

### Comments From the Editor...

Having just returned from Michael Sweeney's retirement party given by the Oregon Attorney Assistance Program, I am reminded that an attitude of gratitude is essential in my own recovery. In this issue of Highlights Michael discloses that he has been diagnosed with Pick's disease, a rare form of frontal temporal dementia. At the party I was impressed by Michael's courage and determination to face this new challenge in his life. He is doing it with his unique flair and sense of humor. I'm sure Michael, as he faces this battle, would love to hear from folks who know him. Keep him in your daily prayers. —Hugh Grady

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# Highlights

of the American Bar Association  
Commission on Lawyer Assistance Programs

## The Developmental Model of Recovery

by John W. Stiemke, CRADC, ACRPS, ICADC, Director of Clinical Services, Resurrection Behavioral Health, 312-563-3629, [www.reshealth.org](http://www.reshealth.org)

It will be helpful for attorneys in recovery to conceptualize recovery from Substance Use Disorders as a long-term developmental process that progresses through stages. To successfully enter into a long-term recovery process often requires multiple episodes of treatment. As with other chronic illnesses, relapses to drug use can occur during or after successful treatment episodes. Addicted individuals may require prolonged treatment and multiple episodes of treatment to achieve long-term abstinence, successful progress through all stages of recovery, and achieve fully restored biopsychosocial functioning. The 12 step program calls this "the promises" of recovery. The stages of recovery are:

- **Active Addiction (Pre-contemplation):** During this stage substance abusers are actively using alcohol and other drugs, receiving substantial perceived benefits from their use, experiencing few perceived adverse consequences, and as a result see no reason to seek treatment.
- **Transition:** During this stage patients recognize that they are experiencing alcohol and drug related problems and need to pursue abstinence as a life style goal in order to resolve these problems;
- **Stabilization:** During this stage patients recover from acute and post acute withdrawal and stabilize their psychosocial life crisis;
- **Early Recovery:** During this stage patients identify and learn how to replace addictive thoughts, feelings, and behaviors with sobriety-centered thoughts, feelings, and behaviors;
- **Middle Recovery:** During this stage patients repair the life style damage caused by the addiction and develop a balanced and healthy life style;
- **Late Recovery:** During this stage patients resolve family of origin issues that impair the quality of recovery and act as long-term relapse triggers.
- **Maintenance:** During this stage patients continue a program of growth and development and maintain an active recovery program to assure that they don't slip back into old addictive patterns.

In each of these stages of the recovery process there are specific tasks that each individual must accomplish in order to successfully accomplish the goals of the recovery process. There are some individuals who think they can find an "easier, softer way," but this tends to lead to problems and may cause the person to become "stuck" in their recovery efforts. If you go to enough 12-step meetings you are sure to run into these individuals. Often they appear "rigid" in their belief system or appear irritable, cranky, or just plain angry. Sometimes they may be depressed or even fearful. At any rate they lack serenity, peace-of-mind and true happiness.

Recovery sometimes happens in big chunks and at other times it occurs in baby steps. The program teaches us "progress and not perfection." Attorneys in recovery may be tempted to seek this perfection and desire to skip over the "work" needed to accomplish the goal. Sometimes people fall down and need to pick themselves back up. Sometimes it is important to ask for "help" along the way. It is always important to remember that you are worthy of accepting the gift of recovery.

*Mr. Stiemke has worked in the field of addiction treatment since 1982. He received his initial clinical training at DePaul Rehabilitation Hospital in Milwaukee, WI. He has worked with a variety of patient populations including impaired professionals, adults, adolescents, minorities and dual diagnosis. He is an Advanced Relapse Prevention Specialist and has worked with relapse patients for the past 19 years. He currently oversees regulatory compliance, quality of care, staff training and development for each of the Resurrection Behavioral Health (formerly Rush Behavioral Health) facilities in the greater Chicagoland area. He has served as a consultant and trainer for the Illinois Lawyers Assistance Program and has worked with attorneys in need of recovery for years.*

# A Call to CoLAP Friends, Beneficiaries and Supporters

By Ellen Murphy

As I write this, it is day 17 of the 2006 Tour de France. I must confess that like many former non-cyclists, it was Lance Armstrong who sparked my interest in the race first, and later the sport. I wasn't alone—in 2005, the Tour had 1.7 million viewers, an 18 percent increase over 2004. Road bike sales have doubled since Lance's first Tour win in 1999—just shy of 3 years since his diagnosis with testicular cancer and a survival chance of 50%.

