Recap - Twitter Chat on Problem Gambling in the Legal Profession

Hosted by the ABA Commission on Lawyer Assistance Programs, with special guests Christine Anderson, Illinois Attorney Registration and Disciplinary Commission, Joan Bibelhausen, Minnesota Lawyers Concerned for Lawyers and Keith Whyte, National Council on Problem Gambling.

Welcome to the #GamblingHelp4Lawyers Twitter Chat. For the next hour or so we'll be talking about problem gambling in the legal profession. pic.twitter.com/bpa7xG4SpF

First, a big thank you to our guests @ChristineARDC, @mnlcl and @NCPGambling for their help and involvement #GamblingHelp4Lawyers.

Among other topics, they will be discussing: the consequences of problem gambling in the legal profession... #GamblingHelp4Lawyers
ABA CoLAP @ABACoLAP
...signs and symptoms that might indicate a person may have a gambling problem...
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...how to get help or refer someone else to help... #GamblingHelp4Lawyers

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...and ways law schools and law firms can better address problem gambling.
#GamblingHelp4Lawyers

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Before we start the chat, here's a quick introduction to @ABACoLAP... #GamblingHelp4Lawyers
americanbar.org/groups/lawyer_

ABA CoLAP @ABACoLAP
The ABA Commission on Lawyer Assistance Programs has a mission to assure that every judge,
lawyer & law student has access to support & assistance when confronting alcoholism, substance
use disorders or mental health issues... #GamblingHelp4Lawyers

ABA CoLAP @ABACoLAP
...so that lawyers can recover, families are preserved & clients and other members of the public
are protected. #GamblingHelp4Lawyers
This mission is carried out by supporting the work of state and local lawyer assistance programs (LAPs). #GamblingHelp4Lawyers

Lawyer Assistance Programs provide confidential services and support to judges, lawyers and law students who are facing substance use disorders or mental health issues. If you or someone you know is in need of assistance, contact your state or local LAP. #GamblingHelp4Lawyers

Access a directory of state and local LAPs on the CoLAP website at: americanbar.org/groups/lawyer_.... #GamblingHelp4Lawyers
Follow Along  Ask Questions  Share Comments

Now, onto the Chat! For audience members with comments or questions, don’t forget the #GamblingHelp4Lawyers tag! pic.twitter.com/4mUUb03W3y

Please introduce yourself and tell me a little bit about your organization. #GamblingHelp4Lawyers pic.twitter.com/K6RK6Xp8PI
Hello, I am Christine Anderson, Director of Probation and Lawyer Deferral Services with the Attorney Registration and Disciplinary Commission (ARDC), the attorney regulation office in the State of Illinois. #GamblingHelp4Lawyers

At the ARDC I handle disciplinary complaints and also monitor lawyers who are placed on diversion, probation, supervision and conditional admission for substance abuse and mental health issues. Some of those lawyers also have gambling problems. #GamblingHelp4Lawyers

Hi, I'm Keith Whyte, Executive Director of the National Council on Problem Gambling. I've been working on gambling issues for more than 20 years. My previous experience includes ABA's Section of Individual Rights and Responsibilities. #GamblingHelp4Lawyers

The National Council on Problem Gambling is the national advocate for programs and services to assist problem gamblers and their families. NCPG is neutral on legalized gambling. #GamblingHelp4Lawyers

Over the years I've worked with many attorneys recovering from gambling problems including members of the NCPG Board. I have heard many of their stories of the harm they caused while deep in their addiction as well as the inspiring stories of recovery. #GamblingHelp4Lawyers
Hi, I'm Joan Bibelhausen, Executive Director of Lawyers Concerned for Lawyers, Minnesota's Lawyer Assistance Program. I serve on the board of Northstar Problem Gambling Alliance. @MN ProbGambling #GamblingHelp4Lawyers

I've also helped develop CLE programs about problem gambling and assisted with a Northstar brochure, "Attorneys' Guide to Gambling Addiction." #GamblingHelp4Lawyers

Every state has a lawyer assistance program that offers help with substance use and compulsive behaviors as well as mental health problems. Many also work to enhance lawyer well-being. #GamblingHelp4Lawyers

#GamblingHelp4Lawyers What signs might family, friends or colleagues notice that should worry them gambling could be a problem?

