



Jennifer Aguilar

Senior Associate

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Related Services

Financial Services ■ Bank Regulatory ■ Payments & Fintech ■ Consumer Financial Services

Jennifer Aguilar is a senior associate in Alston & Bird's Financial Services Group. She counsels financial services clients on regulatory and transactional matters, with a focus on payments laws and network rules.

Jennifer advises clients on matters relating to the Nacha Operating Rules and Guidelines, card network rules, the Electronic Funds Transfer Act (EFTA), Truth in Savings Act (TISA), Expedited Funds Availability Act (EFA Act) and Truth in Lending Act (TILA), and a variety of state laws.

Before joining Alston & Bird, Jennifer was an associate at a law firm in a leading consumer financial services group, where she advised clients on requirements relating to consumer protection and disclosures, deposit products, payment cards, credit cards, checks, and installment lending. She also served as counsel at the National Association of Federally-Insured Credit Unions (NAFCU), where she provided comprehensive compliance assistance on the federal consumer financial services regulations to the nation's credit unions.

Representative Experience

- Counseled clients on Nacha rules compliance, including drafting authorizations and origination agreements and advising on implementation of new rules.
- Advised on consumer compliance requirements for a crypto rewards credit card program.
- Drafted user terms for a business-to-business payments platform.
- Reviewed consumer deposit account agreements and disclosures for compliance with federal regulations.
- Drafted company policies for clients on consumer compliance topics such as EFTA, Nacha, UDAP, fair lending, and marketing.
- Served as acting general counsel to a credit union, working directly with executives and business units on contract disputes and consumer compliance.

Publications & Presentations

Presentations

- Nacha ACH Legal and Compliance Summit, November 30-December 1, 2022.
- "Regulation J and FedNow Payments," Macha 2022 Electronic Payments Conference, Middleton, WI, October 11-13, 2022.

- “The Future of Regulation E,” Nacha Payments Institute Home School 2022, webinar, September 12-14, 2022.
- “Unauthorized or Not: Understanding Regulation E Fraud Liability,” Alloya Corporate Federal Credit Union, webinar, August 29, 2022.
- Nacha Payments Innovation Alliance Spring Meeting – June 2022, Minneapolis, MN, June 6-8, 2022.
- Nacha Smarter Faster Payments 2022, Nashville, TN, May 1-4, 2022.
- “The CFPB and Regulation E: Handling Unauthorized EFTs,” Risk Management Association Webinar, September 2021.
- “The Future of Regulation E: Evolution of the Electronic Funds Transfer Act,” Nacha Payments Institute, webinar, July 2021.
- “Understanding the Regulations and Risks with P2P Transactions,” NAFCU Webinar, June 2021.
- “Mobile Payments Fraud: Who’s Really Responsible,” MACHA/PAR Payments University, webinar, November 2, 2020.
- “Regulation E Unauthorized Use Case Studies,” NAFCU Regulatory Compliance Seminar, webinar, October 28, 2020.
- “How Controlled Are Your Payments Risks and Controls? Lessons Learned from 2020,” MACHA/PAR Electronic Payments Conference, webinar, October 13, 2020.
- “Regulation Z: Open-End Credit and Consumer Loans,” NAFCU Regulatory Compliance School, webinar, August 4, 2020.
- “Regulation E,” NAFCU Regulatory Compliance School, webinar, July 29, 2020.

Professional & Community Engagement

- American Bar Association; Young Lawyer liaison, Electronic Financial Services and Digital Currency, subcommittee
- Women in Housing and Finance Foundation, vice president
- Nacha Accredited Payments Risk Professional

Education

- American University (J.D., 2016)
- University of California, San Diego (B.A., 2013)

Admitted to Practice

- District of Columbia
- Virginia