Pop culture describes Lance's impact as the "Lance Factor." Most impressive, however, is not the Lance Factor's influence on the sport of cycling, but its message of hope and strength for cancer victims and survivors worldwide. His courage has resulted in increased awareness and acceptance of what was once a taboo disease. The

impact is astronomical: Tens of millions of dollars in grants and donations to support education, advocacy, public health and research programs. Collaboration with regional and community centers to provide survivorship education and outreach initiatives. Development of comprehensive cancer survivorship centers nationwide. And 56 million yellow wristbands sold, reminding us all to Live strong each day.

What does this represent? A Tipping Point, in the words of popular author Michael Gladwell. A little change that has a big effect; a small number of people—or in this case, an individual—behaving differently and in a way that ripples outward until a critical mass or "tipping point" is reached, thereby changing the world.

It is this exact behavior that I challenge you, as beneficiaries and supporters of CoLAP, to emulate. Courage to fight your own battles and to help others fight theirs. Courage to ask for assistance in a time of need. Courage to tell a colleague if you are concerned and to guide them to get help. Courage to publicly support your Lawyer Assistance Program. It takes only a small number of people to effect a large change. I challenge you to be those people.

In our fight to create awareness and acceptance of mental illness, addiction and other impairments impacting the legal profession and therefore society as a whole, let us remember the motto of the Lance Armstrong Foundation: Unity is strength, knowledge is power, and attitude is everything.

## Around the LAPs

**ALABAMA:** - April 9, 2007, Andrew Brindley of Birmingham, has been named assistant director of the Alabama State Bar Lawyer Assistance Program (ALAP) according to Executive Director Keith B. Norman.

"The skills and professionalism that Andrew brings to our lawyer assistance program will help us to continue our work for addiction treatment assistance within the legal community. We fully recognize the practice of law is a privilege and, as such, we hold lawyers, judges and law students accountable for behavioral change," said ALAP Director Jeanne Marie Leslie.

Brindley received his undergraduate degree from the University of Alabama and earned a graduate degree in counseling and guidance from the University of Montevallo. He is a licensed professional counselor. Brindley's responsibilities will include providing educational outreach and confidential assistance to lawyers, judges, law students and their families who may be impaired.

He will be responsible for maintaining relationships within the legal community and with treatment providers to develop educational programs, recruiting and training volunteer lawyers to assist with program services, and working with local and specialty bar associations' that have created Lawyers Helping Lawyers programs in the state. He will also work closely with the state bar's Lawyers Helping Lawyers Committee and the American Bar Association's Commis-

sion on Lawyer Assistance Programs.

Before joining the state bar, Brindley worked for the past eight years at Bradford Health Services in Birmingham as a counselor, trainer and workplace intervention specialist. He has also been an adjunct professor at the University of Montevallo and a registered lobbyist.

Created in 1985, ALAP assists legal professionals with chemical dependency and/or psychological problems, providing evaluation, assessment and referral services, peer and facilitated support, aftercare programs, and monitoring services. The program provides assistance for problems associated with drug, alcohol, gambling, food, and sexual addictions, problems resulting from depression, and other mental health problems, as well as other issues which may affect a lawyer's ability to function competently. The Alabama State Bar is dedicated to promoting the professional responsibility, competence and satisfaction of its members; improving the administration of justice, and; increasing public understanding and respect for the law.

**CALIFORNIA:** - The California LAP continues to grow. The program provided assistance to nearly 800 attorneys during 2006. Close to 400 attorneys are now participating in the program on a weekly basis. Three additional case managers were hired recently, bringing the total number of full-time clinicians to ten. The program now has 43 recovery support groups meeting on a weekly basis across the state.

**ONTARIO CANADA:** - The launch of the Ontario Lawyers' Assistance Program, Jan 15 2007 On January 15, 2007 a reception was held to launch the program that will assist members of the legal profession, their immediate family members, judges and law students in Ontario. The event was attended by about 38 people who have dedicated their time and efforts to make this program a reality. The attendees included members from the Law Society of Upper Canada and The Lawyers' Professional Indemnity Company who fund the program. The Ontario Lawyers' Assistance Program (OLAP) is the combination of two programs that have served the legal community in Ontario for many years. OLAP is not really new— it is enhanced and improved. The goal is to promote wellness and balance in the profession. The combined resources and focus will enhance the best of both programs and operate under one board of directors. Much care has been taken to maintain the strengths of both models and to provide one integrated and responsive program. The new OLAP will provide professional counseling and enhance the peer volunteer support roles in the tradition of "lawyers help lawyers."

