

# The Client Protection Webb<sup>★</sup>

A publication of the National  
Client Protection Organization



April 2026  
Volume XXIV, Issue I

## The Packers, Bratwurst & NCPO

### 2026 NCPO Workshop to be held in Madison Wisconsin

*How is AI impacting your claims and your fund? Are a few of these claims keeping you up at night? Have you noticed an uptick in claims stemming from immigration cases or compulsive gambling addictions? How does being part of your jurisdiction's highest court – as opposed to being a committee of your bar association - impact your fund's funding?*



The Monona Terrace - Site of this year's NCPO Workshop Dinner

scenarios, policy questions, funding issues and any challenges confronting your fund and benefit from the combined wisdom of client protection professionals from across the U.S. and Canada.

Registration includes waterfront dining at the Monona Terrace on September 1<sup>st</sup> where the program features presentation of this year's Isaac Hecht Award (*for more information on the award, see page 2 of this newsletter*).

NCPO's 20<sup>th</sup> annual workshop continues the tradition of offering sessions focused on helping staff as well as trustees build funds that continue to move closer to the ideals set forth in the NCPO Standards adopted by the US Conference of Chief Justices (*See them here: [NCPO Standards](#)*).

**Once again, the workshop will begin with NCPO's annual meeting. We need to hear from you: How can NCPO help your fund succeed?**

NCPO's annual workshop will address – and provide answers – to these and many other client protection questions when it convenes in **Madison, Wisconsin on September 1 and 2, 2026.**

Mark your calendars for the two-day conference featuring the traditional “Town Hall” reports from participating jurisdictions as well as the next day’s “Hot Topics” session. Bring your vexing claim

*Getting there, . . .*

### Grants Available

NCPO is continuing the tradition of providing Workshop Assistance Grants to help defray the cost of attending. Don't let budget cuts or inflation stand in the way of the unmatched opportunity NCPO's workshop provides to learn, consult and collaborate with peers engaged in the very specialized client protection field --- our niche in the practice of law. Apply for a grant of up to \$1,000 at

[https://www.ncpo.org/files/ugd/289ac3\\_1bf9306431e24f179b5601a5c1bcd0ee.pdf](https://www.ncpo.org/files/ugd/289ac3_1bf9306431e24f179b5601a5c1bcd0ee.pdf)

# Isaac Hecht Award to be presented at Madison Workshop



The Hecht Award honors the memory of Maryland Attorney Isaac Hecht, his lifetime of vigorous advocacy in support of law client

protection programs throughout North America, and his professional service to the legal profession. Mr. Hecht was one of NCPO's co-founders and practiced law in Maryland for 64 years before his death in 2003 at the age of 89.

Mr. Hecht served as Treasurer of Maryland's Fund since its creation in 1967. He was committed to the belief that the trust of law clients is the essential linchpin in every lawyer-client relationship, and that the reimbursement of innocent victims of lawyer dishonesty represents the legal profession at its best.

Mr. Hecht was especially focused on the financial foundations of client protection funds, the initiatives of fund leaders, and their receptivity to techniques to deter and detect dishonest conduct in the practice of law.

The Hecht Award recognizes individuals and professional organizations that have demonstrated "excellence in the field of law client protection." "Excellence" includes significant achievements in promoting public confidence in the integrity of the legal profession; the substantial reimbursement of law clients for eligible losses caused by a lawyer's dishonest conduct; the development of programs to prevent or detect professional misconduct in the practice of law; and meaningful public information programs for attorneys and legal consumers.

NCPO's Board of Directors invites nominations from individuals and professional organizations throughout the United States and Canada. To nominate this year's recipient, visit <https://www.ncpo.org/nomination>. The deadline for submitting nominations is July 15, 2026.

