

## Comments From the Editor...

In this issue of Highlights, Carol Waldhauser from Maryland has an article that in part, addresses one of the principal problems I have found in my work as a LAP director. The problem is the significant number of judges, lawyers, and law students who do not have the means to obtain the best treatment available for treatment of substance abuse/dependency, gambling addiction, and mental health disorders. Even those who have medical insurance are frequently not covered for in-patient treatment. Some do not even have the funds to obtain a proper mental health assessment and subsequent treatment, and sometimes even medication.

I am aware of some states that have funds through foundations of other sources to help their folks with treatment. But I believe most states do not have those resources.

What is the solution? I'm not sure. Other than trying to raise those kinds of funds individually, perhaps CoLAP, as an organization, can begin to look at potential solutions. The trading of information and resources back and forth in CoLAP is one of its major assets. —Hugh Grady

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# Highlights

of the American Bar Association  
Commission on Lawyer Assistance Programs

The following article was written while the author was the assistant director/program administrator for the MSBA Lawyer Assistance Program.

## Future Solutions, Now!

by Carol P. Waldhauser

Hello, you have reached the law office of James Doe. I am sorry, but I am unavailable to take your call. However, if you leave your name and number, I will call you back.

The unanswered calls were adding up—this was the 23rd call on James's service. Unknown to the callers, James was in his law office, sitting alone in the corner with a revolver to his head.

James's thoughts were not on his clients, but on himself: "It will not be long before I lose everything—personally, professionally, and financially." Bringing the gun still closer, James said to himself: "I cannot drink my dark moods away any more." With a sort of smirk, James also thought: "I don't even have the money or the health insurance to find out what is wrong with me." Just as James exerted more pressure on the trigger, he dropped the gun. James was startled by the hard knock on the door. It was his former law partner, Walter, with the maintenance man who had a key.

Walter was a lanky, deep voiced, humble man who had his problems in the past. Presently, however, Walter is a successful lawyer and a beloved man. So grateful for a second lease on life, Walter helps other lawyers in crisis. Ironically, today, Walter has no idea of how close he really came to finding his former partner and friend dead.

Immediately, Walter and James began to talk. Needless to say, Walter made James feel better. Walter said, "James, you have been regarded as a true success story. And, you are still brilliant and respected. You just need treatment for your mental health and substance abuse." James said, "But I have no one and I have no money for treatment!"

Again, Walter gave James encouragement, "You have me. Plus, I believe that there is a foundation recently started by the MSBA's Lawyer Assistance Program to assist lawyers in crises. It is called the Bates/Vincent Foundation. Let's call the Maryland State Bar Association's Lawyer Assistance Program and find out if you can qualify for treatment funds."

## The Problem

In Maryland it has been estimated that at any given time 15–20 percent of lawyers have problems that threaten their ability to continue to practice their profession. Sixty percent of those lawyers have problems caused by drug and alcohol abuse; the remaining forty percent

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## Bates/Vincent Foundation

Remember, your gift can make an important difference to a lawyer, judge, or law student in crisis. The Bates/Vincent Foundation is a Maryland corporation and is an approved 501(c)(3) tax-exempt organization. A tax-deductible contribution provides a measure of extra help in the most extreme cases. Accordingly, your support to the Bates/Vincent Foundation may well assist a fellow member of the bar, a former classmate, or a lawyer you care about to return to a healthy life.

There are many ways to make a gift to the Bates/Vincent Foundation. Consider a donation to honor a loved one, perhaps to celebrate the recovery of a loved one or peer, or as a specific donation bequeathed in your last will and testament. Additionally, you may want to transform a one-time gift into an annual tribute.

For more information about the Maryland State Bar Association Lawyers Assistance Program, visit [www.msba.org/sec\\_comm/committees/lawyerassist](http://www.msba.org/sec_comm/committees/lawyerassist).

## Future Solutions, Now

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have mental health problems that are often exacerbated by work-related stress.

Over the last twenty years, large-scale epidemiological studies of alcohol, drug, and mental disorders (ADM) in the U.S. population have documented high rates of disorders, as well as high rates of unmet needed treatment. Lawyers are particularly high-risk:

- An estimated 81,000 to 117,000 American Bar Association (ABA) members will have had one or more ADM disorders within the past year. Over 190,000 have had or will have a disorder sometime during their lifetime.
- Over 56,000 ABA members will have a lifetime alcohol dependence disorder, and over 30,000 will have a lifetime drug (other than alcohol) disorder. Both drug abuse/dependence and alcohol abuse/dependence are likely to co-occur with other disorders.
- Almost 45,000 ABA members have had a substance abuse (alcohol or drug) disorder in the past year, and over 100,000 will have a lifetime substance abuse disorder. Over 40,000 ABA members suffer from depression (within the past year).

When untreated, the individual suffers in both their personal, as well as professional life. Unfortunately, barriers to treatment often include, but are not limited to: denial that treatment is needed, uncertainty about the availability or appropriateness of treatment, lack of adequate insurance coverage for ADM disorders, and the stigma involved in having such disorders.

## The Solution

Over twenty-five years ago, heeding calls from the Maryland State Bar Association (MSBA) and the Court of Appeals through the Grievance Commission of Maryland, the Honorable David N. Bates and the Honorable

James M. McAuliffe Jr., with a committee of volunteers, formed the MSBA's Lawyer Counseling Committee.

Judge Bates's contribution was the creation of a committee of lawyers to help other lawyers who suffered from the disease of alcoholism. His idea blossomed into a means for miraculous change in the lives of hundreds of Maryland lawyers and their families.

Thus in 1981, lawyer counseling began as a voluntary organization of lawyers across the State of Maryland willing and able to assist colleagues in need. Realizing the need for a full-time director, they hired Richard B. Vincent. He was the first paid director of such a program in the United States. Soon the committee of volunteers, with the assistance of the director, turned into a new model for other groups to follow throughout the country. Subsequently, Judge Bates's idea to become an established element of each state's bar spread like wildfire.

Today, the program is known as the MSBA's Lawyer Assistance Program (LAP) and the staff have developed a variety of services so that impaired members of the legal profession can receive early treatment and support in their recovery process. To honor the lasting contributions of David N. Bates and Richard B. Vincent, and to sustain the goals of the other founding fathers, the Bates/Vincent Foundation was created.

## The Need

The Bates/Vincent Foundation is a charitable corporation dedicated to assisting Maryland lawyers, judges, and law students in need of financial help for treatment of substance abuse/dependency, gambling addiction, and debilitating mental health disorders. Through the foundation, a lawyer, judge, or law student in crisis is able to receive emergency loans if their circumstances meet fixed criteria.

Although the MSBA's Lawyer Assistance staff routinely explore the availability of public assistance or sliding fee-scale professionals, often the individual who wants

treatment for their disease is barred from receiving it because of: (a) the lawyer's lack of adequate insurance coverage, or (b) the lawyer's lack of financial resources to meet the expenses that would be incurred for treatment—even the deductible should the attorney have insurance.