The evening focused on recognizing the history of the Ontario Bar Assistance Program lawyers helping lawyers since 1978 —(the counseling and peer support program) and LINK—the lawyers' assistance program (contracted to an EAP provider) and the merger of these programs to form the Ontario Lawyers' Assistance Program. This launch

*(continued on page 3)*

# ABA 2007 National Conference for Lawyer Assistance Programs

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

Halifax, Nova Scotia – Oct. 2-5, 2007



To register for the ABA 20th National Conference for Lawyer Assistance Programs being held on October 2-5, 2007, in Halifax, NS, please visit the CoLAP webpage for a downloadable form <http://www.abanet.org/legalservices/colap/conference.html>.

Please note that the conference hotel has sold out. Please call the following nearby hotels for a reservation:

**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 the Pier 21.**

**Immigration Museum Tickets are not included in the general conference fees. They must be purchased separately.**

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

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

## Around the LAPs

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provided an opportunity to reflect on how far the program and services have come in this vital work since 1978. Each of the individuals that made these programs a success were acknowledged and

**KENTUCKY:** - As of this month, KYLAP is now involved in all three law schools including presenting for their professional responsibility courses. Brandeis at University of Louisville had been hesitant to include us but has now accepted our program and Hoot, with two volunteers, presented last week and it was well received.

Also, I have been certified as a QPR (question, persuade, refer) instructor for

suicide prevention. One of my goals is to start presenting for law firms in KY to increase awareness of suicide prevention efforts and to teach lawyers of the risk of suicide. In case you don't know, law is the 2nd ranking profession in suicide, physicians being the first. In May, I will also begin facilitation of a Survivors of Suicide (SOS) group, with the goal of starting several groups around the state.

**MAINE:** - The Maine Assistance Program held its Volunteer Appreciation Day on April 21st which was attended by over 40 volunteers. We think the attendance was helped by free food and 5.5 hours of CLE. Michael Cohen and Ellen Savage (Sierra-Tucson) gave great presentations and ran the mock substance abuse and mental health interven-

tion demonstrations. The evaluation forms were 100% positive and either Maine lawyers are exceptionally nice or it all really went quite well. Love to all. David K.

**MINNESOTA:** - Ellen Murphy-Fritsch (soon to be known as the other Ellen Murphy) has joined Minnesota Lawyers Concerned for Lawyers as case manager. She has a chemical health counseling certificate and a JD. Ellen has work experience in corrections, dual-diagnosis treatment, assessment, investigations, restorative justice and law.

**NEW YORK LAP:** - The New York LAP will hold its Annual Spring Retreat May 18-20, 2007 at the Silver Bay Association in Lake George, NY. Hon A. Gail Prudenti,

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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). Chair of the newly created Publications Board and *Highlights* Newsletter Editor, Hugh Grady; Staff Editor, Donna Spilis; 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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# CoLAP Chair's Column

by Richard A. Soden

## 2008 NATIONAL CONFERENCE FOR LAWYER ASSISTANCE PROGRAMS -

I am pleased to announce that the 2008 CoLAP conference and ILAA weekend will take place in Little Rock, Arkansas during the week of October 19th. The hotel selected is the beautiful Peabody Little Rock Hotel, overlooking the Arkansas River. As soon as the contract is finalized, a notice will be sent electronically and information will be posted on CoLAP's and ILAA's websites.

Several LAPs provided excellent proposals from which to choose, and I thank them for responding to our request so quickly. A committee consisting of myself, Joan Bibelhausen, Butch Childers, Barbara Harper, Derek LaCroix and Barbara Smith reviewed the proposals and made the recommendation to the full Commission, which voted to approve the recommendation.

**CALL FOR 2009 PROPOSALS** – With the selection of the 2008 National Conference confirmed, we are now seeking proposals for cities in which to host the 2009 National Conference for Lawyer Assistance Programs and ILAA. This is the second year that CoLAP and ILAA have developed a procedure for planning and scheduling future conferences in an effort to block space earlier, which will allow for more selections and advance planning. If you have not received a copy of the proposal form, the criteria for the both CoLAP and ILAA (number of days, rooms etc.) are available online at the CoLAP website [www.abalegalservices.org/colap](http://www.abalegalservices.org/colap). The deadline for receipt of submissions is July 20, 2008. A detailed proposal is not required, so we ask that you not have the hotel of your choice contact ABA staff.

## ABA APPROVES TWO NEW RECOGNITION AWARDS FROM THE COMMISSION ON LAWYER ASSISTANCE PROGRAMS

– At the June 15-16, 2007 Board of Governors Meeting, CoLAP was given authorization to recognize outstanding individuals who work in the lawyer assistance movement. The *John W. "Jack" Keegan Award* is named in memory of John W. Keegan, the second Chair of the Commission on Lawyer Assistance Programs, who passed away February 6, 2006. This award will be presented to a Lawyer Assistance Program volunteer in recognition of distinguished efforts, who has been an example for all to follow and has brought honor to the lawyer assistance movement.