## RECIPIENTS OF THE ISAAC HECHT AWARD FOR EXCELLENCE IN THE FIELD OF LAW CLIENT PROTECTION

2025 – Michael T. McCormick, New Jersey  
2024 - Eileen W. Donahue, Illinois  
2023 - Mike Miyahira, Hawaii  
2022 - Michael J. Knight, New York  
2021 – Lindsay Draper, Wisconsin  
2020 - Edward T. Ehler, New Jersey  
2019 - Timothy J. O'Sullivan, New York  
2018 - Jim E. Coyle, Colorado  
2017 - Eric A. Seiff, New York  
2016 - Michael Harmon, Arkansas  
2015 - Kris Wenzel, Wisconsin  
2014 - Alabama State Bar Client Security Fund Committee  
2013 - Karen O'Toole, Massachusetts  
2012 - Janet Green Marbley, Ohio  
2011 - Charles Goldberg, Colorado  
2010 - Richard C. Bosson and Charles J. Vigil, New Mexico  
2009 - The Connecticut Bar Association  
2008 - Thomas J. Moyer, Chief Justice, Ohio Supreme Court  
2007 - Kenneth J. Bossong, New Jersey  
2006 - William Ricker, Missouri  
2005 - Frederick Miller, New York  
2004 - Frank X. Neuner, Jr., Louisiana

*Fifty for the 250<sup>th</sup> -*

## 2026 NCPO Membership Drive Underway

If you haven't yet renewed your membership for 2026 – or if you're a client protection professional who is not yet a member - please join us! NCPO is most effective when it brings together the client protection field from ALL of the states and provinces of the U.S. and Canada. NCPO's goal during the U.S. Semiquincentennial is to welcome at least one member from each of the 50 states.

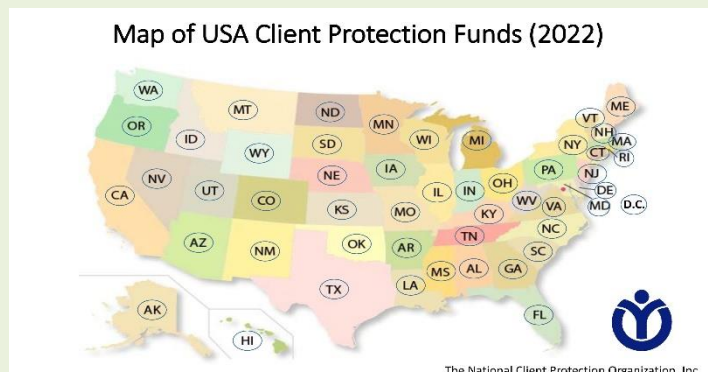


Membership brings access to support, expertise and guidance from fund administrators, attorneys and trustees with hundreds of years of combined experience. NCPO members are there for each other and ready to help with on-site and remote consultations. NCPO experts can speak with members of your court, bar and legal community and provide support for initiatives to make your fund more effective and responsive to the need in your jurisdiction. Grants are also available for member initiatives to strengthen their fund programs as well as to attend NCPO's annual workshop (*See page 1 of this issue*).

Renew online at <https://www.ncpo.org/membership>. It's just \$25 for individuals and \$200 for and organizational member covering all of your fund's staff and trustees. New members are always welcome – and get the first year of membership free! Questions? Contact NCPO's membership chair, Sarah Watson, at [swatson@wisbar.org](mailto:swatson@wisbar.org)

## Find Your Fund!

Every U.S. state and Canadian province has a fund for client protection. If you are looking for a client protection colleague, visit [www.ncpo.org](http://www.ncpo.org) and check out NCPO's interactive maps with contacts for every fund in the U.S. and Canada. Also available at the website are resources on lawyer well-being, immigration, bankruptcy, random audits, model rules and trustee orientation – just to name a few. If you can't find what you're looking for (or have a resource to add) let us know – email [mccormicknj@aol.com](mailto:mccormicknj@aol.com)



