

Comments From the Editor...

I believe one of the principal missions of COLAP is to reach law students and to provide them with all the assistance we can. COLAP is aggressively pursuing this "mission." At the 2002 Commission meeting, then Chairman John Clark, appointed co-chairs of a new Law School Outreach Committee. Through the terrific efforts of Judge Robert Childers, Don Carroll and Cal Baker, as well as the members of the Law School Outreach Committee much has been accomplished. COLAP is helping the Deans and other faculty of our law schools to become more aware of the issues of substance abuse and depression within the schools and the help that is available to the students. The wonderful publication "Substance Abuse in Law Schools: A Tool Kit for Law School Administrators" was sent to every Dean at the end of 2005. We all know this is just a start. My hope is that LAP programs will be invited into the schools on a regular basis and to participate in such areas as the effects of impairments on ethics and discipline.

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Highlights

of the American Bar Association
Commission on Lawyer Assistance Programs

Recognizing Substance Abuse Often Co-exists with an Undiagnosed Illness May Hold the Key to Recovery

By John O'Neill, LCSW, LCDC, CSAT, Director, Professionals in Crisis Program,
The Menninger Clinic

Sadly, professionals in the legal community are not immune to substance abuse and coexisting mental health issues.

Jim's story

Jim is a successful attorney who also is struggling with alcoholism. In spite of his addiction, he has thrived in his practice and has learned to cope with the consequences of drinking—a failing marriage, health consequences and little sleep. Jim has been in treatment a few times, and after 30 days he has maintained sobriety for a week or two, but he relapses when depressed, stressed or anxious. Jim convinces his family, friends and colleagues that he is managing, but in reality he has given up hope for sobriety. What Jim does not know is that he may be suffering from a depressive disorder that coexists with his drinking, a disorder, which left untreated, offers a barrier to long-term sobriety.

A common situation

Jim represents an estimated 40-60 percent of adults with an alcohol or drug problem who also suffer from a co-occurring psychiatric disorder in their lifetime. With such prevalence, it is critical to develop an understanding of how to assist individuals who may be struggling with a coexisting disorder. A co-existing or dual disorder is best explained by considering that, like medical disorders, psychiatric disorders and addictions feed off of one another. For instance, we know that high blood pressure can lead to heart problems if untreated. If the patient was not being treated for high blood pressure and only the symptoms of the cardiac problems were being addressed, the patient may not receive the best treatment and may suffer the consequences. For many years there have been arguments in the health and mental health fields on which came first, the addiction or the psychiatric disorder. The better question may be "How do we best treat patients with co-existing disorders?"

The high-functioning professional is a challenge for the people in their work and social life who are attempting to direct or assist them with entering into treatment. The nature of the professional's success and ability to solve problems, conquer challenges and thrive in stressful situations often makes it difficult for him to embrace and engage in treatment.

For anyone who knows someone in law like Jim, we encourage you to become familiar with the traits that inhibit the high-functioning professional from seeking or engaging in treatment for co-existing disorders.

I can handle it myself.

The professional who on a daily basis may handle multiple critical problems simply may believe he can figure out a way to handle his own problems. When someone is depressed or anxious, he usually looks for a way to feel better, often by self-medicating with alcohol, drugs or other addictive behavior. Conversely, after using, the person is apt to feel more depressed or anxious, leading to a dangerous cycle in which he feels stuck.

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The Psychological Impact of the 2005 Disaster on Gulf Coast Attorneys

By Alexis Polles, MD, Medical Director, Pine Grove's Professional Enhancement Program and Philip Hemphill, LCSW, Program Director, Pine Grove's Professional Enhancement Program

The disastrous events of September, 2005 affected our country as a whole, the South Central United States as a region, the citizens of Mississippi and Louisiana in profound ways, and the residents of the Gulf Coast areas of those states in devastating ways. From August 30 through September 26, the top headline was about hurricanes Katrina or Rita all but five days in the *New York Times* and all but five days in the *Los Angeles Times*.¹

Mental health professionals have been called on to deliver services to the masses and professional assistance programs are working overtime to triage cases. Most professionals have been expected to function at higher levels despite the impact on their personal lives because community infrastructure is being rebuilt and/or redesigned. The theme of 'injustice' has prevailed in numerous situations and often attorneys have shouldered the responsibility of leading communities and maintaining civil equilibrium.

James Griffith, MD provided a workshop in November of 2005 on PTSD following Katrina and offered these observations. There is an acutely traumatized population, an overburdened group of professionals, and a gross disruption of social and economic infrastructure. He identified some family dysfunction presently, a migration and displacement of families, a loss of a tax base and social services, and shifting of focus beyond the 'crisis.'