The *Distinguished Service Award* will be presented to a Lawyer Assistance Program employee for outstanding performance in the advancement of ABA CoLAP's goals and for bringing honor to the lawyer assistance movement. All nominations will require a biographical sketch and narrative statement in support of the individual's qualifications for this honor. Nominations may be submitted by anyone actively involved in a lawyer assistance program, either as an employee, volunteer or bar leader supporting a national, state or local program. Additional information on the awards is available on the CoLAP website [www.abalegalservices.org/colap](http://www.abalegalservices.org/colap). The deadline for submission of nominations is September 1, 2007 and the first awards will be announced and presented at the 2007 National Conference in Halifax, Nova Scotia in early October.

## COLAP NEEDS STUDIES

At CoLAP's March Business Meeting, a facilitated planning session was held to determine whether CoLAP's current mission statement accurately reflects how it supports the state and provincial lawyer assistance programs. Each program director was asked to complete a brief online survey that was intended to identify the types of support they continue to need from CoLAP, the type of support they need individually as a director, and are there areas in which CoLAP is not meeting their needs. An early report indicated that fifteen new programs directors have been hired in the last ten years, with eight of them hired within the last five-year period. Of the services provided by CoLAP, the most beneficial and often used are Evaluations of LAPs, clearinghouse, listserves and the annual National Conference for networking and educational credit. A detailed analysis of the survey will be presented during this Annual Meeting at one of CoLAP's business meetings and further action will be determined.

A second study was conducted this Spring, which was a readership survey for the quarterly newsletter, *Highlights*. The response rate was better than 50% returns. The comments indicated that the readers find it to be a great marketing tool, and the quality (appearance and content) has improved this last year. Besides the substantive articles, the readers find the "Around the LAP" section useful in knowing what the other programs are doing. As a result of the survey, CoLAP has been in touch with ABA Publishing to determine if it would be feasible to have the professional publishing staff assist in editing and production.

## NEW ADDITIONS TO ADVISORY COMMISSION

I would like to welcome two new members to the CoLAP Advisory Commission, who were appointed by ABA President Karen Mathis to fill positions formerly held by Mary McGraw and Aristotle Evia. We were disappointed to lose these two Californians, who had to resign because of conflicts in scheduling. We are fortunate to have Michael Cohen, the Executive Director of Florida Lawyer Assistance, former member of CoLAP, Evaluations Committee Chair and long-time participant and supporter of CoLAP in many roles accepted appointment to one of the vacant positions. Many of you also know Leah Briick, who is the Chief Executive Officer of Lifeskills of Boca Raton, who is the second new addition to the Advisory Commission. Leah has been a long-time supporter of CoLAP from the treatment field and has been assisting with the continual enhancement of the Expo at the National Conference as well as volunteering to work on CoLAP's Publications Board.

## OUTREACH TO LAW SCHOOLS

The Conditional Admission Subcommittee of Law School Outreach has submitted the Model Rule for approval by the ABA House of Delegates at this meeting. This is a co-sponsored Report with the Section of Legal Education and Admissions to the Bar and the National Conference of Bar Examiners. Other ABA entities have indicated an interest in co-sponsoring this Model Rule that proposes the American Bar Association adopt the Model Rule on Conditional Admission to Practice Law including the commentary.

It also proposes that the ABA recommend implementation by all admission authorities of conditional admission rules that do not discriminate against an eligible candidate for the bar because of the candidate's past clinical treatment for addiction and/or mental health.

The Law School Assistance Committee has a new chair, the Assistant Dean of South Texas College of Law, Dean Gena Singleton. She arranged for a panel presentation at the Association of American Law Students to discuss new resources for helping students with high risk behaviors including the ABA CoLAP publication, "Substance Abuse in Law Schools: A Tool Kit for Law School Administrators." Additional plans for this committee include development of a model substance abuse policy for law schools (including a model peer assistance program and suggestion for curriculum.) The Annotated Bibliography on the CoLAP website activity page will be updated.

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## Around the LAPs

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Presiding Justice, Second Department Appellate Division is this year's recipient of the annual Franklin P. Gavin Memorial Award and Barbara F. Smith, Esq., Director of the New York State Lawyer Assistance Trust, will be presented an Extraordinary Service Award.

