



# CFAF Committee

Indiana State Bar Association  
Report to the ISBA House of Delegates  
October 9, 2025  
Indianapolis, Indiana

Nothing contained herein shall be construed as the action of the Indiana State Bar Association (ISBA).  
Any opinions or recommendations herein expressed or made are those of the **CFAF Committee** submitting this report and do not necessarily reflect the views of the Indiana State Bar Association until such time as the ISBA has duly adopted them as policy of the Association.



# CFAF Committee Membership Summary

From July 2024 to September 2025:

- Starting # of members: 7
- Over half of current members have been on the committee for over a decade.
- All committee members are passionate about the Fund's purpose and look forward to continually serving the public to give them some monetary relief due to attorney misconduct.

# Committee Guidelines

The Clients' Financial Assistance Fund (the Fund) of the Indiana State Bar Association (ISBA) provides compensation to qualified applicants who have suffered a monetary loss as a result of the dishonest acts of an ISBA member acting as a lawyer or fiduciary.

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- [How the Fund Works »](#)
- [Eligibility »](#)
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- [FAQ »](#)
- [How to Apply »](#)

# Claims Paid Out To Claimants

- **Claimants:**

- Noelia Rodriguez Valdez
- Irene Erwin
- Kimberly Hickman
- Betty Bolin

- **Attorneys:**

Cecilia Monterrosa  
James Wisco  
James Wisco  
James Wisco

- **Amounts:**

\$1,500  
\$2,675  
\$15,000  
\$15,000

# Fund Finances: July 2024 – June 2025

**Starting Balance:** \$354,061.98

**Ending Balance:** \$354,918.26

## Summary of *Income/Expenses*

| Income from Dues | Other Income* | Applications Paid** | Other Expenses |
|------------------|---------------|---------------------|----------------|
| \$14,296.00      | \$9,071.57    | \$34,175.00         | \$1,656.21     |

\*Income from the investment of and interest earned from the Fund.

\*\*Due to the collection of subrogation agreements and other documents or information needed from applicants, payments on approved applications may occur in a later fiscal year from when the application was approved.



# Contributions

## 2024 – 2025 CFAF Payments Overview

- 12 applications resolved: 4 approved, 8 denied
- \$34,175 total in payments approved and paid

Note: We have two claims on the agenda to review.



# Chair Thoughts/Comments

In my experience serving on the CFAF committee, I find that in most instances, the applicants may be dissatisfied with their attorney for many different reasons, not least of which is the lack of communication. As attorneys, we are required to have regular communication with our clients and keep them informed of the legal matter, and when a client makes a reasonable request for information, we are required to respond. Oftentimes, however, a lawyer's workload hinders his or her ability to respond to client inquiries in a timely manner. This lack of communication leads to client dissatisfaction, which may serve as a basis for filing an application with the Fund to seek reimbursement of fees paid. The members of the committee are charged with the task of investigating the facts and circumstances set forth in an application and determining whether the lawyer committed a dishonest act. While one or two instances of lack of communication with a client, in and of itself, may not constitute a dishonest act, a lawyer's repeated and continuous failure to respond to client inquiries, coupled with a failure to act with reasonable diligence in representing said client, may serve as a valid basis for the committee to find that the lawyer acted dishonestly.

For example, I was asked to review an application filed by a person who paid an advance fee to an attorney to represent her in a post-dissolution child custody dispute. After meeting with the client and receiving the advance fee, the lawyer failed to take any meaningful action, such as filing a petition with the court or gathering evidence in support of the petition, for a period of several months. Significantly, the lawyer also refused to respond to the client's several phone calls and emails. When the client sought to terminate the engagement and requested the attorney for a refund of the advance fee, the attorney refused, without providing any meaningful explanation as to why the advance fee would not be refunded, either in whole or in part. Based on the facts presented, the committee determined that the attorney's acceptance of the advance fee, failure to act with reasonable diligence following engagement, and refusal to refund any part of said advance fee without providing any explanation as to the same constituted a dishonest act that warranted an award of compensation from the fund.

# Continual Thoughts/Comments

- The Fund serves a critical public function of reinforcing confidence in the legal system at a time when public trust in that system is at an all-time low.
- Every state has a similar fund serving this purpose. At a time when Indiana and the ISBA are seeking to promote legal services to underserved communities, eliminating or reducing this fund has secondary negative impacts that undermine that goal.
- Discontinuing the fund would also create negative public relations impacts for the ISBA and the Indiana bar generally.
- The ISBA should consider whether eliminating a historically underfunded, decades-old, public-focused committee, rather than increasing its funding from the extremely modest increased dues amount or through other opportunities, would create a negative impression to its members, the bar at large, or the public, in conjunction with other areas where the ISBA chooses to spend member fees or raise money.
- This should also be carefully considered in light of the extent to which the ISBA conducted studies into other options aside from terminating the program, such as the ones recommended by the CFAF investigator committee in May of 2024.



# New Council Members

- Aaron Cook Co-chair
- Adam Decker Co-chair
- Nicolette Mendenhall
- Dustin DeNeal
- Rori Goldman
- Josh Radicke
- Adam Kornya

This report is respectfully submitted by:

Aaron Cook  
Co-chair

Adam Decker  
Co-chair

October 9, 2025



INDIANA STATE  
BAR ASSOCIATION