Subsequently, the financial assistance awarded by the Bates/Vincent Foundation is structured as a loan with the condition that, once back on their feet, recipients are expected to establish a "good faith" repayment schedule. Experience dictates that even the most desperate lives can return to normalcy and productivity when addressed. Rarely, however, can individuals do it alone. They need help—your help!

As for James, he met the criteria and was given a small loan from the Bates/Vincent Foundation for a mental health evaluation and out-patient therapy. It was enough to get him started. James's diagnosis was that he suffered from clinical depression, an anxiety disorder, and substance abuse. Today, James is practicing successfully, is still receiving treatment, and is supported and monitored by the MSBA's Lawyer Assistance Program. Furthermore, Walter is James's practice monitor. They even attend 12-step support group meetings together.

If you, or someone you know needs help call the MSBA's Lawyer Assistance Program 410/685-7878 or 800/492-1964.

*Carol Waldhauser spent eight years as assistant director of the Maryland State Bar Association's Lawyer Assistance Program before becoming executive director for the Delaware Lawyers Assistance Program (De-LAP). De-LAP serves the legal community of Delaware offering intervention, support, and education to those who require assistance. The program relies on a network of professional and volunteer resources, the principal of which is the Lawyer's Assistance Committee, which is a peer support network offering guidance and monitoring to impaired lawyers and judges.*

## Job Opening

### *Executive Director, Lawyer Assistance Program (Massachusetts LCL)*

Lawyers Concerned for Lawyers, a nonprofit corporation, is seeking applicants for executive director of Massachusetts' only lawyer assistance program. Potential applicants should be experienced, credentialed professionals with an advanced degree in an appropriate field such as the law, mental health, addictions, employee

assistance, and the like. Excellent written, verbal and administrative skills, and proven program management and development abilities needed. Significant experience with recovery issues essential. Please send resume with qualifications and salary requirements (electronic submission preferred) to:

Robert W. Carlson, Esq.  
Search Committee Chair  
robert.w.carlson@bankofamerica.com  
Bank of America  
Mail Stop: MA5-100-16-06  
100 Federal Street  
Boston, MA 02110

# Modern-Day Stress: Our Survival Mechanism Gone Awry

by Jean L. Johnson  
Clinical Social Worker, WSBA Lawyers' Assistance Program

Judy sat at her desk feeling completely exhausted. She had been working on a case fraught with complicated issues. There was a lot at stake for her client, and opposing counsel was particularly exasperating due to a contentious style that included the creation of meaningless obstacles as a primary strategy. Judy's sleep had suffered for weeks; she constantly felt a constriction in her chest and had a churning stomach. Initially her focus on the case had been sufficient. In fact, at times the work unfolded at an accelerated pace because the adrenaline was flowing, but unfortunately this feeling didn't last. After a while, mental confusion took hold as a constant demon, and she was barely able to slog through the day. Now, just thinking about the trial date caused her heart to audibly pound. How was she going to carry this out with a reasonable degree of professionalism? More importantly, how could she continue practicing as an attorney when this pattern was becoming the norm? Judy was experiencing a generalized sense of fear and felt that many facets of her life were spinning out of control. Her circumstance illustrates how the elegantly designed life-saving stress response can convert into the dreaded *sustained* stress response that inevitably wreaks physical and emotional havoc.

## What Is Stress?

Stress has become that ubiquitous term for our response to the enormity of life's experience, specifically the inevitability of life's disappointments, sorrows, tragedies, and, all those little things that go wrong. Any concept that encompasses such a vast scope of human experience is unquestionably complex, yet the essence of stress can be described in very simple terms. One basic definition of stress is "a cognitive, emotional and physiological response to a life demand." Those cognitive and emotional, aspects of the definition suggest that individual perceptions

of stress are subjective. The stress response, however, also triggers a series of significant, identifiable physiological changes which, in the face of real danger, maximize one's chances for survival. Colossal surges from the adrenal glands and the mobilization of other hormones cause increases in heart rate, blood pressure, blood sugar, muscle tension, and brain activity. Digestion ceases and peripheral blood vessels constrict. The body is braced for an emergency with enhanced strength and alertness.

## Stress Response Turned Against Us

The stress response can be a lifesaver if there is an immediate, physical threat that must be faced. If, however, this stress response is frequently tripped and becomes established as a chronic hyper-alert state, its protective purpose is turned upside down. In fact, medical research provides compelling evidence of a strong relationship between chronic stress and certain illnesses, specifically heart disease, hypertension, depression, and compromised immune response. Immune suppression is particularly problematic, as it leaves one vulnerable to a vast array of diseases and physical malfunction.

How does this life-saving reaction paradoxically transmute into a potentially formidable threat to our physical and emotional well-being? Modern life dishes up a vast array of complex situations, and our hardwired capability has created an anxiety state that is often out of proportion and out of place in the circumstance, like Judy's response to her difficult case and contentious opponent. Repeated bouts of anxiety triggering high levels of stress are related to situations that we actually *can* live with, not ones that pose actual danger of the saber-toothed-tiger variety that we need to fight with or flee from.

Many circumstances and events in our lives are, by themselves, neutral. They are

infused with specific meaning as a result of our learned perceptions and interpretations. Society's master teachers, usually our primary caregivers, lay the groundwork when we are children, and the prevailing culture continues to shape and define our reality as we become adults. Over time our stress responses happen automatically and unconsciously, as though they are part of our very fiber. What accounts for the variability among individuals as to what is stress-provoking is the idiosyncratic sensitization process each person is exposed to. In other words, what each of us experiences and learns shapes our perceptions and interpretations of situations and events. These are very powerful influences in our lives, yet we may be totally oblivious to the often distorted lens through which we view our perceptions.

The legal profession is particularly susceptible to stress because of unrealistic performance demands, the inherent adversarial nature of law, and seemingly endless deadlines. Add to that unreasonably high expectations, established and reinforced by one's incessant internal messages and insidious cultural influences. These powerful stresses come in the guise of thoughts and beliefs such as:

- Making mistakes is terrible.
- It is essential to be loved by everyone.
- I must always be competent.
- Every problem has a perfect solution.
- If others criticize me, I must have done something wrong.
- I can't change the way I think.
- I must rarely show weakness or cry.
- Strong people do not ask for help.
- Everything is within my control.
- Other people should see things the same way I do.

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*Highlights* is a quarterly newsletter published by the American Bar Association Commission on Lawyer Assistance Programs for the news and information exchange needs of the lawyer assistance programs community. Comments and proposed articles should be directed to [spilisd@staff.abanet.org](mailto:spilisd@staff.abanet.org). Staff Director of the ABA Commission on Lawyer Assistance Programs, Donna Spilis; Chair of the newly created Publications Board and *Highlights* Newsletter Editor, Hugh Grady; Staff Editor, Angela Gwizdala; Layout & Design, Gail Thompson; Events Editor, Stephanie Watson. All reprint rights are reserved. American Bar Association ISSN Pending. © 2007 American Bar Association. For reprint permission contact Manager, ABA Copyrights & Licensing, ABA Copyrights and Contracts Department, Fax: 312/988-6030 or Email: [copyright@abanet.org](mailto:copyright@abanet.org).