Dutchess County Bar Association executives, in conjunction with LAP volunteers, have recently established a Lawyer Assistance Committee. Plans are underway in the Albany area to form a Capital District committee as well.

The LAP received a grant from the New York Lawyer Assistance Trust to assist lawyers with defraying the cost of addiction and psychological assessments.

**NEW YORK NYSBA** - 17th Annual Lawyer Assistance Program Spring Retreat (May 18-20, 2007) – Silver Bay (Lake George), New York.

NYSBA's Marketing Department has been instrumental in distributing LAP informational flyers to all New York State attorneys by e-mail. NYSBA's CLE Department is also including the flyers in all handbooks at CLE events.

The pilot year with an Outreach Coordinator is proving to be very productive. The coordinator, Paul Curtin has been having great success in increasing the numbers and activities of Lawyers Helping Lawyers Committees in western New York. We will be requesting funding from the New York Lawyer Assistance Trust to continue this valuable aspect of our program.

We are preparing to establish a group of attorneys with depression. These attorneys who are managing their depression will do

outreach to other attorneys who are struggling. The group will also afford people the opportunity to share their successes and resources as well as the satisfaction that comes with helping others.

**NORTH DAKOTA:** - The ND LAP has been a diversion program to date, and we are making plans to expand the program outside the disciplinary process. Our goals include a) educating the Bar about the expanded program through brochures, articles in the bar magazine, newsletter and e-newsletter, and (in time) CLE programs, and b) developing a peer network of lawyers who have experience and are recovering from their own compulsive behavior (substance abuse, gambling, etc.) or that of a loved one. We're starting from scratch, and would appreciate any materials, written or otherwise, insight, opinions, comments, suggestions, etc.

## Chair's Column

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Distribution of the "Where to Call for Help" sticker pads and the poster/ads depicting

students in trouble, available through CoLAP will be reviewed. The "Students in Recovery" listserv, which is managed through CoLAP staff, has been successful and continues to grow. It is being promoted

on the majority of LAP websites.

The next issue of Highlights will be my last Chair's Column, and it's been rewarding and tiring as well, so I have mixed feelings about passing the Gavel, but I'll be nearby.

### Job Openings:

## Wisconsin Lawyers Assistance Program Coordinator

The State Bar of Wisconsin, located in Madison, WI, is looking for a compassionate, highly motivated professional to manage the Wisconsin Lawyers Assistance Program (WisLAP), a confidential referral service for State Bar members coping with the problems related to the stress of practicing law. Working with a network of volunteers, this position provides assessment, information and/or referrals to callers to our WisLAP Helpline; is responsible for strategic planning to encourage program growth and expansion; recruits volunteers and works with outside resources to build a well-trained network to assist in interventions; provides community outreach by working with local and specialty Bars and other legal entities.

Candidates must possess a 4-year degree in psychology, counseling, social work, or related field, Masters Degree preferred, and be licensed or eligible for licensing in the State of WI

as a psychologist, social worker, mental health counselor or family/marriage therapist. In addition, candidates will have a working knowledge of alcohol and other drug abuse issues along with 5 years experience working in the field of addictions. The ideal candidate will have experience working with clients who are professionals, possess excellent interpersonal skills with the ability to non-judgmentally work with others, be able to quickly and empathetically assess situations and assist members in crisis through evaluating alternative solutions, conclusions, or approaches to problems and have proven experience working as a member of a successful team. Some travel required. To apply forward cover letter, resume, and salary requirements by May 25 to Human Resources, State Bar of Wisconsin, PO Box 7158, Madison, WI 53707-7158 or email djurek@wisbar.org. An equal opportunity employer

## Executive Director Sought, New Hampshire Lawyers Assistance Program

Newly created New Hampshire Lawyers Assistance Program seeks Director to develop and operate the Program. Position requires experience or training in alcohol and chemical dependency, intervention, mental health issues and an understanding of or experience with 12-step programs and employee assistance programs. Licensed attorney with practice experience and a

minimum of five consecutive years of recovery preferred. EOE. Salary commensurate with experience. Please submit resume and letter explaining your interest and qualifications by email only to: [www.lapnh.org](http://www.lapnh.org) by June 20, 2007. Click on link for "Submit resumes". Additional information and position requirements are available at: [www.lapnh.org](http://www.lapnh.org)

## People in the News

### Message from Michael Sweeney

I'd like everyone in my CoLAP family to know that I am currently out on medical disability and that it looks like it will be permanent. I've been diagnosed with Pick's disease, a rare form of frontal temporal dementia. For every thousand Alzheimer's patients, one has Pick's disease. Pick's disease affects the frontal and temporal lobe regions—which are about 20% of the brain.