SINCE 1980, U.S. FUNDS HAVE PAID OVER 87,000 CLAIMS REIMBURSING \$982 MILLION TO VICTIMIZED LAW CLIENTS, AN AVERAGE OF \$377,000 PER STATE FUND. (SOURCE: ABA SURVEY OF LAWYERS' FUNDS, 2023)

[HTTPS://WWW.AMERICANBAR.ORG/CONTENT/DAM/ABA/ADMINISTRATIVE/PROFESSIONAL\\_RESPONSIBILITY/2020-2022CP-SURVEY.PDF](https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/2020-2022cp-survey.pdf)

# Assessing Without Apology

By Kenneth J. Bossong



*Editor's Note: The following editorial first appeared in the January 1998 issue of "The Client Protection Webb." It is just as relevant to the challenges facing funds today as it was 28 years ago. Ken Bossong served as Director and Counsel to the New Jersey Lawyers' Fund for Client Protection and is a founding member of NCPO.*

There is no truer truism in the field of client protection than this: without funding, there can be no client protection fund. Yet there is always someone who feels that he or she should not have to pay the freight. It's easy to forget that such malcontents are in a distinct minority. But whether numerous or few, loud or quiet, they deserve to be answered.

For trustees and staff alike, fund advocacy is an important part of the job. Whatever advantages fund critics may seem to have, advocates have one huge advantage in the merits of inherent worth: a client protection fund, when properly presented, is a very difficult program to oppose publicly.

Occasionally, however, there will be those who ask, "Why should I be my brother's keeper?" Amazingly, this is offered without irony, as if to imply that Cain was role model. Perhaps the best answer is to point out that the fund is not there to benefit dishonest brethren, but their victims.

Most opponents, though, take a different tack: they praise the fund, but indicate that there are unique circumstances that should exempt them. Typically, they are lawyers who are not engaged in the "private" practice of law. They include government lawyers, judges, law professors, legislators, and court employees. Maybe they live and work out-of-state. Should they be expected to contribute to the fund? Yes, and without apology.

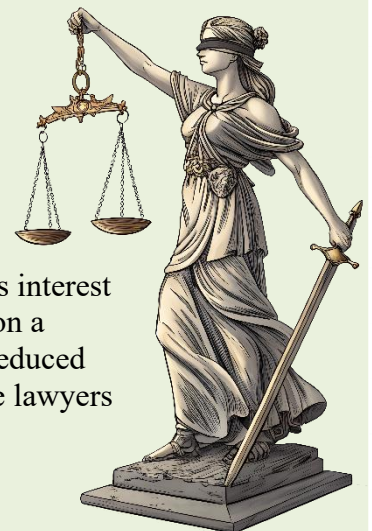
Among their arguments: "I should be exempt because I do not contribute to the risk that the client protection fund covers". This insurance analogy is fatally flawed. The fund is not about lawyers banding together to spread economic risk. Lawyers are not a band of thieves. In the real world, there will be relatively few dishonest lawyers and victims whose misfortune it was to trust them.

To their credit, lawyers know that it's intolerable to leave these victims without a remedy. In addition, they finance these protection funds from their own pockets. This is directly related to the trust that is reposed in the profession by the public. When a lawyer steals, it besmirches all lawyers; when the protection fund makes good, it benefits them all.

Assessments can and should be reasonable. Almost all jurisdictions should find \$50 per year (\$.96 per week) to be entirely adequate; and many can do a good job with even less. That's true, however, only if all lawyers participate, in good years as well as bad.

It's not a crime for a fund to be financially healthy. Building a reserve generates interest income to help care for victimized clients. On the other hand, an arbitrary cap on a fund's reserve dares fate to disprove the adequacy of the cap. Few funds have reduced their assessments without an eventual regret for the decision. Fewer still are the lawyers who express appreciation when an assessment is reduced.

The best advice: refuse to go defensive for doing what is right and intelligent.