A review of the published data concerning effects of disasters on mental health through 2004 showed the most common post-disaster condition to be posttraumatic stress, followed by depression, physiological stress responses including poor sleep, and sometimes an increase in alcohol or drug consumption, though this consumption may increase most in people who already had problematic use or developed other psychological syndromes.² The more severe the disaster, the less the characteristics of individuals matter. In very severe disasters, virtually everyone shows adverse emotional responses.

Most studies that look at the effects of disasters on involved professionals assess samples of rescue and recovery workers. Our work is devoted to the evaluation and treatment of healthcare (primarily physicians) and legal (primarily lawyers and judges) professionals. We decided to undertake an evaluation of this population in Louisiana

and Mississippi. We have used a successive cohort design, in which sub-samples were surveyed at various post-Katrina/Rita intervals throughout the Gulf Coast. The subjects were (N=185) voluntary attendees at 5 different educational presentations given during the year following the hurricanes on recovery topics.

We chose the Self-Report Questionnaire (SQR) because it is a robust instrument that measures psychological functioning and has numerous subscales for analysis. This instrument was developed by the Division of Mental Health of the World Health Organization in 1994 and is utilized when assessing different natural and man-made disasters. In addition to English, the questionnaire is available in seventeen different languages. There are over thirty publications on the psychometric properties of the instrument. We have adopted the cutoff for items 1-20 as 7/8, which yielded an intra-class correlation of 0.963 ($x^2=198.32$, $df=26$). If an individual scores above this cutoff, then there is an indication of the presence of significant psychological symptoms.^{3 4}

The results:

- 27% of the sample scored above the cutoff, therefore indicating the presence of significant psychological symptoms.
- Lawyers in the direct strike zone had statistically higher scores than those lawyers farther away from the direct strike zone.
- 60% reported feeling worried, tense, or nervous while 54% reported having sleep disturbance.
- 50% reported suffering daily at work while 44% reported having difficulties making decisions.
- 40% reported feeling unhappy and having trouble thinking clearly.
- 43% reported feeling tired all the time and 32% report having lost interest in daily activities.
- 21% reported using Alcohol more than usual.
- 20% reported having somatic symptoms.
- 10% explained having thoughts of ending their life while 9% reported feeling like a worthless person.

These results indicate a need for continued vigilance by CoLAP members and all professional assistance programs as individuals

have been displaced throughout the United States. Although the total score categorized 27% of the sample, individual items and subscales revealed the need to address and explore specific struggles and coping strategies. Ehrenreich's model of the phases of disaster explains that individuals and communities are experiencing disillusionment, working through, and/or reconstruction.⁵ We believe as anticipated aid is offered in the region some will be seen as less fortunate than others, attorneys will have an increased level of stress in navigating the system, and deep rooted depression may follow. Individual's will be required to accept that they must depend on themselves if they are going to move on and rebuild their lives as failure to do this can lead to bitterness and unresolved animosity. Finally, the resilience literature describes the process of emerging from adversity with stronger and more capable skills. Traumatic events are frequently a source of energy for new ideas, discoveries, and growth.

Endnotes

- ¹ Kimball, Miles; Levy, Helen; Ohtake, Fumio; and Yoshiro, Tsutsui, "Unhappiness after Hurricane Katrina," National Bureau of Economic Research Working Papers, March 2006, Number 12062.
- ² Norris, Fran H., "Range, Magnitude, and Duration of the Effects of Disasters on Mental Health: Review Update 2005, Research Education Disaster Mental Health, Dartmouth Medical School and National Center for PTSD.
- ³ Iacoponi, E. and Mari, J.J. (1989). *Reliability and factor structure of the Portuguese version of Self-Report Questionnaire*. The International Journal of Social Psychiatry, 35 (3), 213-222.
- ⁴ Lima, B. R., Chavez, H., Samaniego, N., and Pai, S. (1992) *Psychiatric Disorders among emotionally distressed disaster victims attending primary mental health clinics in Ecuador*. Bulletin of PAHO, 26 (1), 60-66.
- ⁵ Ehrenreich, J. (2001). *Coping with Disaster*.

About the Authors:

Alexis Polles, MD is a fellow of the American Psychiatric Association and has sub-specialty certifications in Addiction Psychiatry and Forensic Psychiatry. She is residency trained in Emergency Medicine. Dr. Polles has certification from the American Society of Addiction Medicine, is a Certified Sexual Addiction Therapist, and Eye Movement Desensitization and Reprocessing, Level II therapist. Alexis is the Medical Director for Pine Grove's Professional Enhancement Program. She has 20 years experience in evaluation and treatment of dually diagnosed professionals.

Philip Hemphill, LCSW is the Program Director of the Professional Enhancement Program in Hattiesburg, MS. at Pine Grove
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Key to Recovery

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I expect results.