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## Modern-Day Stress

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- The world ought to be fair.

In a profession that provides the perceived possibility of an enviable level of prestige and status, along with the potential for lucrative income, one's self worth and intrinsic value are constantly on the line. Humans are a unique species among the animal kingdom in that we have the capacity for self-awareness. The judgment of others, as well as our own judgment (whether in the form of criticism *or* approval), can smother our spirit. Criticism inflicts the obvious wounds, but the need for approval leaves us no resting place and fosters relentless striving. Even as we receive approval we're fearful of its withdrawal, so we spend our lives pursuing it. So much time and energy is squandered on maintaining this elusive high approval rating that we lose our direction and, in the process, our sense of who we are.

We live in a society of unprecedented wealth. We are well-fed, sheltered, and educated. Yet, ironically, our sense of self worth and what is satisfying eludes us as never before. This is not on the mind of the lion battling for dominance, nor the rabbit scurrying from becoming some other beast's prey. We are an anomaly among living creatures as we desperately try to protect ourselves and survive both physically *and* psychologically, as even a mild criticism of one's performance can be responded to as though it were a mortal attack, a threat to one's very survival.

There is an instinctive inclination to eliminate the stress. Some favorite coping mechanisms that can temporarily alleviate stress are often disastrous in the long run. They provide only temporary refuge, escape or release, and at considerable personal cost.

### Ineffective Ways of Coping with Stress

- **Alcohol and Drug Use.** Misuse and abuse of substances is a serious problem for many members of the legal community, often leading to the destruction of careers in the absence of timely intervention.
- **Uncontrolled Anger.** Anger, used appropriately, can be activating and effective. Excessive, unconfined anger is physiologically damaging, besmirching to one's professional reputation, and devastating to relationships.
- **Work Addiction.** Don't use your profession as a means of avoiding the examination of life's problems. Work addiction is rampant within the legal profession and

takes its toll, as the unexamined issues inevitably come back to haunt us in some inescapable fashion.

### Effective Ways of Coping with Stress

- Take honest inventory of all that you ingest, and then make healthy selections. Dramatically increase vegetables, fruits and whole grains in your diet, and minimize sugars. You are what you eat, and foods have very specific effects on body chemistry.
- Determine your sleep requirements and try to maintain a consistent sleep schedule. Research shows that the majority of Americans are sleep-deprived, which can affect work performance and emotional equilibrium.
- Incorporate physical exercise into your life. If you're not accustomed to regular exercise, select something easy to begin with, like walking; it can be done just about anywhere, in just about any kind of weather, with or without a companion. It can be slow or vigorous, depending on conditioning or mood.
- Examine those expectations that are riding roughshod on your life. If there's a whiff of perfectionism or intolerance for frailties, flaws and mistakes, know it for what it is—irrational thinking. Reset standards so they accommodate your humanness and are reality-based.

### How to Eliminate Some Stress

- Look at your professional and personal environments. Remove the clutter. Identify what you find to be aesthetically pleasing, and set up an organizational plan that makes sense to you. Make efforts to create physical spaces that reflect those preferences.
- Scrutinize your attitudes and values and become more attuned to how you interpret life events. How do they influence your choices and responses? Our culture does not contribute to our feeling good about ourselves. If we're not productive or accomplishing something "significant," feelings of failure seep in. Reassess the beliefs governing your life. Changes one might make that "fly in the face" of our cultural norms may, in fact, provide immense relief by opening our minds and broadening our perspectives.
- Allow time for planning, yet realize much is out of one's control. Stress and dissatisfaction occur if we have determined that our happiness and contentment can be experienced only when life provides us with specific outcomes. We

have then given over the control of our well-being to external, often random forces.

- Learn how to comfortably and respectfully say "no."
- Become attuned to *your* natural rhythm and pace. You will experience a sense of personal control, be less fatigued and resentful, be more efficient, and generally feel more authentic and "in sync" with who you are.
- Learn how to accommodate people who upset you. Know they are hurting (we're the nastiest when we feel threatened). Muster up compassion, maintain your dignity, and keep contact to a minimum. If it is someone in your personal life, ask what keeps you in that relationship. If it is not possible to eliminate the relationship, how can *you* be healthier within it?
- Reduce disturbing, anxiety-producing input and stimulation. American society is barraged with seemingly limitless, indiscriminate information and visual images. Become your own editor and "delete" those sources of stress-provoking material.
- Learn the art of relaxation. Look into meditation, yoga, catnaps, short walks.
- Talk out your problems with a trusted friend or professional. Talking can normalize a situation that can take on frightening proportions if not verbalized.
- Establish a support network of caring people. It can, but does not need to, include family; it can be just one significant person. Initially, it may be a professional who is trustworthy.

The truth is there is no magic wand, no sure-fire formula for that elusive life of minimal stress. The good news is that it is within anyone's capability to make changes and to bring about some attitudinal shifts so that life can actually be experienced in a different and expanded way. It takes time, effort, patience, and a suspension of firmly held beliefs as to just when and how this process will unfold. There may be dramatic epiphanies or "light bulb" realizations, but more often there is subtle movement and gradual shifting. It is about bringing grace, a sense of balance, and humor to the unexpected, difficult, and strange times. Just toying with the idea of cultivating appreciation for ambiguity, mystery, and the complexity of human life takes us off the hook of trying to control, explain, change, and judge. Having allowed some room to be really present with oneself and with others, our miraculous stress response can operate as it should, working *for* us instead of *against* us.

# Lawyer Impairment: The Role of Paralegals

by Joan Bibelhausen

*This article can be found in the August 2007 issue of Facts & Findings published for the National Association of Legal Assistants (NALA). Reprinted with permission from the author.*

What would you do if the lawyer you work for returned from lunch, smelling of alcohol, and asked you to cancel his next appointment and say he had a client emergency? What would you do if the lawyer you work for was not completing a needed document and a partner kept asking you about it? When you knocked on her door and went into the office, she was staring at the same place on the same piece of paper you had seen an hour before.

Impairment due to mental illness and addiction has long been an issue for the legal profession and lawyer assistance programs are ready to help. Lawyers are twice as likely as the rest of the population to suffer from alcoholism and more than three times as likely to suffer from depression. There are also other addictions and mental illnesses present for the profession, but these are the primary ones that affect lawyers. Unresolved stress is a predictor for depression and addiction, and the legal profession certainly has its share.

Significant percentages of workers generally report that their jobs are stressful and most of us believe we have more on the job stress than our parents. Supporting those who experience stress can certainly create a stressful environment. In *Stress Management for Lawyers*, (Vorkell Press, 1997), Dr. Amiram Elwork documents sources of stress for lawyers. He includes environmental factors such as work load and the adversary system. Stress may arise in the workplace when an emergency occurs requiring overtime or when masses of unorganized materials are handed off to staff with little guidance and a looming deadline.