@realist3 We'll be covering signs and symptoms in Question 3 - thanks for tuning in! #GamblingHelp4Lawyers

“Attorney’s Guide to Gambling Addiction For Attorneys, Judges, Prosecutors and Court Personnel” from the Northstar Problem Gambling Alliance #GamblingHelp4Lawyers

northstarproblemgambling.org/attorneys/
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Directory of Lawyer Assistance Programs #GamblingHelp4Lawyers americanbar.org/groups/lawyer...

ABA CoLAP @ABACoLAP
5 MONTHS AGO

Why are we talking about problem gambling in the legal profession? #GamblingHelp4Lawyers pic.twitter.com/R9YjzlT5Hw

ABA CO LAP @ABACOLAP - 5 MONTHS AGO

Christine Anderson @ChristineARDC
It is important to discuss because of the tremendous risk to clients and client funds. Disciplinary cases involving lawyers with problem gambling issues have resulted in substantial losses of client monies. #GamblingHelp4Lawyers

5 MONTHS AGO

Christine Anderson @ChristineARDC
Many of these lawyers would not have access to these substantial funds on their own and dip into client funds and client trust accounts to chase losses they may have incurred only to lose their client's money as well. #GamblingHelp4Lawyers

5 MONTHS AGO
Christine Anderson
@ChristineARDC
When discovered the conduct involved may have significant ramifications to the lawyers licensure. #GamblingHelp4Lawyers

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@NCPGambling
America is in the midst of a massive expansion of gambling. Never before has gambling been so available, accessible and acceptable. #GamblingHelp4Lawyers

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Some quick facts: 48 states now have some form of legalized gambling. And many of these states are adding additional forms of gambling. #GamblingHelp4Lawyers

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Legalized gambling revenues exceeded $115 billion last year, not including most sports betting, poker and internet gambling. #GamblingHelp4Lawyers

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Approximately 85% of Americans have gambled at least once in the past year, 15% at least once in the last week. #GamblingHelp4Lawyers

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@NCPGambling
2% of adults meet criteria for gambling addiction in a given year. Criteria include preoccupation, tolerance and loss of control. #GamblingHelp4Lawyers
Some of the risk factors for gambling addiction include: Male, 18-24 years old, athlete, substance use, substance abuse, early onset of gambling, early unexpected big win. #GamblingHelp4Lawyers

Roughly 20% of people with severe gambling problems report serious suicidal thoughts/behaviors in the past year. This rate is higher than the rates reported among any other addictive disorder. #GamblingHelp4Lawyers

This is important to the legal profession in so many ways. Lawyers are at risk because we are risk takers. This includes the cases we accept and our strategies in pursuing them. Some are at risk because of access to large sums of money. #GamblingHelp4Lawyers

Problem gambling matters to lawyers because a client’s legal problem may have arisen due to gambling. Some prominent areas are family, bankruptcy, criminal (theft, embezzlement, fraud) and employment law. #GamblingHelp4Lawyers

It matters because we already have alarmingly high rates of alcohol misuse and that is a risk factor. #GamblingHelp4Lawyers
"The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys," ABA CoLAP study w/ Hazelden Betty Ford #GamblingHelp4Lawyers americanbar.org/groups/lawyer_...

What are signs and symptoms that might indicate a person may have a gambling problem? #GamblingHelp4Lawyers pic.twitter.com/YaIt5q9kYX

Lawyers with problem gambling issues come to the attention of discipline offices usually after the issue has been festering for a long time. #GamblingHelp4Lawyers

We see lawyers whose trust accounts have been overdrawn and client funds have been converted. We also see lawyers who have neglected or mishandled client matters and also lawyers who have committed criminal acts to finance their gambling. #GamblingHelp4Lawyers
Christine Anderson
@ChristineARDC

Lawyers suffering with problem gambling have also falsified documents to cover up their misconduct or gambling issues. #GamblingHelp4Lawyers

Janet Stearns
@janetestearns

@NCPGambling #GamblingHelp4Lawyers So why don’t you take a position on legal gambling, or at least appropriate regulation?