Professionals by their business nature may expect that if they enter into treatment, get counseling for their addiction and attend meetings they should be sober. A co-existing disorder such as depression may sabotage sobriety regardless of the strength of the recovery program or will power. Treatment that integrates help for recovery and the psychiatric disorder proves successful for many professionals—men and women—in the law, medicine, business and other professions.

What will others think?

For many professionals, embracing the concept that they are suffering from the disease of addiction as well as depression or anxiety is too much stigma. The perceived stigma may lead them to attempt to minimize their problems and avoid treatment.

I want to feel better today.

Successful professionals aim for results and outcomes. Sometimes these men and women avoid entering treatment because they perceive treatment may not produce results fast enough. Various studies on co-occurring disorders illustrate the importance of ongoing integrated care for substance abuse and the psychiatric disorder that does not stop at 30 days. The need for a quick fix may, in fact, make it difficult to enter or engage in treatment.

I can't let go of my responsibilities.

The professional with multiple responsibilities may struggle with leaving their cell phone, Blackberry and computer at the door of a treatment center. We do not let clients have their "tools of the trade" because we want them to focus on getting healthier and on the road to recovery.

I feel terrible when I stop using and can't function.

When someone is self-medicating and stops, they suffer from the physical and mental consequences of substance abuse. When a professional with multiple responsibilities needs the drink, drug or other addiction to get through the day, the withdrawal symptoms may be too great to remain sober. He balances the need to get the job done with risking his personal physical and emotional health. Willingness to sacrifice his health to get the job done can be a potentially deadly sacrifice.

I am in control.

Letting go of control is difficult for most people, but it's a particular challenge for the high-functioning professional. While a professional is in treatment, he/she should be encouraged to let go of control and embrace their disease and the process of recovery from co-occurring disorders.

In conclusion

Recognizing a professional's many challenges is the first step in assisting these successful individuals with taking steps to address their co-existing disorders. Assisting high-functioning professionals in recovery also depends on:

- A thorough evaluation of psychiatric disorders, addictions and medical problems.
- Education about co-existing disorders.
- Development of a plan to handle responsibilities when the professional is in treatment.
- Validation of concerns and encouragement to express frustrations.
- Referral to a program that integrates treatment for co-existing disorders and understands the unique challenges facing a professional.

Most importantly, any person suffering

from the diseases of addiction and a coexisting disorder has to have hope that he/she can feel better. Assisting an individual with understanding what is wrong is a crucial step toward hope and recovery.

About the author

John O'Neill, LCSW, LCDC, CSAT, supervises the clinical aspects of the Menninger Professionals in Crisis Program, provides group and individual therapy and supervises members of the treatment team. O'Neill holds a master's degree in social work from Arizona State University and is a licensed clinical social worker and chemical dependency counselor. He also is a certified sexual addictions therapist and critical incident stress-debriefing counselor. Among his specialty areas are chemical addictions; gambling addictions; the impact of addictions on professionals, including athletes; sexual compulsivity; and emotional stressors for executives and high-functioning professionals.

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Psychological Impact

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Behavioral Health and Addictive Services. The Professional Enhancement Program is a structured intensive treatment program

that addresses and resolves problems with anxiety, mood, substance abuse, and other addictive diseases in healthcare and other professionals. Mr. Hemphill has been the Program Director of the Professional Enhancement Program for the past 3 years

and formally worked at the Masters and Johnson Programs for over 15 years. He is an adjunct professor at Tulane University School of Social Work and Assistant Clinical Professor at LSU Health Sciences Center, Department of Psychiatry.

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Chair's Column

by Richard A. Soden

Having been reappointed by ABA President Karen Mathis to serve a 3rd year as chair of the Commission on Lawyer Assistance Programs (CoLAP), I am pleased to announce that she also has appointed the following four new, well-deserving individuals to serve along with me as Commissioners. President Mathis assumed the presidency of the American Bar Association, following the ABA Annual Meeting in Hawaii this past month. Her appointments to the Commission and Advisory Commission are for one year and began at the conclusion of the annual meeting as well.

Newly appointed Commission members are the **Hon. Robert L. Childers** of Memphis, Tennessee; **Betty M. Daugherty** of Jackson, Mississippi; **Gena Lewis Singleton** of Houston, Texas; and **Richard B. Vincent** of Baltimore, Maryland.

