

**AMERICAN BAR ASSOCIATION
COMMISSION ON LAWYER ASSISTANCE PROGRAMS**

INFORMATIONAL REPORT TO THE HOUSE OF DELEGATES

The ABA Commission on Lawyer Assistance Programs (CoLAP) is devoted to the advancement of well-being in the legal profession and to assure that every judge, lawyer and law student has access to support and assistance when confronting alcoholism, substance use disorders or mental health issues so that lawyers are able to recover, families are preserved, and clients and other members of the public are protected. As the organized bar's sole national entity providing such support and assistance, the Commission approaches its mission through several avenues. This includes by: 1) supporting the work of state and local Lawyer Assistance Programs; 2) producing CoLAP's annual conference; 3) providing extensive outreach; 4) offering technical assistance; 5) conducting and advancing research; 6) addressing the needs of specific populations; and 7) promoting policies to protect the public while helping lawyers, judges, and law students in need of assistance.

In addition to meeting in person at the 2023 ABA Midyear Meeting, CoLAP held monthly virtual meetings. Its Subcommittees and Working Groups continued to meet and make plans for their projects and initiatives.

Planning is underway for the Commission's 2023 National Conference for Lawyer Assistance Programs, scheduled for October 3-5 in Springfield, MA. This annual event will feature educational programs with exciting speakers and cutting-edge topics addressing well-being in the legal profession relating to LAP services, mental health, substance use disorders, law students, and workplace behavior. Programming highlights include: *"Neuroscience of Addiction & Recovery for Lawyers"* and *"Fostering Connection in a Lonely Profession."*

In its May 2023 issue on Attorney Well-Being, Law Practice Today published several articles from and featuring CoLAP Committee Members, including: 1) ["The Importance of Lawyer Assistance Programs,"](#) featuring discussion with leaders in Lawyer Assistance, including Anna Levine, CoLAP Commissioner and Director at the New Jersey Lawyers Assistance Program. The article covered why such programs are important and how they can help lawyers, judges, and law students in distress.; 2) ["Fixing a Broken Character Evaluation Process,"](#) by CoLAP Law School Committee Members, David Jaffe and Janet Stearns. This article discussed the Department of Justice's 2011 investigation of Louisiana's attorney licensure system and the resulting consent decree, which focused on bar admission requirements as they relate to the ADA. Most notable was the recommendation to focus on conduct, rather than diagnosed condition in character and fitness questions. The authors examined each state's character and fitness questions in light of these recommendations and issued a grade for each based on how well they complied with the consent decree model.; 3) ["Insights from the ABA Well-Being Pledge"](#) by CoLAP Well-Being Committee members, Jonathan Beitner, Kendra Brodin, Shannon Callahan, L.O. Natt Gantt, and James Keshavarz. The article summarizes and analyzes

data from responses to the ABA Well-Being pledge's 2022 recommitment form.; and 4) [*"Advocate With Feeling: Practicing Law with EQ and Self-Regulation,"*](#) also by Kendra Brodin. The article discusses emotional intelligence and emotional regulation, why they are important to the practice of law, and how to implement them.

On May 4, 2023, CoLAP approved its Law School Committee's drafted rule changes to the 2009 ABA Model Rule on Conditional Bar Admission. CoLAP initiated circulation of the draft rule changes to CPR and 2009 co-sponsor entities for comment. It aims to submit the resolution for consideration at the 2024 Midyear Meeting. Additionally, the Law School Committee is planning events in conjunction with Law School Mental Health Day, including a CLE event relating to Character & Fitness questions as well as other events with the Law School Division.

The Commission's Well-Being Committee continues to implement its important work. The [*ABA Well-Being Campaign and Pledge*](#) generates strong interest from legal employers. To date, over [*200 legal employers*](#), including law firms, corporate entities, government agencies, law schools, and bar associations, have pledged to take steps to improve health and well-being in the legal community and work to adopt and prioritize the Pledge Seven-Point Framework. Each year, Pledge Signatories are asked to recommit their support for the Pledge and to complete the Pledge Recommitment Form. On April 18, 2023, the Committee held its Spring Workshop. Speakers from various well-being backgrounds presented sessions on: "The Future of the Well-Being Movement: What Forward Thinkers are Anticipating as the Movement Expands," "Full Rooms, Full Zooms: How to Get Your Well-Being Programs the Engagement They Deserve" and "Stress, Overwhelm & Burnout (and what to do about them)." This last session will also be featured as an ABA CLE program on July 26, 2023 at 1pm ET. The Committee is planning its Fall 2023 Workshop where it will celebrate the Pledge's 5th Anniversary.

CoLAP's Diversity, Equity, & Inclusion Committee continued to meet to discuss how LAPs can be more attractive and accessible to diverse groups. The Committee's discussion also included potential ideas for CoLAP events, programming, and community-specific resources for legal professionals.

Earlier this year, CoLAP received a request for evaluation of a jurisdiction's LAP program. CoLAP members completed the evaluation (the first since the pandemic) and are in contact in assessing next steps. CoLAP withdrew a resolution on Rule 1.1, Comment 9 and continues discussion with interested entities on building consensus and next steps. For additional information on CoLAP and related resources, please visit [*CoLAP's website*](#).

Respectfully submitted,

Tish Vincent, Chair
ABA Commission on Lawyer Assistance Programs

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