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@NCPGambling

General signs & symptoms of a gambling addiction: 1. often gambling till your last dollar is gone. 2. lying to loved ones about your gambling. 3. thoughts of gambling have caused you to lose sleep. 4. committing crime to finance your gambling #GamblingHelp4Lawyers

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@NCPGambling

From the Brief Bio-Social Gambling Screen: Q1: In the past 12 months have you: Become restless, irritable or anxious when trying to stop/cut down on gambling? #GamblingHelp4Lawyers

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Q2: In the past 12 months have you: Tried to keep your family or friends from knowing how much you gambled? #GamblingHelp4Lawyers

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Q3: In the past 12 months have you: Such financial trouble as a result of your gambling that you had to get help with living expenses? #GamblingHelp4Lawyers
Answering "yes" to one of the previous questions indicates that, currently, you are at increased risk for developing or experiencing gambling-related problems. #GamblingHelp4Lawyers

The online version of the Brief Bio-Social Gambling Screen available at divisiononaddiction.org/bbgs-e-screene... #GamblingHelp4Lawyers

Signs include neglecting cases or settling them too quickly, missing appointments, hearings, deadlines, Statutes of Limitations. #GamblingHelp4Lawyers

Unexplained absences, misleading statements or behavior about money #GamblingHelp4Lawyers

Talking about winnings but not losses, claims that the lawyer can outsmart a system #GamblingHelp4Lawyers
What are some of the consequences of problem gambling in the legal profession?

#GamblingHelp4Lawyers

@ABACOLAP · 5 MONTHS AGO

What are some of the consequences of problem gambling in the legal profession?

#GamblingHelp4Lawyers pic.twitter.com/JtZIMnhh9K

Christine Anderson
@ChristineARDC

Although a gambling disorder is recognized in the DSM as a compulsive disorder, most states in the US do not consider gambling as a factor in mitigation in a disciplinary matter. In fact, it is sometimes considered an aggravating factor. #GamblingHelp4Lawyers

Christine Anderson
@ChristineARDC

As a result, in cases of losses of client’s funds due to gambling, those lawyers are usually disbarred. #GamblingHelp4Lawyers

Christine Anderson
@ChristineARDC

There are a few exceptions, especially if there is a coexisting addiction that has historically been considered in mitigation, such as substance abuse or a mental illness. #GamblingHelp4Lawyers

https://storify.com/SaraBSmith84/recap-twitter-chat-on-problem-gambling-in-the-lega-5a317be5b4b48d2fc50d2d88.html
Some Courts have given the lawyer probation and have allowed conditions related to both of the coexisting addictions. #GamblingHelp4Lawyers

Ohio is one of the only jurisdictions that have consistently recognized gambling as a factor in mitigation in attorney disciplinary cases. Many other states have considered and rejected compulsive gambling as a factor in mitigation. #GamblingHelp4Lawyers

Hello, My name is Fran Gizzi LCSW C-CATOD ICCG-II. I am in private practice in NJ, I treat those with gambling disorder and/or family members under a Grant from the Council on Compulsive Gambling of NJ. Several of my clients are attorneys. #GamblingHelp4Lawyers twitter.com/ABACoLAP/status...

Hello, @frangizzi36! Thanks for joining us! #GamblingHelp4Lawyers

Problem gambling will often result in job loss and affects lawyers outside of their professional lives as well. #GamblingHelp4Lawyers

Relationships are harmed and destroyed. Problem gamblers mislead family members to find money with which to gamble. #GamblingHelp4Lawyers
Problem gamblers often isolate thus avoiding scrutiny and not receiving support. #GamblingHelp4Lawyers

Lawyers are already at higher risk for depression and suicidal ideation. Problem gamblers are also at risk for depression and have a high rate of suicide. #GamblingHelp4Lawyers