I'm feeling well overall, although the disease makes me dizzy at times and quite tired from trying to maintain concentration and focus.

More and more is being learned about the disease everyday. I'm lucky to have Oregon Health Sciences University ("OHSU") here in Portland—it is one of the largest and best medical research facilities. I plan to take advantage of the wonderful medical advances that happen at OHSU.

I'm not dying from Pick's disease; I am learning to live with it. This is a major shift. Just like alcoholism, I want to let everyone know about the disease that I have so I can take it out of the shades of darkness and the shades of grey. I want to bring it into the light so that we can talk about it, understand it, and become more educated about it. I'm acknowledging it just as I have acknowledged the disease of alcoholism that I have. Just like alcoholism, Pick's disease affects the frontal lobe of the brain. Fortunately, we can see Pick's disease while we are alive—through the PET scan. Years ago, the only way that people could find out if Pick's disease was an issue was through an autopsy. There is a lot of hopeful research and, although there is no known cure, a lot of the work being done on Alzheimer's disease is transferable to Pick's disease.

I guess you have to be careful what you wish for. My parents had a long time to review their lives and consider their own diseases. I always prayed that I would get something (other than cancer) that would be an illness that would give me a long time to prepare for going to the other side. I guess I got my wish!

I feel very fortunate to have a wonderful network of friends, family, colleagues, and an employer that has assisted me through this period of time.

I have very fond memories of my work with CoLAP. One of the most difficult things for me is to not currently be a part of the Standing Committee on Substance Abuse and on the CoLAP committees. I remember fondly all my years of service on CoLAP, including heading the evaluations committee for CoLAP, the presidential showcase we did in New York with Martha Barnett, and the many enjoyable presentations for the Standing Committee. I also greatly enjoyed bringing the golf tournament to the ABA. I thought I knew a lot about golf and a lot about the law—until I started hanging around Steve Barnett. He taught me many of the specialty rules of golf, including "playing on the leaves" and the times you are allowed to invoke the "senior rule." I'm pretty sure he made both of those up, but I have no way to prove it!

I've been taking the advice of those around me: reducing my stress, exercising, watching what I eat, and trying to slow down. I'm learning to accept everyone's kindness, and I'm determined to raise awareness about Pick's disease, just as I have worked in my life to raise awareness about alcoholism.

We don't know what causes Pick's disease, but we can learn to live with it. I really appreciate all the love and support I have received.

My love to all of you,  
Michael

## OAAP Attorney Counselor Michael Sweeney Retires

As soon as Michael Sweeney began working at the Oregon Attorney Assistance Program, it was clear that he brought vision, experience, and passion to his work. His high energy level and incredible enthusiasm for helping lawyers were an unbeatable combination—made even more powerful by his unique gift of empathy and warmth. In recovery since 1984, Michael was able to use his life experience, counseling education, and heart to help hundreds of Oregon lawyers into recovery, often saving their lives and enabling the lawyer and his or her family to heal the wreckage caused by the disease. Shari Gregory, the assistant director of the OAAP, summed it up well: "Working with Michael was an inspiration."

Michael believes deeply in giving back to the recovery community, and ABA projects and events are a source of great joy and pride for him. He considers CoLAP folks "part of his family." As a result, he made himself available to lawyer assistance programs around the nation and in Canada by answer-

ing questions, providing information, and sharing his network of recovery connections. Donna Spilis, ABA staff director of CoLAP, has worked with Michael for over 15 years. "Michael always made people who were new to CoLAP feel welcome and part of the group. I could always rely on him to provide topics, speakers, articles—whatever was asked of him. He cheered me up in times of stress, acted as my mentor, and was instrumental in the cooperative relationship that currently exists between CoLAP and the Standing Committee on Substance Abuse. Michael is a treasure and I know I can call him 24 hours a day, 7 days a week for assistance."

Indeed, Michael helped to establish and improve many lawyer assistance programs informally by answering questions and guiding LAP directors in the right direction. His skills were drawn on by many ABA presidents, as reflected in his appointments to the CoLAP Commission, the CoLAP Advisory Commission, and the ABA

Standing Committee on Substance Abuse. Michael also served on CoLAP's evaluation subcommittee, provided testimony to a Congressional caucus on recovery, and helped introduce an ABA policy opposing discrimination against people seeking treatment or recovering from alcoholism or other drug disease. "Michael has a lot of friends," says ABA past president David Brink, who served on the ABA Standing Committee on Substance Abuse with him. Brink calls him a "mover and a shaker who never saw a project he didn't like."

Michael's warmth, enthusiasm, and energy are wide spread throughout the field of recovery. His spirit and actions are a great example of how one person truly can make a difference.