Dr. Elwork also notes a number of individual characteristics typically present in lawyers. For example, while the need to attend to details in complex matters and meet deadlines is important, a tendency to seek perfectionism in all things can be debilitating when the inevitable mistake occurs. If you have worked for a perfectionist, you see what a mistake does to them but, it also has an effect on you, regardless of the ultimate responsibility for the mistake.

Lawyers are problem solvers and must thoroughly analyze a problem to understand it and seek a solution. After delving into what

could go wrong, over and over again, is it any surprise that lawyers generally are viewed as pessimists? A third source of individual stress is the secondary or vicarious trauma of reviewing difficult facts and circumstances, repeatedly, to determine what actually happened. That has an impact on the lawyer and those around him or her.

With unresolved stress as a predictor for mental illness and addiction, paralegals and other support staff may find themselves working for a lawyer who is impaired, and you will be the coworker who sees it most closely. For lawyers, the primary addiction issue is alcohol, although there are also concerns with drugs such as cocaine, prescription drugs and methamphetamines as well as processes such as gambling, internet and sex addictions. Addiction is generally understood as a brain disease in which there is a physical and psychological need for substances or processes. While they are not necessary to sustain life, they are deemed to be so by the user.

Alcoholics can often function at very high levels but they will go to great lengths to protect their relationship with the alcohol and its supply. Yet there can be harm to the clients or the organization because of reduced ability to deal with complex issues and problems. Addiction can have a considerable impact upon coworkers and support staff because this is a family disease and the work family is affected. The staff may be asked to or may feel compelled to engage in behavior that protects or enables the lawyer in their addiction, because that may seem necessary or important to protect your job. This is codependency which occurs when another modifies his or her behavior to adapt to the behavior of the user. The bottom line is that anything seen as a threat to the use will be seen as a threat to the individual and this can be very difficult in a power relationship.

What do you look for? Most important are changes in behavior. Are there little things such as grooming, punctuality and reduced performance through the day? Are there bigger things that grow slowly such as missed or late appointments and deadlines, phone calls that aren't returned promptly and dishonesty? Are you asked to make excuses, cover for absences or even lie? While these may not specifically point to addiction, they do point to a problem.

The individual who is suffering from depression or another mental illness may also create a codependency situation for staff as

they try to hide their increased feeling of helplessness. This can arise as hostility or anger or increasing excuses why a certain task has not been completed or a deadline met. Normal workflow will change to a series of emergencies as the lawyer is only able to function when there is no other choice, and then may do so poorly. The paralegal will scramble to anticipate what is coming and to lessen the impact when that emergency occurs, or may try to cover for the lawyer by taking care of some things that they may not fully understand.

These adaptations by staff will typically only result in problems. The impaired lawyer will become more impaired and possibly more intimidating and the clients and organization may be harmed. Ethically, your attorney is responsible for supervising you and for your work product. If you are not receiving that supervision, your career is at risk as well.

If you decide to act, what are your options? Often the legal staff member can feel isolated, intimidated and unsure of where to turn. You may feel that you are a "rat" for talking, yet the lawyer may be getting sicker, placing her career at risk and causing client harm. The sooner someone acts, the sooner recovery may begin. Think about your internal procedures. For example, do you have a sexual harassment policy? The procedures you follow within your organization may be very similar. Perhaps you can talk to a trusted coworker or supervisor and sometimes, if your relationship is strong, you can talk to the lawyer.

If you are aware of possible disciplinary violations, the organization needs to know. This can be difficult if you work in a very small office or for a solo practitioner. Many discipline counsel can relate stories of lawyers who called and reported their own misconduct and then got help because their paralegal told them "if you don't call, I will." All states have some form of Lawyer Assistance Program, a place you can call confidentially. They can talk with you to discuss the situation and what your options might be within your organization and in terms of the assistance they offer. Depending on your state, they may offer assessments and counseling, referrals to other services including practice assistance during recovery, mentors, and a great deal of helpful information on whatever you may be dealing with. They can offer hope and many examples of

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## Bullying in Law Firms: Hard to Define, Easy to Spot

*This article first appeared in the June 2007 issue of YourABA.*

In a profession that prides itself on upholding the laws that govern society, rules can fly out the window when lawyers become bullies.

It is not uncommon for one or more of a firm's senior lawyers to verbally, physically or psychological abuse subordinate lawyers and support staff, said Lisa G. Lerman, a law professor at Catholic University of American Columbus School of Law and moderator of a recent program on "Law Firm Bullies" at the 33rd National Conference on Professional Responsibility, in Chicago.

Some lawyers scream, hurling insults. Others hurl objects. "Staplers are a favorite," said Lerman.

Wm. Marty Martin, Ph.D., associate professor in the College of Management, Department of Commerce at DePaul University, compared lawyers with medical doctors, citing instances of surgeons in the midst of surgery who splash nurses with blood or who berate other members of the health care team in front of patients or family members.

When bullying appears in a law firm, especially if the bully is a highly productive partner, there can be organizational hurdles to taking action.

"Nobody wants to drive away a productive member of the firm, the person with the business," said Stafford Henry, a psychiatrist and medical director of the Behavior Health Multidisciplinary Program at Rush Medical Center in Chicago. But he cautioned that it is also important to consider associates, who are "the future of the firm."

To handle bullying, panelists agreed that managers need to document disruptive behavior, confront it, set expectations for improvement and spell out consequences if the behavior persists. But they also agreed that details on how those steps are carried out may vary with the cause of the behavior, and that discerning the cause may require the services of a mental health professional. Interventions can be tricky and behavior modification can require psychotherapy.

Sometimes the problem stems from a narcissistic personality, involving haughtiness and projecting blame for failure on others. Other times a problem may result from an attempt to preserve the bully's status quo, where the bully makes excuses for his own shortcomings or elevates her own sense of self-worth through intimidation and unwarranted unprofessional behavior toward others.

Peter Bulmer, managing partner of the

Chicago law firm of Jackson Lewis, LLP, represents management in employment disputes. He compared bullying to obscenity—hard to define but easy to spot. He professed not to know what bullying is, in a legal sense. The law doesn't say much about it, he said.

Henry noted movement toward legislative prohibitions that would change the landscape dramatically. Bills are pending in Connecticut, Hawaii, Kansas, Massachusetts, Missouri, Montana, New York, Oklahoma, Oregon, Washington, and Utah. There even is a proposal to build the concept of anti-bullying into the ethics code for lawyers in New South Wales, Australia.

Absent legislative approaches, the "fix" can become a question of what culture a law firm has, what culture it wants, and how the firm can get there without violating partnership agreements. "There's always a lawful way," Henry said.

Managers need to step back, and evaluate the pros and cons of an offender in order to assess the effect on the organization, suggested Henry. "Is this someone you want to keep, or do you want to move them out? That decision will govern your steps," he said.

Contractual issues in partnership agreements can tie the hands of law firm management. But such agreements also can permit disincentives that can affect behavior, options like cutting compensation or ejecting a person from the firm.

Martin said there is one more piece to the puzzle. "You can't just look at the legal piece and the ethical piece—you need to look at the organizational piece as well—the effect on others and the impact on business." He suggested standardized surveys in which partners and associates can comment on each other anonymously as one way to take that look.