The social cost of gambling addiction in US is $7 billion per year, mainly in criminal justice and healthcare costs as well as lost time & productivity #GamblingHelp4Lawyers

I highly recommend the book Never Enough: One Lawyer’s True Story of How He Gambled His Career Away by Michael Burke, a true story of a successful lawyer spent over $1.6M of client funds on his gambling addiction and went to jail. #GamblingHelp4Lawyers

His story is not all that unusual as many attorneys are affected by a gambling disease. This book helps identify those struggling with a gambling addiction. #GamblingHelp4Lawyers
NCPG @NCPGambling

Now Michael is in good recovery from his addiction, sits on the NCPG Board of Directors and is the Executive Director of Michigan Association of Problem Gambling #GamblingHelp4Lawyers

5 MONTHS AGO

Jeffrey Wasserman @JPWdel1955

A related topic that’s worthy of discussion is how problem gambling can derail a lawyer’s career before it even gets started. There are bar applicants denied admission because character and fitness investigations reveal a gambling problem. #GamblingHelp4Lawyers

5 MONTHS AGO

Joan Bibelhausen @mnicl

@JPWdel1955 This is an excellent point. LAPs can talk to law school applicants as well. Later we'll talk about what law schools can do. #GamblingHelp4Lawyers

5 MONTHS AGO

Will Hornsby @willhornsby

@ABACoLAP Hey, @ABACoLAP, is there anywhere folks can hear Michael Burke tell his story, like maybe a podcast or something? #GamblingHelp4Lawyers

5 MONTHS AGO

ABA CoLAP @ABACoLAP

@willhornsby Hear Michael’s story in Episode 3 of the new CoLAP podcast series, “Voices of Recovery” #GamblingHelp4Lawyers americanbar.org/groups/lawyer_...
#GamblingHelp4Lawyers

How can someone who may have a gambling problem get help? #GamblingHelp4Lawyers

pic.twitter.com/p9PVj2kQAB

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Call or text Natl Problem Gamblers Helpline 800-522-4700 is 24/7 toll free and CONFIDENTIAL nationwide. Information and referral to resources in your area. Chat at ncpgambling.org/chat #GamblingHelp4Lawyers

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5 MONTHS AGO

We received nearly 300,000 calls, texts and chats last year alone. Of the actual intake calls 70% from gamblers and 30% from family members/loved ones of problem gamblers #GamblingHelp4Lawyers

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5 MONTHS AGO

For US residential/inpatient treatment programs that specialize in gambling addiction: ncpgambling.org/help-treatment... #GamblingHelp4Lawyers

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5 MONTHS AGO
@GambAnonymous is a fellowship of men and women who share their experience, strength and hope with each other that they may solve their common problem and help others to recover from a gambling problem. #GamblingHelp4Lawyers

In addition to state and national gambling helplines, Lawyer Assistance Programs (LAPs) offer help with no judgment. #GamblingHelp4Lawyers

LAPs provide confidential services and support to judges, lawyers and law students who are facing substance use disorders or mental health issues. If you or someone you know is in need of assistance, contact your state or local LAP. #GamblingHelp4Lawyers

As a former practicing attorney in recovery I view the following as risk factors for lawyers developing gambling disorder: stress, ego, availability and accessibility. #GamblingHelp4Lawyers

The key is discovering the issue early, before substantial harm to clients, and referring the lawyer to treatment and/or the state Lawyers' Assistance Program. #GamblingHelp4Lawyers

If there is no substantial harm to clients and no criminal or fraudulent conduct, many states, including here in Illinois, have a diversion program. #GamblingHelp4Lawyers
Christine Anderson
@ChristineARDC

Through diversion programs, lawyers with gambling issues can be required to complete treatment, attend support groups and comply with other conditions related to their disorder. #GamblingHelp4Lawyers

Christine Anderson
@ChristineARDC

The goal of diversion is getting lawyers with gambling and other issues the help they need, while protecting the public, and without disrupting their law practices. #GamblingHelp4Lawyers

ABA CoLAP
@ABACoLAP

“The Path to Lawyer Well-Being: Practical Recommendations for Positive Change” has 44 recommendations for legal stakeholders to improve the health and well-being of the legal profession. #GamblingHelp4Lawyers americanbar.org/groups/…

What are the barriers to help and how can someone encourage others to get help?