## *A Safety Net You Support:*

# **How the ARDC's Client Protection Program Strengthens the Profession and Serves the Public**

*Editor's Note: Following is an excerpt from the Attorney Registration & Disciplinary Commission of the Supreme Court of Illinois (the ARDC) which notes the effectiveness of the Illinois Fund under the long-time leadership of NCPO member, membership chair and Hecht Award recipient, Eileen Donahue. The full article can be found at <https://iarcd.org/Files/SafetyNetYouSupport.pdf> )*

The ARDC's Client Protection Program ("Program"), which each year returns money to individuals who lost funds through no fault of their own as a result of a lawyer's dishonest conduct, death, or disability, is funded entirely by attorneys who register to practice in Illinois. The Program is one of the most meaningful ways Illinois lawyers reinforce the public's trust in the legal profession and support legal consumers at their most vulnerable moments. It also stands as one of the clearest expressions of the ARDC's balanced approach to regulation of the profession as restorative, supportive and responsive to the needs of today's legal community.



On March 28, 1994, the Supreme Court of Illinois created the Program by adopting Supreme Court Rule 780. Prior to that, a program that was jointly administered by the Chicago Bar Association and the Illinois State Bar Association distributed funds to the victims of lawyer wrongdoing, using funds from voluntary contributions that eventually proved to be unable to meet the existing need.

Since the Court's adoption of the Program, clients who suffered financial losses because a lawyer engaged in dishonest conduct, or because a lawyer died or was transferred to disability inactive status before providing legal services that were paid in advance, may seek reimbursement through the Program, which is funded by a \$25 assessment from each active-status lawyer's annual registration fee. The Program does not cover losses resulting from alleged professional negligence or malpractice, nor does it consider claims involving disputes over the amount of an attorney's fee. But, by restoring client funds when no other practicable source of recovery exists, such as insurance or civil litigation, the program demonstrates the profession's collective commitment to responsibility and compassion.

Despite its modest cost to individual lawyers, the program delivers substantial results. At its inception in 1994, the maximum per-award limit was \$10,000 and the per-lawyer limit was \$300,00. That year, the ARDC approved and paid 40 claims totaling \$162,111 involving 29 lawyers. Today, the maximum per-award limit is \$100,000 and the per-lawyer limit is \$1 million, and in 2024, the most recent year for which data is available, the ARDC approved 65 claims totaling \$1,422,273 against 22 lawyers. Four awards reached the \$100,000 per-claim maximum, and 16 payments were for \$2,500 or less. The 2024 data also shows that 54% of approved claims involved misappropriation of client funds, with the majority of the remaining claims based on allegations of a lawyer failing to return unearned fees or costs. Since its inception, the Program has reimbursed more than \$30 million in claimant losses.

The human impact of the Program can be illustrated through actual claimant experiences. In one circumstance in which ARDC staff had to make extra efforts to contact a claimant whose claim had been approved, the claimant reported that the outcome of their original legal matter had left them feeling

*Continued on next page*

## *A Safety Net You Support* (continued)

hopeless. They had not been following the claim process because they did not expect anything related to the legal system to work in their favor. When told that the ARDC had approved their \$100,000 claim, the claimant was stunned and repeatedly expressed not only gratitude but indicated that the award would be life changing.

In another case, a disciplinary prosecution involving allegations of the financial exploitation of a vulnerable elderly person was unresolved when the ARDC received notice from the Cook County Public Guardian that the victim died. Although the claim did not fit within the Program's guidelines, the Commission exercised its discretion to pay for a simple memorial service and cremation for the former client.

Experiences like these reveal how the Program supports the public, but they also highlight how the ARDC supports lawyers. When a lawyer dies or becomes disabled, the Program ensures that the lawyer's former clients are not left without recourse. By contributing to this Program through annual registration, Illinois lawyers collectively help ensure that isolated acts of misconduct or unexpected personal crises do not erode confidence in the profession as a whole. This helps the profession maintain its reputation for fairness and compassion, while reducing the collateral damage to a lawyer's clients in the event of their death or disability.

