AILA WA ISFPA REVOLVING LOAN FUND
Financial Support for Consumer Protection Lawsuits under Washington State’s Immigration Services Fraud Prevention Act

Source of the Revolving Loan Fund
The source of the initial funds for the AILA WA ISFPA Revolving Loan Fund is the donation by Rios & Cruz, P.S. of all attorneys’ fees (after expenses) paid by the Defendants in the settlement agreement in Chavez Mendez v. Cruz, No. 14-2-08816-2 (Pierce County Superior Ct.). This action, brought by AILA WA attorneys Manuel Rios III and Deborah Niedermeyer in 2014, is believed to have been the first lawsuit brought pursuant to the 2011 Washington Immigration Services Fraud Prevention Act R.C.W. 19.154 et. seq. (“ISFPA”). The donation is a tax deductible donation of attorney’s fees of $6,500. A separate AILA WA bank account for these funds has been set up at Bank of America.

Permitted Uses of the Loan Fund
The AILA WA ISFPA Revolving Loan Fund is dedicated solely to (1) finance the filing fee and service of process costs for lawsuits for ISFPA claims and (2) for costs associated with the collection of debts created as the result of successful ISFPA claims made in a lawsuit brought by AILA WA member attorneys.

To qualify for the loan from the fund, the relevant lawsuit must make a good faith ISFPA claim and the Plaintiff(s) must seek costs and attorney’s fees from the Defendant(s). Clients of AILA WA member attorneys who are granted loans from the fund promise to make a good faith effort to recover the costs of litigation and or collection from the Defendants and, if successful, to repay the loan amount back to the fund to support other ISFPA litigation. Although the loan fund charges no interest, an additional donation to the fund at the time of settlement or court award is appreciated.

Application
As of 2017, the filing fee in Washington Superior Court is $240.00. Service of process typically costs less than $200.00 per Defendant. Accordingly, as of spring, 2017, the fund will finance up to $800.00 per action. To apply for a loan from the fund, the lead attorney must complete the application form, sign the application and submit it, with the required attachments (including a copy of the Complaint) to the AILA WA Treasurer. Digital submissions are preferred. If requesting a loan to help finance the cost of collecting a debt created as a result of a successful ISFPA claim which was brought in a lawsuit, the requesting lead attorney should attach a schedule of actual or expected necessary expenditures. Loans to assist with the cost of collection may be granted up to a maximum of $1000.

The Treasurer is authorized to issue reimbursement checks to lead attorneys whose Plaintiff-Clients qualify for assistance from the AILA WA ISFPA Revolving Loan Fund.

To assist AILA WA in monitoring the use of ISFPA and the success of ISFPA litigation, the Treasurer will forward a copy of the Complaint to the Chair of the Professional Responsibility and Consumer Protection Committee, and the Chair of AILA-WA. The Consumer Protection Committee may periodically review the maximum loan amounts from the fund to ensure that Fund adapts to changing needs. If a decision is made to increase the maximum loan amounts, the Consumer Protection Committee will send their recommendation to the AILA-WA Executive Committee for a vote to approve any changes to the program.
AILA WA ISFPA LAWSUIT REVOLVING LOAN FUND
APPLICATION FORM

1) AILA WA Attorney(s) representing ISFPA Plaintiffs:

Lead Attorney Name: ___________________________ AILA #: ______________
Firm: _______________________________________
Address: _____________________________________
Phone: __________________ Email: ____________________________

Other Attorney Name: ___________________________ AILA #: ______________
Firm: _______________________________________
Address: _____________________________________
Phone: __________________ Email: ____________________________
(list additional attorneys as appropriate)

2) Certification of lead attorney

On behalf of my Client(s) I request a loan of $________ from the WA-AILA ISFPA Revolving Loan Fund. I certify that:

I am the lead attorney in the action entitled ________________________________,

Case # __________________, filed on __________ in __________________________.

Defendant ________________________________ was served on ________________.

Defendant ________________________________ was served on ________________.

(list additional Defendants as appropriate)

Attached are copies of the Complaint, receipt for filing fee, and receipt(s) for service of process charges. I certify that my Client(s) understand and agree that my Clients intend to make a good faith effort to recoup costs or attorneys’ fees from the Defendants and that any such funds recovered in this action will be allocated first to repay this loan, promptly after they are received.

__________________________________________________________
signature of lead attorney date

__________________________________________________________
print name