ABA COLAP @ABACOLAP - 5 MONTHS AGO

#GamblingHelp4Lawyers pic.twitter.com/nV6zgmX4Ly
Lawyers are reluctant to ask for help because they don’t want others to know and are concerned about confidentiality. These fears give rise to greater stigma. #GamblingHelp4Lawyers

Lawyers fear of losing their law license is a significant barrier to their seeking help. #GamblingHelp4Lawyers

As stated earlier, most courts do not treat gambling as a mitigating factor in attorney misconduct as they do substance abuse and mental illness issues. #GamblingHelp4Lawyers

#GamblingHelp4Lawyers If a lawyer has probation as part of discipline, is there a way to prevent them from getting access to client funds, that may otherwise be gambled away?

@willhornsby although usually not considered a mitigating factor there could be probation conditions crafted to limit access to client funds. In firm setting not allowing signatory power on checks. #GamblingHelp4Lawyers

I now work at both Delaware Council on Gambling Problems and Delaware Lawyers Assistance Program and have shared my story at CLE programs for lawyers and with law students. Even at CLEs sponsored by Office of Disciplinary Counsel! #GamblingHelp4Lawyers
NCPG @NCPGambling

A recent study of stigma among problem gamblers found that participants who thought that most people (1) hold negative stereotypes about people with gambling-related problems AND #GamblingHelp4Lawyers

NCPG @NCPGambling

(2) think that being a problem gambler disrupts a person’s life also thought most people attached a lot of stigma to problem gambling; as a result, they felt a high degree of self-stigma #GamblingHelp4Lawyers

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Although there is effective treatment for gambling problems, people might avoid seeking help because they expect others will judge them. #GamblingHelp4Lawyers

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Sharing stories about the addiction and especially treatment and recovery—like Michael Burke’s—might help to de-stigmatize the condition and encourage more help-seeking. #GamblingHelp4Lawyers

Joan Bibelhausen @mnlcl

Sometimes the lawyer is significantly impacted by another's gambling problem. #GamblingHelp4Lawyers

Joan Bibelhausen @mnlcl

Helplines and LAPs can offer guidance on approaching someone you are concerned about. #GamblingHelp4Lawyers
Joan Bibelhausen
@mncl

If you treat it as one of many issues rather than with judgment, your client may be more willing to get help. You can truly make a difference. #GamblingHelp4Lawyers

Christine Anderson
@ChristineARDC

If lawyers are encouraged to seek help early in a disciplinary investigation and are referred to resources such as the Lawyers’ Assistance Programs or other treatment programs, we may be able to interrupt the cycle of pathological gambling early. #GamblingHelp4Lawyers

Christine Anderson
@ChristineARDC

If interrupted before any substantial harm is done to clients, it may result in a better outcome for the lawyer and all involved. Such outcomes may include diversion or other confidential supervision programs instead of formal discipline. #GamblingHelp4Lawyers

ABA COLAP
@ABACOLAP

What can law firms and legal employers do to better address problem gambling?

What can law firms and legal employers do to better address problem gambling? #GamblingHelp4Lawyers pic.twitter.com/KhmszNigUw

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All employers should have a formal policy on gambling in the workplace. Includes guidelines on office & March Madness pools, internet gambling, Daily Fantasy Sports, etc... 
#GamblingHelp4Lawyers

5 MONTHS AGO

Make sure your office/workplace culture reduces risk, minimizes potential harm and supports recovery. #GamblingHelp4Lawyers

5 MONTHS AGO

Confirm that your insurance carrier and EAP cover gambling addiction and have a certified gambling counselor as a referral resource. #GamblingHelp4Lawyers

5 MONTHS AGO

There are some unfortunate stories about staff who stole money from their law firm or other employer. There should be financial tracking procedures and supervision. 
#GamblingHelp4Lawyers