The ARDC recognizes that lawyers face health crises, personal hardships, and economic uncertainty, and the Program responds to these realities with compassion to ensure that the lawyer's former clients are compensated for any losses resulting from their lawyer's inability to complete the services for which the clients paid. And while these claimant experience stories have been anonymized, they underscore the importance of the Program. Taken in conjunction with the year-over-year growth in Program funding and payouts, these stories reflect both the ongoing demand for and the effectiveness of the Program, as well as the ARDC's commitment to addressing the evolving needs of lawyers and the public.

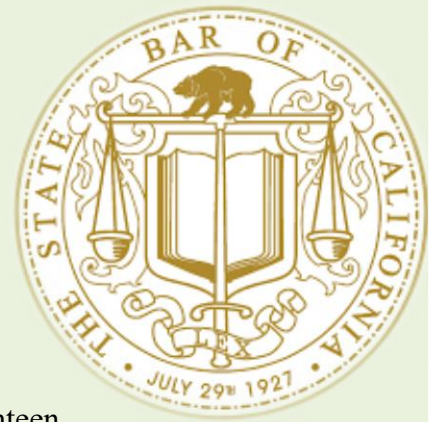


Eileen Donahue

At the end of 2025 the Program marked a leadership transition when its longtime Director, Eileen W. Donahue, retired after decades of dedicated service. Donahue, a charter member of the National Client Protection Organization, Inc. (NCPO), a not-for-profit membership corporation founded in 1998 to promote education and information-sharing among client protection fund programs across the United States and Canada, played a pivotal role in shaping the Program's national reputation. Under her leadership, the Program expanded into a model of client protection recognized for fairness, transparency, and effectiveness, and advanced its work within the broader framework established by the ABA Model Rules for Lawyers' Funds for Client Protection. Her contributions to the field earned her NCPO's 2024 Isaac Hecht Award for excellence in client protection, and she further advanced the organization's mission through her service as the NCPO's Midwest Regional Vice President and as Membership Chair for 17 years.

By understanding and supporting the Client Protection Program, Illinois lawyers contribute to a broader mission: strengthening the public's confidence in the profession and ensuring that the legal system remains accountable. In staying informed about the Program and its impact, lawyers help sustain a vital public protection resource that reflects the profession's shared commitment to integrity and fairness. The Program is not only a remedy for financial loss; it is proof that the ARDC continues to innovate in furtherance of its mission to support and advance the integrity of the legal profession.

## California Bar Association Conducts Random Audits



Between September 29 through October 31, 2025, the State Bar of California randomly audited 100 attorneys representing a cross-section of the state's attorney population. Prior to launching this mandatory program, the State Bar conducted a voluntary compliance review pilot to test procedures and received direct attorney feedback on the voluntary review. The State Bar issued an open call for volunteers and over 300 firms applied to participate; 21 firms were selected to represent various practice sectors, firm sizes, and trust account recordkeeping methods. Eighteen firms completed the process.

Compliance reviews are designed to evaluate trust account recordkeeping practices in several areas, including trust accounting records, compliance with notification and distribution time frames, supervision, and accuracy of records. Of the 18 firms that completed the voluntary compliance review process:

- 15 firms (83 percent) had noncompliant trust account journals.
- 16 firms (89 percent) had noncompliant client ledgers.
- 15 firms (83 percent) had noncompliant monthly three-way reconciliations.
- 10 firms (56 percent) had at least one client not notified within 14 days of receipt of funds.
- 8 firms (44 percent) had at least one occurrence of client funds not distributed within 45 days.
- 13 firms (72 percent) had deficient attorney supervision.
- 6 firms (33 percent) had at least one occurrence of attorney/firm fees incorrectly calculated.