Bulmer agreed that surveys can be useful. In his firm, once a year all staff evaluates "everybody above them in the food chain." Most people take it seriously as a helpful tool for reform, and it produces results, he said. The firm conducts a formal top down review process twice a year.

Others suggested anonymous associate surveys can be abused as tools against unpopular partners.

In smaller firms with no anonymity, surveys might not work, but firms can create an environment that teaches people how to give and receive criticism, and how to bring behavioral concerns to the attention of someone in a position to address it, said Martin.

In considering the role of risk management structures in addressing bully behavior, Bulmer suggested every law firm has such a structure in place, but said they need something more. Risk management is designed for legal liabilities, and bully behaviors often don't cross the legal line. He urged multiple low-risk routes to bring concerns to firm leaders who are positioned to address them—tools like ombudsmen, for example.

In the end, panelists agreed with Bulmer's reiterated view: "It's about the culture of the firm."

To view a PDF of the Oregon State Senate bill on bullying in the workplace, visit [www.abanet.org/media/youraba/documents/senatebill1035.pdf](http://www.abanet.org/media/youraba/documents/senatebill1035.pdf).

### BOOK NOTE

## *LawyerLife: Finding a Life and a Higher Calling in the Practice of Law*

**Author: Carl Horn III**

Lawyers at all stages of practice will be challenged by and benefit from Judge Horn's twelve concrete steps to take to recapture the physical, psychological, and emotional balance that underlies both lawyering and life at their best—the path that enables you to be a counselor as well as a lawyer. Judge Horn draws on his rich experience in private practice, nonprofit and government service, and his ten years as a U.S. Magistrate Judge, to make many practical suggestions for those seeking fulfillment in their legal careers. Topics covered range from the most practical to the historical and philosophical. Go to [www.ababooks.org](http://www.ababooks.org) (search by keyword Horn) to read an excerpt from the book and view the complete table of contents.

Product Code: 1610024, 200 pages, \$30; **\$24 for ABA Members.**

# She Thought to Retire, But a Need Intervened

by Pat Milhizer, *Law Bulletin* staff writer

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When Janet Piper Voss started working at the Lawyers' Assistance Program five years ago, she noticed a problem in an office meant to help lawyers overcome substance abuse and mental health issues.

"The phone never rang. I sat here," Voss said, "and I said, 'Doesn't the phone ring?'"

Also lacking were some basic office supplies, such as paper clips, because money was tight.

These days, the phones do indeed ring and funding for the agency is secure. And Voss gets credit for helping spread the word that the 27-year-old program exists.

"She did exactly what they needed to have done," said Mary T. Robinson, former administrator for the Attorney Registration and Disciplinary Commission and now an ethics and professional responsibility consultant.

"She put structure and accessibility in place. She did the things that were needed to substantially raise the profile of the Lawyers' Assistance Program, make it better known to Illinois lawyers and offer the services that only paid staff could do," Robinson said.

Since Voss came on board, the organization has developed a Web site, an informational DVD featuring prominent members of the legal community and plenty of educational literature. There's also a mailing list of about 5,000 names, compared to 150 when Voss began.

As a result, the organization opened 190 new cases during fiscal 2006, more than double the number of new cases just five years ago.

"One of my personal goals has been to just raise awareness, let people know we're here. It's this wonderful organization, but if no one knows that we exist, there's no point in being here. So I have been on a mission to do that," Voss said.

LAP provides help to attorneys, judges and law students battling alcohol or drug abuse, depression or other mental health problems, and gambling addiction. A secure source of funding was created in 2002, when state lawmakers approved a \$7 fee that lawyers pay as part of their annual state licensing dues.

For lawyers who seek help on their own, the program is ideal because it's confidential. For others, the program starts through an intervention involving judges, colleagues and family members.

"For some people, denial is a very

important part of addiction. It's kind of a self-talk that allows your behavior to continue even when a part of you knows it's not good for you," Voss said. "That's why the intervention process, or sometimes just coming into the office and talking with someone who understands, helps people to see that they can do something about it.

"There are those, too, who know they have a problem but really don't know what to do about it. The thought of giving up a drug or alcohol is not easy. Recovery is an ongoing process and giving support along the way is something we can do better now than we ever could before.

"Most of us are touched in some way by addiction and mental health problems. For those of us who have been touched personally, we have a real commitment to this," Voss said.

Voss, who was born in Pittsburgh, grew up in Lincolnwood and Skokie.

She attended Michigan State University, where she started laying the groundwork for a career in journalism. Known then as Janet Piper, she was reading *The Chicago Tribune* one day in a common area of her dormitory when another student, Peter Voss, couldn't stop reading over her shoulder.

She gave him the paper. They started talking and dating, and eventually married.

The couple moved to Hyde Park, and Voss put her writing skills to use at an advertising agency and a small trade magazine for the packaging industry.

Then she took what she calls a 17-year maternity leave to raise three children, all of whom are now adults and have seven children between them.

By 1981, she decided to head back to work, "and that was tough," she said.

"Because when you're out of it that long, you lose your confidence in yourself."

She got a job at the University of Chicago Press as an assistant manager and assistant editor. She eventually became the executive director of substance addiction treatment centers in Homewood and Oak Park.

By the time she left the Grateful House in Oak Park in 2001, she thought it was time to retire.

But at the same time, LAP had just presented a plan to state lawmakers to fund its program through the attorney license fee. Cook County Associate Judge Susan Fox Cillis was on the search committee to find an executive director for the organization, and for her the decision was a no-brainer.

"I knew that [Voss] was 'the' candidate for the job, and she hasn't disappointed," Gillis said.

"She's done a fantastic job in bringing in new programs, adding clinical staff, expanding the organization throughout the state and getting the word out so that lawyers are aware that lawyers' assistance exists," Gillis said.

When she's not at work, Voss, 70, runs a few miles, and she recently started weight training. She ran the Chicago Marathon in her early 50s and finished first in her age group.

One of the more rewarding aspects of her job, Voss said, is seeing people turn their lives around.

"The problems are there, we know they are. In the legal profession, the rates of addiction and mental health problems are almost twice what they are across the general population. Why not do what we can to help?"

"We always say it's about saving a law student's education, a lawyer's career, a judge's career," Voss said. "But [the program affects] their personal lives as well.

"I've had a lot of different jobs, but I've never enjoyed the work anywhere near as much as I have here."

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## Lawyer Impairment

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lawyers who are leading happy and productive personal and professional lives because they got help. Most importantly, once you make that call, you are no longer alone.

For more information on the lawyer assistance program in your state, check out the website of the ABA Commission on Lawyer Assistance Programs at [www.abanet.org/legalservices/colap/lapdirectory.html](http://www.abanet.org/legalservices/colap/lapdirectory.html).