5 MONTHS AGO

Never should only one person have access to the books. Be wary of secrecy or efforts to redirect a conversation when concerns are expressed. #GamblingHelp4Lawyers

5 MONTHS AGO

As with many other issues, if something is serious enough for you to notice, there is probably a problem. #GamblingHelp4Lawyers

5 MONTHS AGO
What can law schools do to better address problem gambling? #GamblingHelp4Lawyers
pic.twitter.com/8cpLig6jml

@ABACOLAP · 5 MONTHS AGO

@willhornsby At what point does a lawyer have an ethics obligation to report another lawyer who has a gambling problem? Does it have to involve other conduct, such as misappropriation or competence?

@willhornsby · 5 MONTHS AGO

@ChristineARDC Depending on the states rules an obligation to report may be required. In Illinois a lawyer needs to report another lawyer if the conduct is criminal or involves dishonesty, fraud, deceit or misrepresentation. #GamblingHelp4Lawyers

@ChristineARDC · 5 MONTHS AGO

@ChristineARDC Law students are at an increased risk for problem gambling because of the high stress of law school. #GamblingHelp4Lawyers

@ChristineARDC · 5 MONTHS AGO
Gambling may be seen as a safer alternative to drinking or other substance usage. #GamblingHelp4Lawyers

Law schools can address the problem by providing education in the law schools of the dangers of compulsive gambling and advising students of the help that is available to students through the LAP’s and other programs. #GamblingHelp4Lawyers

Refer to American Bar Association's "National Task Force on Lawyer Well-Being" report and recommendations for law schools at americanbar.org/content/dam/ab... #GamblingHelp4Lawyers

LAPs can help with educational programs and coaching for administrators. #GamblingHelp4Lawyers

Law Schools should have a policy on gambling but only 22% of colleges have formal polices and resources for students who may have a problem. ncrg.org/sites/default/... #GamblingHelp4Lawyers

Remember, addiction often peaks in the 18-24 age range. Law students are generally highly competitive and under a great deal of stress, both factors that may contribute to the development of a gambling addiction #GamblingHelp4Lawyers
If poker is used as a teaching tool for law students to learn bluffing, risk management and strategy, make sure responsible gaming messages are prominently displayed.

#GamblingHelp4Lawyers

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@ABACoLAP

Survey of Law Student Well-Being (SLSWB), designed to examine alcohol, drug and mental health issues, as well as help-seeking behaviors, among law students. #GamblingHelp4Lawyers

americanbar.org/groups/lawyer_...

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@NCPGambling

What options are there for lawyers who believe they might have a client with a gambling problem?

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We encourage any individual struggling with gambling addiction to seek help by calling the National Problem Gambling Helpline at 1-800-522-4700 #GamblingHelp4Lawyers
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NCPG offers a guide - Personal Financial Issues for Loved Ones of Problem Gamblers
bit.ly/2ATLG4h #GamblingHelp4Lawyers

Lawyers can raise this issue with clients especially when identifying questionable financial records. Ask if anything like alcohol use or gambling might come up in the case. #GamblingHelp4Lawyers

If it seems like gambling might be an issue, suggest an evaluation - say that it will help to plan your case strategy. #GamblingHelp4Lawyers

If you treat it as one of many issues rather than with judgment, your client may be more willing to get help. #GamblingHelp4Lawyers
Does anyone have any final questions or comments? #GamblingHelp4Lawyers
pic.twitter.com/zuZgRDeH4i

Jeffrey Wasserman
@JPWde1955
Mandatory education on gambling disorder is needed in all law schools. It can save a career and even save a life! #GamblingHelp4Lawyers

Christine Anderson
@ChristineARDC
@JPWde1955 Good point and thanks for your participation. #GamblingHelp4Lawyers

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Thank you to our guests @ChristineARDC, @mnlcl and @NCPGambling and everyone else who participated. #GamblingHelp4Lawyers

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@ABACoLAP
A recap of the discussion will be posted online at ambar.org/colap. #GamblingHelp4Lawyers