The **Honorable Robert L. Childers** has been a Circuit Court Judge since 1984. He is a past President of the Tennessee Judicial Conference and the Tennessee Trial Judges Association. He has served as Special Judge of the Tennessee Supreme Court Workers' Compensation Panel and the Tennessee Court of Appeals. He received the *Charles A. Rond Outstanding Judge of the Year Award* in 1986 and in 1999, from the Memphis Bar Association; *Judge of the Year* by the Shelby County (TN) Deputy Sheriff's Association in 1990; and the *Judge Jane Wheatcraft Award* for outstanding service in combating domestic violence in 2001, and also *Outstanding Jurist of the Year for 2004-2005* by the Family Law Section of the Memphis Bar Association. He currently serves as Co-Chair of the Tennessee Domestic Violence State Coordinating Council. He has served as a Commissioner for the Tennessee Lawyers Assistance Program (TLAP) since its creation in 1999. He most recently assisted CoLAP as a member of its Advisory Commission. He has also been on the faculty of the National Judicial College at the University of Nevada at Reno, and has been a frequent lecturer and speaker at continuing legal education seminars and before numerous schools, civic, church and business groups, in Tennessee and throughout the country. He previously served as a member of the Tennessee Supreme Court Committee to Build Public Trust and Confidence in the Judicial System.

Betty M. Daugherty is the Director of the Lawyers and Judges Assistance Program of the Mississippi State Bar, which was created by the Supreme Court of Mississippi. L&JAP was established for intervention and

assistance to and for attorneys in Mississippi, whose professional ability is or may be impaired by addictive illness or mental illness. Ms. Daugherty has worked in the social services field for the last 18 years. Prior to coming to the Mississippi Bar, she helped develop the substance abuse initiative from the Attorney General's Office. She has served as the Director of Children and Family Services of the Department of Human Services and the Director of the Child Advocacy Center. She is a graduate of Mississippi University for Women and has had extensive training in alcohol and drug addiction and child protection issues. She is a founding Board Member of the Mississippi Council on Compulsive & Problem Gambling and Past Chairperson of the Board. She attended the Professionals in Residence Training at the Betty Ford Center and is a Certified Employee Assistance Professional.

Orgena (Gena) Lewis Singleton is the Assistant Dean for Student Academic Affairs at South Texas College of Law. She received both her B.A. and J.D. from Washington University (St. Louis). Prior to her current position, Dean Singleton served as Assistant Dean for Admissions and Student Affairs at South Texas College of Law and as Special Assistant to the Dean at Washington University. Ms. Singleton is a member of the State Bar of Texas Lawyers Assistance Program Committee and served as a member of CoLAP's Advisory Commission before being appointed to CoLAP. She is also the former Chair for the Association of American Law Schools (AALS) Section on Student Services. Other professional associations include serving on the Executive Committee of the Council on Alcohol and Drugs in Houston, Texas.

Richard B. Vincent is the Executive Director of the Maryland State Bar Lawyer's Assistance Program. Mr. Vincent has just completed serving three one-year terms as a member of the CoLAP Advisory Commission. He has been a strong supporter and a long-time bar association employee. He has spoken at past Nat'l Conferences and has represented CoLAP at programs for the ABA Young Lawyers Division and Law Student Division. Mr. Vincent was the first paid staff director of a lawyer assistance program. He is a long-time alcohol and drug counselor, who has witnessed the changes over the years in identification and treatment of addictions. He has watched and been involved in the expansion of LAPs from just alcoholism and drug addiction assistance to full service (comprehensive) programs to meet the needs of aging attorneys and judges, and mental health and other illnesses, which are being seen in the legal profession.

We are fortunate to have five outstanding

members returning to the Commission for another year. They are: **Cydney T. Batchelor** of San Francisco, California; **Shell Goar** of Madison, Wisconsin; **Derek C. LaCroix** of Vancouver, British Columbia, Canada; **W. Terry Sherrill** of Charlotte, North Carolina; and **Barbara F. Smith** of Albany, New York.

I'd like to thank **Philip H. Corboy**, **Ann D. Foster**, **Stephenson Todd** and **Dolores Wilson**, who completed their terms, provided tireless energy and support to CoLAP and the LAPs, and will be greatly missed. And, as always, we never really let them go, but continue to call on them for their support and expertise. Thank you for your service.

The Advisory Commission continues to aid and support CoLAP in its many projects. I'd like to welcome our new members, who were appointed to these positions by President Mathis. They are: **Thomas A. Forbes** of Austin, Texas; **Joyce W. Funches** of Jackson, Mississippi; **Bernard (Joe) Kurek** from MacDill Air Force Base, Florida; **Robin Fernandez McCown** from Smyrna, Georgia; **Janet Piper Voss** of Chicago, Illinois; **John B. Webber** of Rutland, Vermont; and **Jonathan W. Wolfe** from Livingston, New Jersey. Many of these new members are familiar to you and many are new. We look forward to utilizing all their talents in assisting CoLAP. Returning members to the Advisory Commission are: **Rick Allan**, Lincoln, Nebraska; **Don Carroll**, Davidson, North Carolina; **Bob Cummins**, Chicago, Illinois; **Hugh Grady**, Des Moines, Iowa; **Barbara Harper**, Seattle, Washington; **Bill Leary**, Houma, Louisiana; and **Mary McGraw**, Rancho Mirage, California.