*Joan Bibelhausen is executive director of Minnesota's Lawyers Concerned for Lawyers. Joan received her J.D. from the University of Minnesota Law School in 1983 and has significant additional training in the areas of counseling, mental health and addiction, diversity, employment issues, and management. She has spent more than two decades working with lawyers who are at a crossroads because of mental illness and addiction concerns as well as work/life balance, stress and related issues.*

## Around the LAPs

**KANSAS:** Kansas Supreme Court Justice Donald L. Allegrucci has retired and is succeeded by Justice Eric S. Rosen as liaison to the Court.

Justice Allegrucci was Kansas Lawyer Assistance Program's (KALAP) liaison to the Court since its beginnings in the early seventies and helped establish it with Rule 206 and was a constant advisor. Without his help there may never have been a Lawyer Assistance Program in Kansas.

Justice Rosen has a background in social work and has already shown great interest and knowledge in continuing to promote and encourage our growth.

—Don Zemites and Kristie Martin,  
Kansas Lawyers Assistance Program

**MAINE:** The Maine Assistance Program for Lawyers held its third volunteer training on April 21 at the Holiday Inn by the Bay in Portland. One of the primary presenters was Michael Cohen who also assisted with mock interventions which were exceptionally well received. Over forty volunteers attended. Other good news is that the Physicians Health Committee has agreed to mail out four thousand of our brochures to their membership suggesting referrals of their lawyer patients and friends. All is well. Summer is upon us and there is no better place to be than the coast of Maine. See you all in Halifax. —David

**MINNESOTA:** Evonne Anderson has joined Minnesota's Lawyers Concerned for Lawyers as assistant to the director and office manager.

**MONTANA:** The program is growing in Montana. Mike Larson is logging a lot of miles, especially with meetings and presenting at CLEs. He loves his XM radio. Mike will be presenting at the conference and is fully engaging in his new position.

**OREGON:** Doug Guerin is now at the Oregon Attorney assistance program as an attorney counselor and is fitting in wonderfully. Doug will be working extensively with members in recovery.

June 1, 2007, was the retirement dinner for Michael Sweeney. There was an excellent turnout and an outpouring of gratitude to Michael for all the help he has provided over the years. Hugh Grady did an outstanding job as the MC. Michael is having health difficulties and is slowing down his pace, and quite a pace it was. We wish all the best to Michael.

**NEW BRUNSWICK, CANADA:** The New Brunswick (NB) LAP is growing under the stewardship of Lia Daborn of the CBA-NB. On June 8–9 2007, eighteen lawyers were

trained to be peer volunteers for the Lawyers' Assistance Program in New Brunswick. The day focused on developing skills including active listening, and information on addiction services, depression, suicide awareness, and stress management. There also were presentations from the NB LAP service providers, and Patrick Cassidy, Q.C., Chair of the Legal Profession Assistance Conference (LPAC) of the Canadian Bar Association.

**ONTARIO, CANADA:** The Ontario Lawyers' Assistance Program has had a busy year so far.

—Leota Embleton,  
OLAP Program Manager

**OLAP Official Launch:** The Ontario Lawyers' Assistance Program (OLAP) launch and reception was held on January 15, 2007. This event was to formalize the launch of the new Ontario Lawyers' Assistance Program. There is now one program to provide peer volunteer support and professional counseling for members of the legal profession and their immediate family members. The history of the Ontario Bar Assistance Program (OBAP) and its founders was recognized. The vision and dedication of the lawyers who set out to help others facing addiction issues laid the foundation of OBAP. They worked with conviction and heart to reach others. The concept of "lawyers helping lawyers" is a cornerstone of the program that we have today. Also recognized are the members of the Law Society of Upper Canada who, in the mid 1980s, saw fit to make a counseling program available through a contract with an Employee Assistance Program Provider. This program was LINK. This launch recognized the history of both programs and celebrated the integrated program that sees these services continue under one program. The event was attended by board members and volunteers who have contributed over the years. The event was chaired by Rod McLeod, Q.C., who is chairman of the OLAP Board.

**New Staff Members!** We are pleased to welcome Doron J. Gold and Terri Wilkinson to the OLAP team as part-time case managers. Doron and Terri are welcome additions to our staff and will continue to assist in responding to calls, offering assistance to lawyers, providing support for peer volunteers, and promoting the program. Their combined skills and training will provide a valuable perspective for OLAP and we are very happy to have them on board as the program moves forward.

- Terri Wilkinson is a nurse and a lawyer and has been a peer volunteer for over eight years. She brings considerable experience and skill to the role. Terri's skills, enthusiasm and knowledge of

community services, and resources provide a valuable addition to OLAP.

- Doron J. Gold is a lawyer and certified coach. Doron practiced law primarily in the areas of family law and civil litigation for approximately ten years. He attended the Coaches Training Institute and is a certified coach and is also enrolled in the Leadership Training Program. Doron also maintains an active personal coaching practice. His combination of education, training, and personal experience makes him well suited for the role of case manager.

**Group Program:** The OLAP Women, Work, and Wellness luncheon group continues to meet on a quarterly basis. Comments about the group include: "It allows us to talk about things that are not talked about anywhere else," and "I appreciate the group because of the supportive friendly environment."

### Recent Meetings

May 10, 2007. The presentation was called "Understanding Naturopathic Medicine." The presenter was Kristin Heins, doctor of naturopathic medicine. Dr. Heins provided very useful information and questions to ask when considering alternative approaches to traditional medicine.

January 17, 2007. The topic was "Develop Your Personal Journey to Better Health." The presenter was fitness coach Leehe Lev and the session offered many different suggestions for including bits of fitness and well being into a busy schedule.

April 5, 2007. The topic was "Procrastination: Managing Yesterday." The presenter was Christine Dalaney, a coach with the Coaching Clinic. Her very useful tips are available on our website, [www.olap.ca](http://www.olap.ca).

### First Ever Board Orientation/Retreat:

The new board of OLAP met for an orientation on May 8, 2007, in Toronto. The meeting provided information to members about the function, operation, and vision of OLAP. It also provided some time for board members to get to know each other and their reason for being on the OLAP board.

### New Materials (available on our website)

- **Board Manual.** OLAP now has a board manual. This was developed for the board orientation and provides a framework for operations as well as general information about the structure and history of OLAP.
- **Volunteer Handbook.** The volunteer handbook has been revised and is now available on our website or if anyone would like a copy please contact Catherine Hendrick at 877/576-6227 or [catherine@olap.ca](mailto:catherine@olap.ca).

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## CoLAP Chair's Column

**An Interview with the Current Chair,  
Richard A. Soden**

**by Ellen Murphy, Executive Director,  
Lawyers Concerned for Lawyers, Inc.,  
Boston, MA**

I feel honored to have been asked to interview Richard for his Chair's Column in *Highlights*, the newsletter from the ABA Commission on Lawyer Assistance Programs (CoLAP), especially because he was responsible for hiring me as the executive director of the LCLMA. Now, we are both moving on to new adventures and I'd like to share with you a few of his comments from his seven years with CoLAP.

