



**APPLICATION FOR ASSISTANCE
FROM THE LEGAL ACTION FUND
OF THE ALABAMA ASSOCIATION OF REALTORS®**

Instructions: Complete in ink or type. Complete all sections and attach required information listed under Item 9. Submit the application to the Alabama Association of REALTORS® by mail at 522 Washington Avenue, Montgomery, AL 36104, or electronically to franklin@alabamarealtors.com. Call (334) 262-3808 and ask for the legal office if assistance is needed.

1. Applicant:

- a. Name:
- b. Address:
- c. Telephone:
- d. Email:
- e. Relationship to Case:
- f. Amount Requested:

2. Supporting Local Board or Association (if not applicant):

- a. Name:
- b. Contact Person:
- c. Contact Telephone:
- d. Contact Email:
- e. Monetary Assistance (if any):

3. Applicant's Attorney:

- a. Name(s):
- b. Firm(s):
- c. Address:
- d. Telephone(s):
- e. Email(s):

4. Case:

- a. Style:
- b. Court:
- c. Case No.:
- d. Anticipated Trial Date:
- e. Current Status:

5. Summary of Facts:

- a. As alleged by Plaintiff:
- b. As alleged by Defendant:

6. Summary of Legal Issues

a. Plaintiff's Legal Theory of Recovery:

b. Defendant's Legal Theory of Defense:

7. Summary of Legal Issue(s) Significant to Real Estate Industry, REALTORS® as a Class, or Private Property Rights (any attached explanation should not exceed 3 pages)

8. Evaluation of Applicant's Chances of Prevailing (Applicant's Attorney)

9. Estimated Litigation Expenses Including Attorney's Fees

a. Through Discovery:

b. For Trial:

c. For Appeal:

d. Other:

10. Required Information to Include (Application will not be complete and will not be considered without copies of the following attached:)

- a. Plaintiff's Original or Last Amended Complaint;
- b. Defendant's Original or Last Amended Answer;
- c. Any relevant information related to the facts of the case (contracts, leases, listing agreements, briefs and the like);
- d. All invoices from applicant's attorney itemizing fees incurred to date (if any);
- e. Canceled checks paid to applicant's attorney showing attorney fees paid to date (if any);
- f. Applicant's Certification (form below); and
- g. Local Board or Association Certification (if not an applicant) (form below).

Certification:

I certify that all statements in this application and attached certification are true and correct, to the best of my knowledge.

Applicant's Signature

Applicant's Attorney's Signature

Date Signed

APPLICANT'S CERTIFICATION
For assistance from the Legal Action Fund
of the Alabama Association of REALTORS®

I, _____ (*applicant's name*), have received, read and understand the Bylaws and Policies and Procedures related to the Legal Action Fund of the Alabama Association of REALTORS® (AAR). If I receive assistance from the Legal Action Fund for the case which is the subject of this application ("the action"), I certify that: (*when the context requires, singular nouns and pronouns includes the plural and vice versa*)

- (a) I intend to pursue the matter to final judgment.
- (b) I will assert a common defense with other AAR members who are co-defendants or who are likely to be made co-defendants in the action.
- (c) I will not file a cross-action against any AAR member in the action.
- (d) If other AAR members are co-defendants or are likely to become co-defendants in the action, I understand that the financial assistance I may receive from the Legal Action Fund may be shared equally among the co-defendants who are AAR members if the other co-defendants apply for assistance from the Legal Action Fund.
- (e) If other persons who are not AAR members are co-defendants or are likely to become co-defendants in the action, the financial assistance I receive from the Legal Action Fund will not be shared with the co-defendants who are not AAR members; and if such co-defendants are represented by my attorney, legal expenses will be separately allocated and charged.
- (f) I will confer with AAR legal counsel prior to any settlement of the action, and if I settle the action, I will reimburse the Legal Action Fund for all financial assistance I received.
- (g) If I recover any portion of my attorney's fees and/or other litigation expenses in this action from any source, I will reimburse the Legal Action Fund for the financial assistance I receive by the amount recovered, not to exceed the total amount of financial assistance I receive from the Legal Action Fund. This does not include funds received from the local or National Association of REALTORS® for legal assistance.
- (h) I understand that: 1) the Legal Action Fund is not a substitute for errors and omissions insurance or for any other protection programs at the local, state or national level; 2) the Legal Action Fund will not indemnify me for losses, costs, expenses, or liabilities arising out of the action, including final judgment; and 3) the purpose of the Legal Action Fund is to provide financial assistance exclusively for attorneys' fees and general litigation expenses.
- (i) I understand that financial assistance may be granted, denied, continued, or discontinued from the Legal Action Fund for any reason without notice (including for factors outside my control).
- (j) I understand that receipt of financial assistance from the Legal Action Fund imposes duties and responsibilities upon me which may materially influence my determinations, instructions, and recommendations to my attorney concerning the manner in which my attorney conducts the litigation in this action.
- (k) If I am unable to comply, for any reason, with any of the Policies and Procedures of the Legal Action Fund or any other certification I make, I shall reimburse the Legal Action Fund for all financial assistance I receive.
- (l) I make all certifications voluntarily and with full knowledge of the duties, responsibilities, and potential liabilities.
- (m) I or my attorney shall supply status reports periodically to the appointed contact person of the Legal Action Fund Administrators or at the request of AAR legal counsel, and I will first review all invoices from my attorney for corrections before such invoices are forwarded electronically to franklin@alabamarealtors.com or by mail to:

Legal Action Fund Administrators
522 Washington Avenue
Montgomery, AL 36104

Applicant

Applicant

Date Signed by Applicant(s): _____

Local Association's Certification

On behalf of the _____ (*local association or board*) ("local board"), I
, _____ (*president's name*), certify that the local board approved this application for
assistance from the Legal Action Fund, submitted by _____ (*applicant's name*) ("the action").

The local board does ___ does not ___ have a legal fund. If the local board does have a legal fund, the local board
is ___ is not ___ providing financial assistance of \$_____ (*if any*) to the action.

If the application is approved, which legal issues does the local board find of particular significance to the real estate
industry or private property rights in this case?

Additional Comments (if any):

President's Signature

Date Signed