I look forward to working with all of you as CoLAP expands its service to the lawyer assistance programs in the United States and Canada and our outreach to judges, lawyers and law students. In the next issue of *Highlights*, I'll provide you with an update on the progress of CoLAP's committees, but would like to list them for you now. Space limitation prohibits me from giving credit to the chairs and members of these groups in this issue, but they are all incredibly motivated and passionate about the work of the: LifeBalance Task Force; Law School Assistance; Diversity Initiative; National Conference for Lawyer Assistance Programs; LAP Directors Retreat; Publications Board; Judicial Assistance; Sponsorship Policy Task Force; Outreach to ABA and Other Law Related Organizations; and LAP Services/Evaluations Committee. Without the volunteer support, these committees and CoLAP could not continue the quality of life and well-being services being provided to the legal profession.

Around the LAPs

BRITISH COLUMBIA: Derek LaCroix reports that BC LAP had its 6th Annual Gratitude Lunch on June 16th and again it was well attended by members of the profession who might not otherwise use their services. This year the "Lawyer Helping Lawyer" Award was given to Chief Justice Lance Finch in recognition of his support of lawyers helping one another and his easy style that invites others to turn to him for assistance. As the Chief Justice of the Province, he sets an exemplary standard of willingness to assist with grace and dignity. On July 7-9, several members of the B.C. legal profession went to Nova Scotia to lead and participate in a retreat for Lawyers in Recovery. B.C.'s Lawyers Spiritual Retreat is set for September 29 to October 1, 2006, and this year Jaelyn Sinclair will lead them through the 12 Steps. Derek would love to have people from other Provinces and States attend. The space is limited so if you would like to attend please contact Derek LaCroix at Derek@lapbc.com as soon as possible. He has found that attending these types of events in other jurisdictions very beneficial as we learn from one another.

BC LAP would like to acknowledge Ian Aikenhead QC for his many years of service to the LAP of B.C. Derek said, "Ian has been on the Board for almost ten years and served as President for two years. He has been active as a volunteer and has been instrumental in the growth of our program. I am sure many of you know Ian as he has been active in CoLAP attending Conferences regularly and as a member of the Conference Planning Committee. He has also been active with the ILAA and is currently serving as one of their Trustees. I would say we will miss his leadership but I know he will continue to be extremely active, involved and helpful. Thanks, Ian."

FLORIDA: - Michael Cohen reports, "The Florida Bar finally granted our request for funding to make Scott Weinstein, Ph.D. our full-time Clinical Director, rather than part-time. It is the first time in about 15 years that the Bar has permitted the addition of a new full-time staff position, and we couldn't be happier about it. Also, our 20th annual workshop was held in Naples on July 28-29 and included a panel entitled "Ask the Experts", a mock bar discipline hearing before a referee (with a Circuit Court judge, bar prosecutor, and professional responsibil-

ity lawyer acting in their actual roles), a demonstration of the use of biofeedback in addiction treatment, and an update on intervention techniques by John Southworth."

ILLINOIS: The IL LAP will hold its Annual LAP Dinner in The Empire Room at the Palmer House in Chicago, Illinois. The Keynote Speaker is Lester Munson, Associate Editor, Sports Illustrated. Lester is an attorney, friend of LAP and long-time investigative sportswriter. He will address "Drugs, Alcohol and Gambling in Sports: Bonds, Blackman, and Rose. Lester is married to Judith Munson, former President of the Illinois LAP. The Carl H. Rolewick Award will be presented to Mary T. Robinson, Administrator of the Illinois Attorney Registration and Disciplinary Commission. The Honorable John Powers Crowley Award will be presented to the Honorable Michael J. Murphy of the Illinois Appellate Court. (Note from CoLAP Staff: could he be related to our Sheila Murphy, former CoLAP member?) For more information on tickets contact Janet Piper Voss at 312/ 726-6607 or 800/LAP-1233 or jpvoss@illinoislap.org (www.illinoislap.org)

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Calendar of Events

312/ 726-6607 or 800/LAP-1233 or jpvoss@illinoislap.org. (www.illinoislap.org).

October 24-27, 2006 - 19th National Conference on Lawyer Assistance Programs, San Francisco, California, Sir Frances Drake Hotel. For Conference information, contact Sara Pekar at 312/988-5752 or pekar@staff.abanet.org. For Expo information, contact Adrienne Tucker at 312/988-5751 or tuckera@staff.abanet.org. More information is available at www.abalegalservices.org/colap.

October 27-29, 2006 - International Lawyers in Alcoholics Anonymous Annual Conference, San Francisco, California, also at Sir Frances Drake Hotel. For more information please check the ILAA website at www.ilaa.org, under "Conference Information".

