

Is there a time limit for filing an application?

Generally, you must apply for a gift within three years after you discover the loss.

What happens if I receive a gift from the fund and later get my money back from another source?

Before a gift is made, you must agree to repay the Fund if you later receive the lost money from another source.

How do I contact the Washington State Bar Association?

You can contact the WSBA by mail, phone, fax, e-mail, or through our website.

Washington State Bar Association

1325 Fourth Ave., Ste. 600

Seattle, WA 98101-2539

Tel: 800-945-WSBA or 206-443-WSBA

Fax: 206-727-8320

questions@wsba.org

www.wsba.org

This pamphlet is one in a series of consumer-information pamphlets produced by the WSBA. Single copies are available free by sending a self-addressed, stamped envelope for each pamphlet to: Pamphlets, Communications Division, Washington State Bar Association, at the address below. *Please include one envelope with a first-class stamp for each pamphlet ordered.*

Copies in quantity are also available at cost. For order forms and information, call 206-733-5918. You can print the full text for any pamphlet by visiting www.wsba.org/public/consumer/default.htm.

This pamphlet was prepared as a public service by the Washington State Bar Association. It contains general information and is not intended to apply to any specific situation. If you need legal advice or have questions about the application of the law in a particular matter, you should consult a lawyer.

Lawyer Referral Service

Clark County	360-695-0599
King County	206-267-7010
Kitsap County	360-373-2426
Lewis County	360-748-0430
Pierce County	253-383-3432
Snohomish County	425-388-3018



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Lawyers' Fund for Client Protection



- Who finances the Lawyers' Fund?
- Who is eligible for gifts from the Fund?
- What losses are not eligible?
- How do I apply for a gift from the Fund?
- Do I need a lawyer to apply for a gift from the Fund?
- What happens after I file my application?
- Is there a time limit for filing an application?
- What happens if I receive a gift from the fund and later get money back from another source?

WASHINGTON STATE BAR ASSOCIATION



What is the Lawyers' Fund for Client Protection?

Although the vast majority of lawyers serve their clients with honesty, competence,

and dedication, a few do not. Unfortunately, some people suffer a direct financial loss because their lawyers have been dishonest in the practice of law. The Lawyers' Fund for Client Protection, established by the Washington State Bar Association (WSBA) and the Washington State Supreme Court, makes monetary gifts to compensate for some of these losses.

Who finances the Lawyers' Fund?

All active lawyers in the state make a contribution to the fund every year. No tax dollars are used.

Who is eligible for gifts from the Fund?

If you have lost money or property because a Washington lawyer was dishonest or mishandled your money, you can apply for a gift from the Fund. However, applying for a gift does not mean you will automatically receive a gift.

The Fund is a source of last resort for compensation. Before the Lawyers' Fund for Client Protection Board can approve a gift, you must have tried all other reasonable means of getting your money back. This may include getting money from: (1) a bank that honored a forged endorsement; (2) bonds or insurance; (3) negligent partners of the lawyer; or (4) the lawyer, if he or she has assets.

What losses are not eligible for a gift from the Fund?

The Fund cannot compensate you for:

- Losses caused by a lawyer's malpractice
- Fee disputes between you and your lawyer

The Fund can compensate you only for the amount of money the lawyer took or mishandled. The Fund cannot compensate you for damages such as lost interest, lawyers' fees you paid in attempting to recover the lost money, or other consequential or punitive damages.

How do I apply for a gift from the Fund?

You need to do two things:

1. submit an application to the Fund, and
2. file a disciplinary grievance with the WSBA (unless the lawyer has been disbarred or died). The WSBA can tell you if the lawyer has been disbarred or has died.

To get a Fund application and grievance form, contact the WSBA by mail, phone, fax, or e-mail at:

Washington State Bar Association
1325 Fourth Ave., Ste. 600
Seattle, WA 98101-2539
800-945-WSBA or 206-443-WSBA
fax 206-727-8320
E-mail: questions@wsba.org

Forms may also be downloaded from the WSBA website (www.wsba.org).

Complete the Fund application and grievance forms and attach copies of relevant documents, including any written fee agreement, receipts and canceled checks that show payment to the lawyer. Return the Fund application and grievance form by mailing it to the WSBA at the address above.

Do I need a lawyer to apply for a gift from the Fund?

No, you do not need to consult a lawyer to apply for a gift or to file a disciplinary grievance. A lawyer may help you with your Fund application or with the disciplinary grievance, but cannot charge you for helping you. The only exception to this is if the lawyer's fee is approved by the Fund Trustees, who are the Board of Governors of the WSBA.

What happens after I file my application?

First, we must determine if your loss was caused by your lawyer's dishonest conduct. In most cases, a gift can be made only if the lawyer has been convicted of a crime or found to have violated the Rules of Professional Conduct.

Your Fund application is reviewed by the WSBA Lawyers' Fund for Client Protection Board. There are both lawyers and nonlawyers on this Board. If the Board agrees that a gift should be made from the Fund, the Board may make gifts up to \$25,000. Gifts over \$25,000 must be approved by the WSBA Board of Governors. The maximum gift is \$150,000.