Cancelled checks (both sides).
  - 4. Deposit tickets and items (both sides of items, including ATM and direct deposits).
  - 5. ATM withdrawals and point of sale debits.
  - 6. Credit and debit memos.
  - 7. Wire transfer records.
  - 8. Forms 1099 or back-up withholding statements.
- B. Retained copies of all open or closed bank loan or mortgage documents:
  - 1. Loan applications.
  - 2. Loan ledger sheets.
  - 3. Copy of loan disbursement documents.
  - 4. Copy of loan repayment documents.
  - 5. Loan correspondence files.
  - 6. Collateral agreements.
  - 7. Credit reports.
  - 8. Copies of notes or other instruments reflecting the obligation to pay.
  - 9. Copies of real estate mortgages, chattel mortgages, or other security for bank loans.
  - 10. Copies of annual interest paid statements.
  - 11. Copies of loan amortization statements.
- C. Certificates of deposit (purchased or redeemed):
  - 1. Copies of the certificates.
  - 2. Records pertaining to interest earned, withdrawn, or reinvested.
  - 3. Forms 1099 or back-up withholding statements.
- D. Open or closed investment or security custodian accounts:
  - 1. Documents reflecting purchase of security.
  - 2. Documents reflecting negotiation of the security.
  - 3. Safekeeping records and logs.