**Richard, thanks for agreeing to speak with me. Why don't you begin by sharing how you became involved with the Commission.**

My first experience was as a speaker at the National Conference in Washington, D.C. From there, I began serving on the National Conference Planning Committee, as I have for many years, while still serving as chair of the ABA Standing Committee on Bar Activities. I was then appointed commissioner, serving initially as the regional commissioner for Northeast Region. Since becoming Chair in 2004, I have represented CoLAP before state and local bars, national specialty bars, and other ABA entities.

**Of what accomplishment are you most proud during your tenure as chair?**

Through the work of the ABA, the Commission, and the LAPs, we've accom-

plished many great things in the past three years. Some of the most visible being: the Model Conditional Admission Policy, which is currently before the House of Delegates; the establishment of the Judicial Outreach Project, which is aimed at helping judges who may face personal problems that can affect judicial performance; the creation of a Publications Board to review and update books, articles, and policies written by CoLAP; and our diversity initiative, which included the development of a three-year plan of outreach to minorities. However, it is the creation of the Committee of LAP Directors (successor to the Life Balance Task Force) about which I am most excited. It is the primary job of the Commission to support the individual LAPs. In furthering this job, the Task Force established a buddy system that provides a private and systemized way for LAP directors who are in need of assistance or are worried that a colleague may need help. The success of the Task Force resulted in the creation of the Committee of LAP Directors, which I hope will continue to provide a forum where policies and programs can be developed to support our caregivers.

**What are the biggest upcoming challenges for CoLAP?**

In the recovery movement, participants are cautioned about taking on the problems of the world, and told to limit their activities to those related to addiction. In the early days of the LAP movement, the founders focused on saving the lives and careers of lawyers

troubled by addiction. Today, we have moved well beyond addictions, with much success. However, as the needs of the profession continue to grow, CoLAP must balance the focus on direct delivery of services by the LAPs with the increasing concerns relating to fostering change within the profession. An example of this is how we try to balance the annual conference programs to include both the how to's of running a LAP and the message to members of the profession who seek to create a healthy environment for the practice of law. Like all successful organizations, CoLAP must avoid trying to be all things to all people. Lawyer assistance programs are about providing assistance to individual lawyers in need, and CoLAP will have to balance its resources to continue serving its primary constituency.

**Would you share with us some, or one, of the most rewarding experiences you had as chair of the Commission?**

I have truly enjoyed the opportunity to lead this group of dedicated volunteers. But, probably the most rewarding experiences have been receiving the direct feedback (calls, e-mails, etc.) from attorneys in need who have found the courage to seek assistance because of the work of CoLAP.

**Any additional parting thoughts?**

It is often that folks in bar service leadership positions are rewarded for things that others have done. The leadership, with respect to many of the programs developed during my tenure as chair, has been provided by Butch Childers. We could not be more fortunate than to have Judge Childers succeed me as chair of the Commission.

## Around the LAPs

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- **Law School Brochure.** We have borrowed many great ideas for brochures from other LAPs especially New York and Minnesota and developed a brochure for distribution as part of our law school outreach program.

### Coming Up

Volunteer Skills Workshop, July 27–28, 2007.

This workshop will be held at Manresa Retreat and will be an opportunity to orientate new volunteers and recognize achievements of our standing peer volunteers. We also will recognize our volunteer of the year, John Herron, who has helped and supported OLAP for many years. In addition to many other activities John coordinates a monthly luncheon meeting for lawyers in recovery.

### Volunteers Move On

We are delighted that two of our peer

volunteers have been appointed to the bench in 2006 and 2007.

**VANCOUVER, BC:** In British Columbia, we had our 8th annual volunteer training and eighty people from around the province came to connect and learn about helping others. In particular we learned about listening, boundaries, confidentiality, and self care.

- On June 15, 2007, we had our 7th annual Gratitude Lunch with 180 people in attendance. This event raises the profile of the Lawyers Assistance Program of British Columbia (LAPBC) and we raise funds also. This year the award went to the Honorable Wally Oppal, the Attorney General of British Columbia. He has long been a lawyer's lawyer and is a big supporter of the LAPBC.
- Barry Kerfoot is the new president of LAPBC. Ian Aikenhead, a former president, has been appointed to the advisory commission and will be an

excellent addition. Richard Begin, who has attended and presented at past conferences, has completed his term. Karen Coulter and Doug Eastwood have been newly appointed to the board of LAPBC.

- Several people will be going to the conference in Halifax, including our president Barry Kerfoot; our past president Georgeann Glover; Scott Huyghebaert and Ken Skilnick both directors, Ian Aikenhead, newly appointed to the Advisory Commission; Jim Carroll, a long time volunteer; James Dunn; Bob Bircher; and myself.
- We will have our 11th annual lawyers' spiritual retreat this year, October 12–14, 2007 at Loon Lake near Vancouver. This is a very beautiful and serene setting and lawyers in recovery from all around are invited. For more information, e-mail me at derek@lapbc.com. —Derek LaCroix

## People in the News

**Shell Goar:** Goar's passion is helping lawyers in crisis situations. A guidance counselor at her western Minnesota high school informed Shell Goar in 1961 that she had three career options: librarian, nurse, or teacher. Goar was crestfallen. As a teenager, she already knew she had a knack for counseling. That, in combination with her faith, made her a perfect candidate for the ministry. But that career path wasn't an option for "girls"—or so she was told.

The story has a happy ending. Many years later, Goar found and followed her calling, as the coordinator of the State Bar of Wisconsin's Lawyer Assistance Program (WisLAP), helping attorneys in crisis. "I've been truly blessed. It has not been a job for me—it's a passion," she says. Goar estimates she has talked to hundreds of lawyers over the past twelve-plus years, adding, "I know I've saved lives. Or, it's not uncommon for us to visit an outlying county bar association, put on a presentation about WisLAP, and then have someone come up me afterward and say, 'Thanks. That was me who talked to you a few months ago, at 2 a.m.'"

Goar initially took her guidance counselor's advice and taught health and biology for a few years, post-college. Then, while raising young children, she dove into the study of law, but ultimately decided against a career in law and turned her interests to the health and well-being field. She later joined the State Bar staff in 1987 to work for the lawyer referral and information service.

Goar quickly became known among her coworkers as the person to turn to when life seemed overwhelming. Heading up a formal employee assistance program soon became part of her job duties. At about the same time, the State Bar formed a committee of volunteers dedicated to helping lawyers experiencing mental health problems. Goar was a natural to serve as its staff liaison. That group complemented an independent group of lawyers in recovery for alcohol or drug abuse. In 1995, Goar and others proposed merging the groups to bar leaders, who approved the idea.

Most state bars offer some sort of lawyer assistance program. What differentiates Wisconsin's from many others is the wide range of services available; while some offer only referrals when a lawyer has drug or alcohol problems, Goar and the many members and volunteers of the State Bar's WisLAP Committee are willing to help lawyers with any issue that stands between them and being a healthy human being.

Moreover, WisLAP is available 24/7/365 while some bars confine their services to business hours only. Goar has answered many a call on Christmas Eve. She is quick to point out that WisLAP has a roster of ninety-five extremely committed, trained, volunteer attorneys. "They are the program," she emphasizes. "I'm just the shepherd herding them." Goar says that work-life balance is a frequent theme among women callers, and clearly, that remains a challenge for women in the law. Some feel they have little support on the job; others deal with guilt over leaving young children at home. "There isn't any one answer I can give them.