At the end of the process, 100 percent of participating firms reported that they had a positive experience and were glad they volunteered. Participants agreed that the compliance review provided a meaningful assessment of their firm's trust accounting practices.

Most compliance reviews are estimated to cost between \$5,000 and \$10,000, with actual costs affected by factors such as recordkeeping quality and responsiveness. The State Bar selected and trained the participating CPA firms. Additionally, the State Bar has created financial exemptions for those with annual gross incomes of \$150,000 or less.

## Ohio Fund Awards Top \$240,000

*The Ohio [Lawyers' Fund for Client Protection](#) (LFCP) reimbursed \$243,600 to 13 victims of attorney theft at its March meeting. Five former or suspended Ohio attorneys were determined to have engaged in dishonest conduct resulting in financial losses to their clients. Since its inception, LFCP has awarded over \$26 million to consumers. Approved claims included unearned retainers as well as escrow thefts. The largest of the claims was for \$100,000, paid to a client of Gregory Darwin Port, who was disbarred in parallel disciplinary proceedings in November, 2024. The largest unearned retainer claim, against David Edmund Stenson, received an award of \$15,000.*

*The LFCP was created in 1985 by the Supreme Court of Ohio to reimburse victims of attorney theft, embezzlement, or misappropriation. It is not taxpayer-funded but is funded by registration fees paid by every Ohio attorney. Ohio has over 45,000 attorneys engaged in the active practice of law. Less than 1% of those attorneys are involved in claims reimbursed by the LFCP.*

## Texas Attorney Robs Orphans

San Antonio, Texas attorney Karen Hogan recently pled guilty to stealing \$540,000 from six children whose parents died in a murder-suicide on New Year's Eve, 2021. Hogan, who is scheduled to be sentenced in June, faces up to 20 years in prison.

On Dec. 31, 2021, Kendall County deputies were dispatched to a residence in the 100 block of Ridge Lane for a possible murder. When they arrived, deputies found Emily Evans and Jason Evans dead from gunshot wounds. Law enforcement determined Jason Evans was the shooter.

The Evans had five daughters and a son, who were inside the home at the time of the shooting. At the time, the couple's children ranged in age from 4 to 15 years old. The oldest child has a developmental disability; All are the heirs to the Evans' estates.

Hogan was the executor of the estates. An investigation determined she opened bank accounts under the couple's names, listing herself as a joint account owner and proceeded to transfer a total of \$541,550 from the accounts between August 2023 and February 2024.

The case presents a difficult situation to the Texas Client Security Fund, which has a \$40,000 per claimant maximum. Texas State Bar records show Hogan has already surrendered her law license.



Karen Hogan

## Attorney/Candidate Solicits Loans from Disabled Client



Justin Nadeau

Justin Nadeau, a disbarred lawyer from Portsmouth, New Hampshire, ran for the New Hampshire Democratic Party's nomination for Congress in the 1st District in 2004. A Rockingham County Superior Court jury, however, found that Nadeau stole \$275,000 he had borrowed from a client who had suffered a traumatic brain injury.

Nadeau, 53, was convicted April 1 on felony charges of theft by deception, financial exploitation of an impaired adult, forgery, and falsifying physical evidence. Prosecutors said Nadeau obtained a \$275,000 loan in August 2018 from Shawn Fahey, a former client who had suffered a traumatic brain injury. In December 2018, Nadeau received another loan from Fahey, again under false pretenses.

Fahey was injured after an intoxicated driver struck her vehicle. She gave Nadeau the initial loan after he failed to disclose "a lien, adverse claim, or other legal impediment to a condominium that he encumbered as collateral for the loan," according to the attorney general's office.