February 8-11, 2007 - American Bar Association Midyear Meeting, Miami, Florida. You can now register online at www.abanet.org/midyear/2007.

February 8-10, 2007 - ABA CoLAP Business Meetings in connection with the ABA Midyear Meeting. You can register online for the meeting at www.abanet.org/midyear/2007. (Note: registration for the Midyear Meeting is free, so you are encouraged to sign up; and hotels must be booked through this website or through ITS, ABA's Meeting Registrar.)

March 20-23, 2007 - Tentative dates for the CoLAP Spring Business Meetings. More information will be sent via e-mail and posted on CoLAP's website - www.abalegalservices.org/colap.

March 23-25, 2007 - The Washington State Bar LAP/Lawyer Services Department is in the initial stages of planning its 10th annual Statewide Conference and the celebration of LAP's 20th year of service to Washington State Lawyers. The Conference will take place in Wenatchee, Washington. The theme: "The Changing Nature of the Practice of Law". For more information contact Barbara Harper, Director Lawyers Services Department (206) 727-8265 or barbarah@wsba.org

October 6, 2006 - WisLAP Volunteer Training is scheduled for October 6, 2006 from 8:30 a.m. to 4:00 p.m., at the State Bar Center in Madison. All WisLAP volunteers are required to attend an initial training to become familiar with the new program components, program protocol and helpline issues. For more information please contact Shell Goar at (608) 250-6172 sgoar@wisbar.org.

October 6, 2006 - The IL LAP will hold its Annual LAP Dinner in The Empire Room at the Palmer House in Chicago, Illinois. The Keynote Speaker is Lester Munson, Associate Editor, Sports Illustrated. For more information, see "Around the LAPs." Contact for ticket information is Janet Piper Voss at

Around the LAPs

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OREGON: Shari R. Gregory has been appointed Assistant Director of the OAAP. Shari follows in the trailblazing footsteps of Michael Sweeney, who served as Assistant Director of the OAAP for many years and who is transitioning towards retirement. As part of that transition, the OAAP is hiring an experienced person to assist lawyers with personal issues. For full information about the job position, go to www.oaap.org, click on News, then OAAP counselor position. (Note from CoLAP: the position is also posted at our website www.abalegalservices.org/colap under LAP Job Openings.)

KENTUCKY: News Flash by Anna Columbia. "At the risk of losing my job upon the boss's return to the office tomorrow, I am spreading some wonderful news. Hoot and Janie Daub were married last week, June 19th, here in Frankfort. Those of you in attendance at CoLAP in British Columbia and/or Philadelphia will probably remember her. She will also be with us in San Francisco. The couple is very happy and I ask for your blessings upon them for continued joy in their lives." Congratulations, Hoot and Janie!

LOUISIANA: On April 21, 2006 Dr. Alexis Polles, psychiatrist/addictionologist of Pine Grove made a presentation to attorneys in the Disciplinary Counsels Office on: "Mental Health Issues –How to Detect and What to Do."

The annual spring meeting of the LA LAP was held at St. Francisville, LA on April 28 – 29, 2006. The volunteers of LAP and the Committee on Alcohol and Drug Abuse attended the sessions. The presentations were on: LAP guidelines for committee members, monitoring, boundaries, relapse prevention,

and an report from the Disciplinary Counsels Office. The presenters were Bill Leary, Dr. Ellen Ovson from Pine Grove, Dr. Douglas Cook from Palmetto, and State Bar Disciplinary Counsel Charles Plattsmier, who has been a regular speaker at the CoLAP National Conference and the National Organization of Bar Counsel in support of LAPs.

WASHINGTON: The Washington State Bar LAP held its "Annual LAP/LaSD Statewide Conference" in early May the topic was "Collaboration in Law and Life" for 8.5 CLE credits. Our goal was to educate our peer counselors and other interested lawyers. We had 80+ attendees, including our own Derek LaCroix. Next year's event will be held March 23 – 25, 2007. We will be celebrating LAP's 20th anniversary, and the 10th year of our conference. The Topic will be "Quality of Life Issues over the Life Span of a Lawyer...New to the Profession or Moving Toward Retirement." Mike Long has graciously agreed to be one of our speakers. We would like to invite ALL of you to join us.