*Barbara S. Fishleder*  
OAAP Executive Director

*ABA President Karen Mathis has appointed Leah Briick and Michael Cohen to fill the vacancies on the Advisory Commission. Congratulations Leah and Michael!*

## BOOK REVIEW:

# Mental Disability Law, Evidence and Testimony—A Comprehensive Reference Manual for Lawyers, Judges and Mental Disability Professionals

by: John Parry, J.D.  
Eric Y. Drogin, J.D., Ph.D.  
American Bar Association  
(www.ababooks.org)

Review by: Gregory J. Van Rybroek,  
Ph.D., J.D.

If lawyers need to purchase one book outlining what they need to know about Mental Disability Law, this book is it. The authors produced this text after many years of experience, writing and teaching in the field. John Parry is the Director of the ABA Commission on Mental and Physical Disability Law and Editor-in-Chief of the Mental Disability Law Reporter. He has authored many books and articles in this area and has culminated that work with this reference manual. Eric Drogin is both an attorney and a forensic psychologist who has published and lectured extensively on legal and forensic topics and is the Past President of the American Board of Forensic Psychology. Together the authors offer a compendium of mental health law information that cannot be matched.

The text is broken down into clearly written and useful areas in a manner where different professionals can easily select and review their particular interests. Part I lays the legal groundwork and concepts applied to mental health areas in the law. For example, the reader can quickly learn constructs and standards for criminal and civil in competency, dangerousness, mental impairment and injury under ADA law, workers compensation mental health claims, experts' qualifications, testimonial privileges and how to represent persons with mental disabilities. Part II turns

toward clinical concepts and orients the reader to key areas where mental health diagnostic classifications often become part of court related work. Part III describes the applicable law in criminal and civil areas and outlines how they are used and limited in courtrooms across the country. Part IV digs into very complex and controversial areas of mental health law such as diminished capacity, insanity, guilty but mentally ill, multiple personality disorder and battered spouse syndrome. Similarly, Part V moves to the area of 'dangerousness' and how it is dealt with both in criminal and civil areas. This difficult area is expanding in the law in areas such as sexually violent predators and outpatient civil commitment. Part VI covers the mental health standards of care and treatment in malpractice, negligence and intentional torts. The book finishes with Part VII discussing mental impairment and harm and its role in ADA and other discrimination or disability claims such as workers' compensation laws. It should be noted that each jurisdiction has its own refinements concerning each of the areas covered in the book, but if the reader needs a basic overview of any of these areas first, this text will serve that purpose.

Those with experience in the Lawyers' Assistance areas understand that attorneys suffering from mental health or substance abuse impairments also may have circumstances or conditions that fall under sections of this reference manual. As such, we know it is conceivable that attorneys themselves may be in need of representation that could cover the gamut of possibilities involving mental health law—e.g., civil commitment, sentencing arguments involving mental health,

professional discipline assessment reports, competency and guardianship issues, substance abuse evaluation information for court-related purposes, and more. While this text is not intended to be specific to LAPs, it does stretch over the range of possible actions attorneys representing impaired attorneys may want to consider. Those who have been around long enough in LAP work recognize that attorneys-in-trouble are not spared legal consequences simply by dint of their profession.

In summary, this text offers a solid foundational reference for those times when attorneys dealing with weighty LAP matters involving potential legal interventions are under scrutiny by courts or professional discipline committees. In particular, this reference text can help get up-to-speed those attorneys who represent attorneys with clinical-legal troubles on the most salient issues involving mental health law. Often in these very difficult circumstances, courts and professional ethics bodies are receptive to input about what the clinical "story" is concerning attorneys in need of assistance. The text goes a long way toward illuminating how courts deal with complicated mental health issues intersecting with the law.

*Dr. Van Rybroek, Ph.D. received his degree in Psychology; J.D. Law—both from University of Wisconsin - Madison; CEO of state psychiatric hospital in WI - Mendota Mental Health Institute; co-chair of WisLAP; area of interest is intersection of psych-law issues—primarily public psychiatry clinical and administrative work; also teaches at UW - Madison and private practice in forensic civil and criminal cases.*

## Case Law Corner:

*The Florida Bar vs. Del Pino*, 2007 Fla. LEXIS 670; 32 Fla. L. Weekly S 155 (2007) covers several areas of interest to LAPs. Del Pino was convicted of two federal tax felonies—tax evasion and mail fraud. A referee recommended that she be found guilty of professional misconduct and disbarred. Del Pino did not challenge the referees findings of professional misconduct but claimed that the referee erred in finding as an aggravating factor a dishonest or selfish motive.