The New Hampshire Public Protection Fund is administered by the State Bar in accordance with Rules promulgated by the New Hampshire Supreme Court. The Fund has a \$500,000 per claimant maximum, payable at the end of the year when all claims against a particular respondent have been considered by the Fund' Trustees. (Rule 55(4))

***The Standards for Evaluating Lawyers Funds for Client Protection:** 4.1 – The ultimate goal of the Fund is to fully reimburse all clients victimized by the dishonest conduct of their attorney...4.2 – Limitations on the payment of awards – whether per claim, per claimant, per year or in the aggregate against any one lawyer – are not to be favored. Every opportunity should be sought to eliminate such limitations....Their necessity should be questioned, and their impact lessened at every opportunity.*

**May 4 – 8, 2026**

## Well-Being in Law Week Marked by Free Webinars

Well-Being Week in Law is designed around a simple but often overlooked premise: lawyer well-being is not a soft add-on—it is a core professional competency shaped by the structure, culture, and cognitive demands of legal work. Rather than focusing on surface-level self-care, this week centers on evidence-based research that addresses the psychological patterns most prevalent in the legal profession: perfectionism, chronic stress, isolation, diminished hope, and the absence of psychological safety in high-stakes environments.

Each program translates rigorous research into practical, professional-specific insights that lawyers, judges, and legal organizations can apply immediately. Across the week, participants will explore how internal traits (like perfectionism and stress responses) intersect with external systems (belonging, leadership, and workplace culture) and how shifting both is essential to sustainable performance, ethical decision-making, and long-term professional fulfillment.

The week intentionally progresses from individual cognition and emotion to relational and organizational dynamics, culminating in a forward-looking discussion on psychological safety as the foundation for well-being, inclusion, and excellence in the law.

All sessions will be held at 1:30 pm EST and are free and open to all.

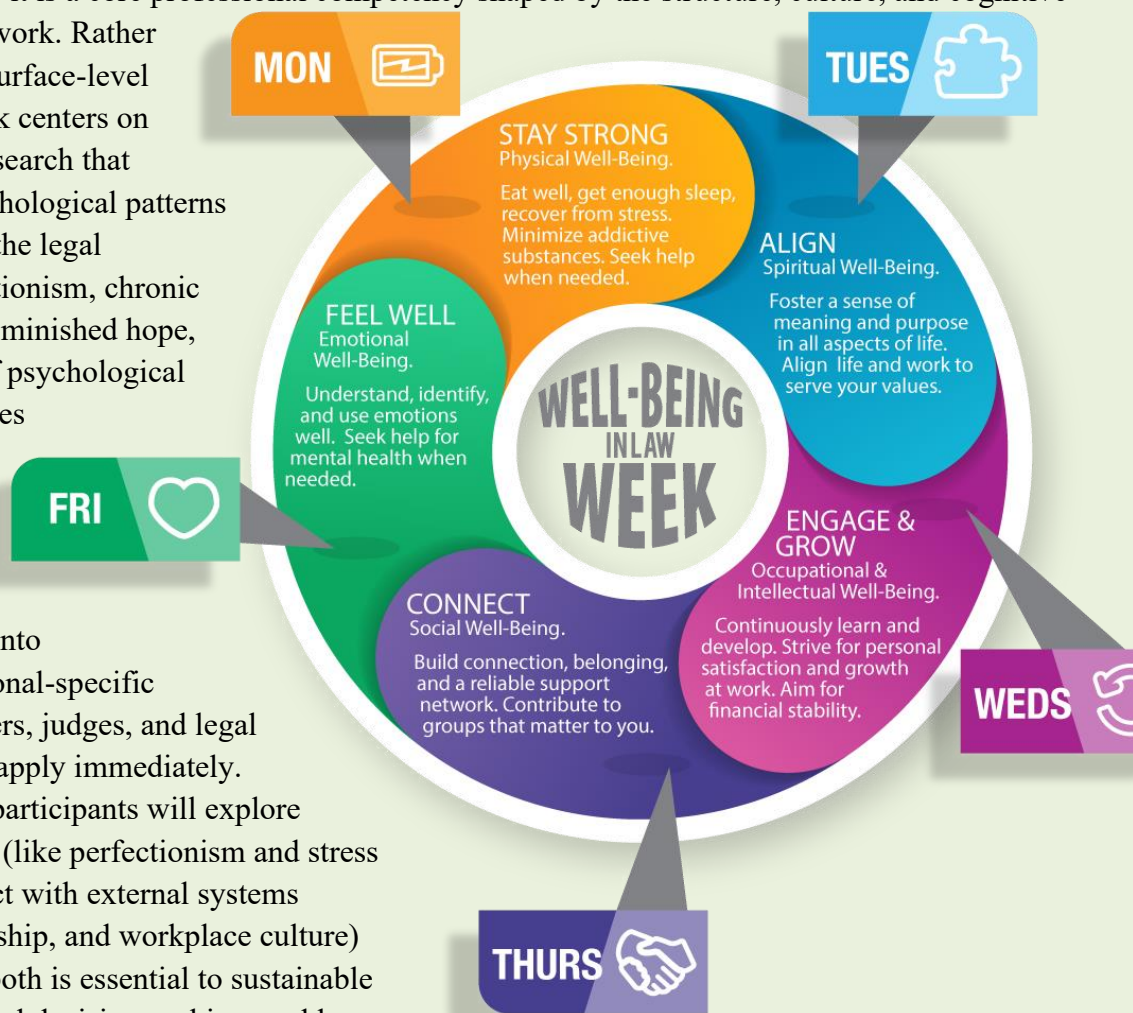
Monday 5/4/2026 - Perfectionism in the Legal Profession