We would also be happy to host a Western States Conference in conjunction with our conference, if anyone is interested. Barbara Harper, MA, LMHC, LMFT

WISCONSIN: Shell Goar's Report on WisLAP - July 2006 – "Happy Summer to WisLAP friends and volunteers! A lovely season is upon us. We hope everyone is enjoying the summer swimming, boating, fishing, and the rest that outdoor Wisconsin has to offer. WisLAP always encourages healthy self care and being outdoors in July is a great way to do it. By now you should have received a letter from WisLAP committee co-chairs Jim Cole and Greg Van Rybroek detailing a new WisLAP policy: mandatory volunteer training. In accordance with the WisLAP committee and the State Bar strategic planning guidelines, as of this year all WisLAP volunteers are required to attend

an initial training, and then participate in updated training at least every other year. The training is scheduled for October 6, 2006 from 8:30 am to 4:00 pm at the State Bar Center in Madison. All WisLAP volunteers, new and old, are asked to attend this fall to become familiar with new program components, program protocol, and helpline issues. Please note you must attend the full day to be considered trained. Five CLE ethics credits will be applied for. We are excited to be taking this step toward higher-level services. Stay tuned for more information. Enclosed with the letter was a Contact Information Sheet for a "Volunteer Profile". Please return that form by August 4, 2006 so we can have your information in our confidential volunteer database. If you need another copy, it can be downloaded at the State Bar WisLAP website under "Volunteers" and mailed or faxed to Shell Goar at (608) 257-5502."

Shell continues - WisLAP Outreach Across the State - "WisLAP continues to travel around the state giving CLE presentations to local and specialty bars. June saw visits to Sheboygan, Lake Geneva, Manitowoc, and a half-day event in Ashland. These presentations allow WisLAP to familiarize lawyers with our program and the issues lawyers face, including substance abuse and mental health challenges. We also host a presentation by Office of Lawyer Regulation, which provides updates on lawyer regulation issues. Thanks to the WisLAP volunteers who give and attend these presentations and help lawyers stay connected. As ever, WisLAP staff appreciate your dedication to our peer-support program. We welcome any questions or feedback. Please contact Shell Goar at sgoar@wisbar.org or Sarah Coyle at scoyle@wisbar.org. Thanks and we look forward to seeing you in October. For more information contact Sarah Coyle WisLAP Programs Assistant at 608-250-6124 or 1-800-444-9404 ext. 6124 www.wisbar.org."

People in the News

Laura Gatrell has just recently been named as Executive Director of the Tennessee Lawyer Assistance Program (TLAP). She formerly served as TLAP's Assistant Director. Laura holds a Master's Degree and is both a Certified and Licensed Employee Assistance Professional (CEAP). She has worked years in the alcohol and drug field as counselor, trainer, and educator. She is currently the

President of Middle Tennessee's EAPA Chapter, and the Vice-President of SHARE (Songs of Hope, Awareness & Recovery for Everyone). She has also served on other local nonprofit Boards including the Alcohol and Drug Council's Board of Directors, United Way's Executive Committee of Sumner County, and Nashville Prevention Partnership. And on a personal level, Laura has

been married for 18 years and has two sons.

Nick Fisher Retires - I'm sure many of you will remember Nick Fisher from Greenville, SC, who has been active in SC and at the conferences for years. So, he's retiring also - lucky guy! However, I doubt that he'll be resting. Robert Turnbull, grab him up while you can..... (continued on page 7)

Excerpt from Ohio State Bar Association *President's Perspective*

by Jane Taylor

OSBA affiliates offer valuable services, including life-saving treatment for addiction and mental health. As a member of the Ohio State Bar Association you are undoubtedly aware and hopefully taking advantage of, the range of services and benefits available to you.

One affiliate that serves all Ohio lawyers, including those who are not OSBA members, is the Ohio Lawyers Assistance Program (OLAP). Scott Mote, OLAP executive director, is a familiar name or face to many of you. Scott and his staff help lawyers, and the families or office mates of those lawyers, address crises arising from substance abuse and/or mental illness. OLAP is also available to law students, and Scott and his staff teach many continuing legal education substance abuse courses each year. At the outset, OLAP offered help simply to lawyers suffering as a result of substance abuse. As has been the trend across the country, the reach of the

organization's services has expanded to mental health issues as well since a great number of lawyers suffer from both diagnoses (known as "dual diagnosis" cases). Expansion into the mental health arena has caused a great jump in the OLAP caseload.

OLAP's work is funded mostly by the Ohio Supreme Court and partly by stipends from the OSBA and Ohio Bar Liability Insurance Company (OBLIC). The funding model is consistent with what is seen in other states. In most other states, the lawyer's assistance program is operated and funded solely by the court of highest jurisdiction, since it is a service necessary for the protection of the public, and is made available to all lawyers regardless of bar association membership. Protection of the public is no less important in Ohio, so I believe it is appropriate that the Supreme Court provides most or all of the funding for OLAP.

Without question, the work that Scott and his staff do each day is vital. It is life-saving.