The court rejected that argument but held that the aggravating factor was not entitled to substantial weight. Del Pino had been physically abused by her husband. In the months prior to her marriage she began to deteriorate emotionally and the deterioration continued after her marriage. Her work suffered, and she stopped communicating with her friends and began taking the prescription drug Xanax, on which she became dependent.

The court found that she did not act for her own financial gain, but to help her husband. She was competent, professional,

and organized before she began dating her husband, who became a dominant and negative influence in her life. She became dependent on prescription drugs as a result of illness, depression, and attempts to escape her personal life. She was diagnosed with anxiety disorder, dependent personality disorder, and other illnesses, including chronic fatigue syndrome. Under those circumstances the court held that disbarment was an excessive sanction. She was suspended from the practice of law for three years.

—Hugh Grady  
Iowa lawyers Assistance Program

**American Bar Association  
Commission on Lawyer Assistance Programs  
COMMISSION ROSTER - 2005-2006**

**Richard A. Soden, CoLAP Chair**  
Boston, MA  
617/570-1533  
E-mail: rsoden@goodwinprocter.com

**Cydney Batchelor**  
San Francisco, CA  
415/538-2204  
E-mail: cydney.batchelor@calbar.ca.gov

**Hon. Robert L. Childers\***  
Memphis, TN  
901/545-4022  
E-mail: Robert.Childers@shelbycountytr.ga

**Betty M. Daugherty\***  
Jackson, MS  
601/948-4471  
E-mail: bdaugherty@msbar.org

**Shell Goar**  
Middleton, WI  
608/836-3223  
E-mail: sgoar@charter.net

**Derek LaCroix**  
Vancouver, BC Canada  
604/685-2171  
E-mail: derek@lapbc.com

**W. Terry Sherrill**  
Charlotte, NC  
704/331-6570  
Cell: 704/905-1871  
E-mail: wtterrsherrill@aol.com

**Gena Lewis Singleton\***  
Houston, TX  
713/646-1778  
E-mail: gsingleton@stcl.edu

**Barbara F. Smith**  
Albany, NY  
518/285-4548  
E-mail: bsmith@courts.state.ny.us

**Richard B. Vincent\***  
Baltimore, MD  
410/685-7878 Ext. 3040  
E-mail: rbenv@starpower.net  
\*New Commission Member

**ADVISORY COMMISSION to the Commission  
on Lawyer Assistance Programs - 2005-2006**

**Rick B. Allan**  
Lincoln, NE  
402/475-6527  
E-mail: rallan@nebar.com

**Leah M. Briick\***  
Boca Raton, FL  
800/749-7149 or 561/392-1199 x 202  
E-mail: leah.briick@lifeskillsofboca.com

**W. Donald Carroll, Jr.**  
Davidson, NC  
704/892-5699  
E-mail: nclap@bellsouth.net

**Micheal J. Cohen\***  
Fort Lauderdale, FL  
800/282-8981 or 954/566-9040  
E-mail: michael@fla-lap.org

**Robert P. Cummins**  
Chicago, IL  
312/578-0500  
E-mail: rpc@cumminscronin.com

**Thomas A. Forbes\***  
Austin, TX  
512/320-5466  
E-mail: tforbes@kempsmith.com

**Joyce W. Funches\***  
Jackson, MS  
601/969-7462  
E-mail: joycefunches@bellsouth.net

**Hugh Grady**  
Des Moines, IA  
515/277-3817  
E-mail: hggrady@iabar.org

**Barbara A. Harper**  
Seattle, WA  
206/727-8265  
E-mail: barbarah@wsba.org

**Bernard Joseph Kurek\***  
MacDill AFB, FL  
813/838-9292  
E-mail: bernard.kurek1@macdill.af.mil

**William R. Leary**  
Houma, LA  
985/851-2450  
E-mail: louisianalap@worldnet.att.net

**Robin Fernandez McCown\***  
Smyrna, GA  
770/434-4567  
E-mail: robin.mccown@uhsinc.com

**Janet Piper Voss\***  
Chicago, IL  
312/726-6607  
E-mail: jpvoss@illinoislap.org

**John B. Webber\***  
Rutland, VT  
802/773-9109 Ext. 21  
E-mail: barclayone@aol.com

**Jonathan W. Wolfe\***  
Livingston, NJ  
973/992-0900  
E-mail: jwolfe@skoloffwolfe.com  
\*New Advisory Commission Member

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## Calendar of Events

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

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

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

**March or April, 2008** – CoLAP Spring Meeting of Committees – site to be determined