For some, it's simply a matter of helping them make a list of their priorities and determining their choices, or identifying more and better support systems. And, I have helped steer some women out of the law, if that's what they wanted." On a positive note, she adds that, compared to years past, women lawyers now have more resources available to them. "Women lawyers essentially used to have to go it alone. But now, there are more women lawyers, who tend to be better at reaching out to each other than their male counterparts sometimes. And there are more women's bar associations, for example, in Dane, Milwaukee, and Brown Counties."

Goar retired as the administrator of the Wisconsin Lawyers Assistance Program of the State Bar of Wisconsin. She had been at the State Bar for twenty plus years and worked with WisLAP since its inception in 1996. Before joining the State Bar, Goar was director of the University of Wisconsin Eating Disorders Clinic. She studied law in Iowa, but her interests turned to the health

## Welcome to New Highlights Staff Editor

We are fortunate to have some added support from ABA Publishing. Angela Gwizdala, our new staff editor, will be working directly with Editor-in-Chief, Hugh Grady and Graphic Designer, Gail Thompson. She has eight years experience in publishing and will be joining us in San Francisco to create and organize the Publications Board of Volunteers. Angela can be reached at 312/988-6049 or gwizdala@staff.abanet.org.

and well-being field. She taught in Minnesota and New Jersey and after a thirty-five year sabbatical, she once again picked up the flute and piccolo and plays in two bands—a flute choir and a woodwind ensemble. She received presidential appointments to the ABA Commission on Lawyer Assistance Programs (CoLAP) for three consecutive years and prior to that had been appointed to the Advisory Commission. She has been the CoLAP representative at the consults during the ABA Bar Leadership Institute for the past three years. She also served as co-chair of CoLAP's Diversity Committee during her term as commissioner.

"It will be a bittersweet passage," she says. "I don't know how I'm going to walk away." It probably won't be a complete break—there very likely will be some consulting in her future, in addition to her service as a member of ABA's CoLAP.

—Jane Pribek

## Case Law Corner

*Florida Board of Bar Examiners Re: Mark Stephen Barnett*, 2007 Fla. LEXIS1049; 32 Fla. L. Weekly S 328 (June 14, 2007) is a case regarding an application for readmission to the bar. The court accepted the board's recommendation of admission on a conditional basis.

Barnett had resigned from the bar in the face of multidisciplinary charges, which included the misappropriation of client funds and failure to file tax returns in multiple years. Many of Barnett's problems stemmed from his heroin addiction. In reapplying, he submitted evidence of his rehabilitation. Barnett had made restitution, had resolved his tax problems, and had established a solid recovery program that had kept him clean and sober for almost ten years.

Of interest is that a Florida Circuit Court Judge testified on Barnett's behalf. He described Barnett as a very spiritual, giving person, who is always doing things for others. He also described him as one of the most honest and moral people he had ever met and he would trust him with his own money or with any case he was qualified to handle.

—Hugh Grady, Iowa Lawyers Assistance Program

## CoLAP National Conference Scheduled

The 20th Annual CoLAP Conference will be in Halifax, Nova Scotia October 2–5, 2007, with the theme of “Justice and Healing: Twenty Years of Service to the Legal Profession.”

Four days of interesting speakers and topics await.

To commemorate CoLAP’s 20th anniversary, we will host an anniversary luncheon. The anniversary subcommittee is preparing a retrospective and an exciting calendar for this occasion. At the Thursday evening dinner, two inaugural awards will be presented—the John W. “Jack” Keegan Award for an outstanding LAP volunteer and the Distinguished Service Award for an outstanding LAP employee. See the chair’s column in the Spring issue of *Highlights* for more details, or visit the CoLAP website, [www.abanet.org/legalservices/colap](http://www.abanet.org/legalservices/colap). Nominations should be submitted by September 1, 2007.

Sean Foreman and the Nova Scotia LAP and our social subcommittee have planned some exciting events, programs, and outings.

For example, all are invited to a welcoming orientation that will take place on Tuesday morning. “Dine-around” signup for dinners will be encouraged too. For more information about our host city, visit [www.destinationhalifax.com](http://www.destinationhalifax.com).

The planning committee, responding to your evaluations, will be trying some new format ideas such as the Wednesday morning “table topics” breakfast and a longer, feature presentation on Thursday afternoon with fewer breakout sessions that afternoon.

The conference planning committee worked extensively in subcommittees, and each subcommittee was very productive and innovative. Putting on a week-long program poses many challenges, and we thank all the committee members for their hard and diligent work.

You can register to attend the conference at the CoLAP website. Remember to bring your passport, a relatively new requirement for travel to Canada. We look forward to seeing you soon in Halifax!

—Derek LaCroix and Barbara Smith,  
Conference Co-chairs

**Local Resources:** Please visit Destination Halifax for all your local touring needs at [www.destinationhalifax.com](http://www.destinationhalifax.com).

**Currency:** In Nova Scotia, the American conference dollar goes further with the Canadian dollar valued at approximately 35%-40% less than the American dollar.

**Average Temperature:** Nova Scotia is known as a place where the four seasons are refreshingly distinct. Average daily temperature is 12 to 15°C (54 to 59°F) in the Autumn.

## ABA 2007 National Conference for Lawyer Assistance Programs

### “Justice and Healing - 20 Years of Service to the Legal Profession”



**CoLAP dates:** Oct. 2-5, 2007

**Conference Location:** Halifax Marriott Harbourfront  
1919 Upper Water St.  
Halifax, Nova Scotia  
Halifax, NS B3J 3J5

**Hotel Accommodations:** The conference is being held at the Halifax Marriott Harbourfront Hotel in the historical maritime town of Halifax, Nova Scotia. Please note that the conference hotel has sold out. Please call the following nearby hotels when making your hotel reservations:

**Connected to the conference hotel via a pedway:**

Delta Barrington (902) 429-7410  
Delta Halifax (902) 425-6700  
Prince George Hotel (902) 425-1986

**Within a 10 min. walk to the conference hotel:**

Sheraton Four Points (902) 423-4444  
Marriott Residence (902) 422-0493  
Marriott Courtyard (902) 428-1900

We are sorry for any inconvenience this may have caused you. ABA Thursday Dinner will be at Pier 21.

**ILAA dates:** Oct. 5-7, 2007 - Contact Sean Foreman at (866) 429-4111

**NEW PASSPORT REQUIREMENT:** Passports are needed to re-enter the United States and recommended for entry into Canada.

**American Bar Association  
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## Calendar of Events

**August 9–12, 2007**—ABA Annual and CoLAP Business Meetings, San Francisco, CA

**October 2–5, 2007**—ABA 20th National Conference for Lawyer Assistance Programs, Halifax, NS

**February 6–12, 2008**—ABA Midyear Meeting, Los Angeles, CA

**March or April 2008**—CoLAP Spring Meeting of Committees, site TBD