Tuesday 5/5/2026 - Psychological Safety in the Legal Profession

Wednesday 5/6/2026 - Belonging, Inclusion, and Well-Being

Thursday 5/7/2026 - Stress Management for Legal Professionals

Friday 5/8/2026 - The Science of Hope and Lawyer Resilience.



Register at [https://www.americanbar.org/groups/lawyer\\_assistance/well-being-in-the-legal-profession/](https://www.americanbar.org/groups/lawyer_assistance/well-being-in-the-legal-profession/)

## ABA Prepares 41<sup>st</sup> Annual Forum on Client Protection

The American Bar Association's National Client Protection Forum is a significant national event that brings together professionals working in the field of client protection. It is attended by Client Protection Fund staff, trustees, and disciplinary counsel from across the country. The event provides an opportunity for members of the Client Protection community to discuss current issues and prepare for future challenges.

This year's Forum will be held on May 29<sup>th</sup> and 30<sup>th</sup> at the UCLA Luskin Conference Center in Los Angeles, California. Topics include: Practice areas prone to Theft and what to do about it; Mental Health and Well-Being in the Legal Profession; Relationship between Funds and Regulators, as well as the traditional Town Hall, Hot Topics and Difficult Claims Sessions. Register at [https://www.americanbar.org/groups/professional\\_responsibility/](https://www.americanbar.org/groups/professional_responsibility/)



### *Client Protection Funds exist because of good lawyers, not bad ones.*

*Most law clients will never need the help of their jurisdiction's fund. That's because the overwhelming majority of lawyers observe the highest standards of honesty and integrity in handling client money. But there will always be a few who fail their obligations. That's why lawyers all across the United States and Canada finance a special fund to reimburse losses caused by dishonest conduct in the practice of law. Lawyers have worked hard to earn their clients' trust. And they're working just as hard to keep it.*

★ *The Client Protection Webb is published in memory of Gilbert A. Webb, Esq., who served as Assistant Client Protection Counsel for the American Bar Association's Center for Professional Responsibility. Mr. Webb was dedicated to protecting the welfare of clients victimized by their attorneys and served as an editor of the ABA's first client protection newsletter. Submissions to the Webb are always welcome. Please send them to the editor, Mike McCormick at [mccormicknj@aol.com](mailto:mccormicknj@aol.com)*