Scott's work means a great deal to me personally. Many of you know that I do not drink alcohol, but I imagine most of you do not know that it is because I am a recovering alcoholic. I got into trouble with my drinking in the late 1980s, when I had been in practice less than 10 years. When my situation finally hit home, two Akron lawyers showed me the road to sobriety. The kindness and support of these two wonderful individuals continues to guide my sobriety, one day at a time. I will never forget what I owe each of them, and I hope to repay the favor by perhaps giving someone else the confidence to give up alcohol and find happiness, as I have, in substance-free living.

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People in the News

(continued from page 6)

Connecticut Honors Prominent LAP

People - Three names familiar to COLAP activists were among eight (8) people honored by the Connecticut Supreme Court on May 1, 2006 in conjunction with Law Day in an award ceremony at the Supreme Court. **Beth Griffin, Bonnie Waters and Bill Leary** (CT) were cited for their service over the years in "helping lawyers with substance abuse problems" as well as their dedication in helping to establish a broad-based, fully-funded attorney assistance program in Connecticut in 2005. Beth is the Executive Director of Lawyers Concerned for Lawyers—CT, Inc., and Bill is Chairman of the Board of Directors and a long-time advocate for a Connecticut Lawyer Assistance Program. Bonnie, the retired Executive Director of the Massachusetts Lawyer Assistance Program, former member of the ABA CoLAP and its Advisory Commission, was a key figure in assisting her Connecticut colleagues in implementing the program in Connecticut. The other award recipients all played major roles in the Connecticut effort and are Igor Sikorsky, Richard Johnson, Raymond LeFoll, Anthony

LaBella and Robert Klomp.

Scott R. Mote was recognized in Ohio by the State Bar by being named the recipient of the Award of Merit, which recognizes the service of individuals in the administration of justice. The presenter stated, "By helping those whose own dedication to the cause of justice is hampered by addiction or mental illness, Scott has strengthened our legal community, improved our profession, and provided valuable support to the maintenance of a just society." Scott became an active participant in this outreach program, and provided guidance in 1991 as the program evolved into the Ohio Lawyers Assistance Program. In 1995, Scott became the OLAP's first Associate Director, and, in 1999, took on the role of Executive Director. Later that year, through recommendations and planning by both, the Ohio State Bar Association and the Ohio Supreme Court, OLAP also began providing assistance to lawyers with mental health issues. Scott reports that he and his staff opens a new file approximately every day and a half. Scott has personally performed more than 100 interventions, including for judges, lawyers, support staff, and family members. This isn't just a job for Scott; it is a mission a passion, and therapy—all rolled into one. At Ohio CLE's, with

brutal honesty, he shares how alcoholism nearly destroyed his legal practice, his personal relationships, and his health. Scott talks about how easy it is to fall from grace, and how critical it is to get and give help before livelihoods—and lives—are lost.

NEWS TID BITS – Other people in the news that you will be hearing more about.

Carol Waldhauser has taken the position of Director of Delaware's reorganized lawyer assistance program De-LAP. You can reach Carol at 302/777-0124 or cwaldhauser@del-lap.org. **Melonie Webb**, former Counseling Program Administrator for the DC Lawyer Counseling Program has moved into the position of Acting Director since our colleague of many years, **Lynn Phillips**, has moved on to new adventures. Worth repeating and for those of you who did not hear, **Bill Leary** from the Louisiana LAP received a very distinguished honor, the President's Award from the Louisiana State Bar Association for his work with the Louisiana LAP, and his outstanding efforts related to the Hurricane Katrina tragedy from last year. The award was presented to Bill in late June by Louisiana State Bar President Frank X. Neuner, Jr. What a well-deserved tribute that was for a very hard-working, devoted Director!

**American Bar Association
Commission on Lawyer Assistance Programs
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Case Law Corner

Cincinnati Bar Association v. Washington, 847 N.E.2d (2006) is notable in that it is one of the rare cases where an impaired lawyer who converted client funds was not permanently disbarred. In this case Washington converted client funds for his own use and billed clients for work that he did not do. He billed multiple insurance company clients of his firm for more than \$91,000 for work that he did not perform. He accepted a \$1000 retainer for the firm and then converted

the funds for his personal use.

The mitigating factors included, amongst others, the payment of full restitution to all victims, full disclosure and a cooperative attitude, and his cocaine and alcohol dependency. He had used cocaine two or three times a week for two years until entering 30-day inpatient treatment program. Following discharge he regularly attended AA and NA and became a client of the Ohio Lawyers Assistance Program. He signed a four-year addiction recovery contract with OLAP.

The hearings panel recommended a one year suspension with the entire suspension stayed. The board rejected that recommendation and made its own recommendation for a one year suspension with six months stayed. The Court concluded that a longer suspension was warranted and imposed a two year suspension with 18-months suspended.

The Court did note that Washington's personal and professional support system, as well as his motivation for recovery, "bodes" well for his recovery and a return to the practice of law.

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