

## *Comments From Editor Steve Barrett*

We will miss Charlie Hagan and his wise counsel. His memoriam shows the development of his legacy Florida Lawyer Assistance (FLA). His work with FLA shows the development of an outstanding LAP program: the give and take with the various bodies involved; the persistence and patience needed; the slow evolutionary process; the independence required for an effective program; and the confidentiality needed for an effective program. Dr. Stephen Covey has said, "There are four basic human needs; to live, to love, to learn, and to leave a legacy. Clearly, Charlie Hagan achieved all those with grace, humor, and care for his fellows. Charlie, a member of Our Lady of Miraculous Medal Church of Pine Island, is survived by his wife Mary and four children, seven grandchildren, and two great-grandchildren.

## **Table of Contents**

In Memoriam, Charles O. Hagan . . . . .	1
16th & 17th National Conference . . . . .	3
18th National Conference . . . . .	3
Message from the Chair . . . . .	3
Methamphetamine in the Workplace . . . . .	4
Around the LAPs . . . . .	5
Rouson on Collaboration of ABA & NBA . . . . .	5
People in the News . . . . .	6
Calendar of Events . . . . .	6
Commission Roster . . . . .	8
Advisory Commission Roster . . . . .	8



# Highlights

*of the American Bar Association  
Commission on Lawyer Assistance Programs*

## *In Memoriam Charles O. Hagan December 9, 1927 – January 3, 2005*



**Charlie and Mary Hagan, December 2004**

**Charlie Hagan** - Before the full bench of the Florida Supreme Court at the justices' morning conference, Dec. 15, 2004 (at the time the above photo was taken) Charlie Hagan was honored by Chief Justice Barbara Pariente with a proclamation attesting to his remarkable service and dedication in carrying the message of recovery to impaired Florida lawyers, judges, and law students, as well as their families and colleagues over the past 30 years. Immediately thereafter, Charlie received a second proclamation from Kelly Overstreet-Johnson, President of The Florida Bar, in honor of his service.

Lawyer assistance programs lost one of their "originals" with the passing of Charlie Hagan on January 3, 2005. Charlie was born on December 9, 1927 in Philadelphia, and joined the Marine Corps after high school, receiving an Honorable Discharge in 1947. He received his B.S. in Economics from the Wharton School in 1951, and received his

J.D. from Temple University in 1956. He practiced law in Philadelphia then moved to Ft. Lauderdale where he owned and operated a marine supply store called "Charlie's Locker". In 1969, Charlie found recovery through the program of Alcoholics Anonymous, and celebrated 35 years of sobriety in July 2004.

After getting sober, Charlie became interested in the field of chemical dependency rehabilitation and obtained an M.S. in Addiction in 1975 from the University of Arizona. During that time, he found his passion and his voice: helping his fellow attorneys achieve recovery from drug and alcohol addiction. In keeping with that mission, he was integral in the Florida Supreme Court's 1976 disciplinary decision, which specifically recognized the disease concept of alcoholism and ruled that the presence of the illness could be taken into

*(continued on page 2)*

## Charlie Hagan

(continued from page 1)

consideration when determining sanctions to be imposed on an attorney. Following that decision, the Court in 1979 directed The Florida Bar to establish the Commission on Alcohol and Drug Abuse, of which Charlie was a member, charging the Commission with assisting and monitoring chemically dependent attorneys during and after the grievance process. The Court also expressed its hope that the Commission would be able to identify and assist affected lawyers prior to disciplinary proceedings being filed. The Commission eventually evolved into the Special Committee on Alcohol and Drug Abuse, which in 1981, again with Charlie's input, issued a report recommending that:

- 1) a statewide, toll-free hotline be established, through which chemically dependent attorneys could obtain help;
- 2) an independent Alcohol Advisory Committee be created to assist the court and the Bar in disciplinary cases where chemical dependency was involved;
- and 3) an educational program be created, including speakers to appear at local bar meetings, to inform attorneys about the issue, and to let chemically dependent attorneys know that help was available.

In 1985 the Rules Regulating The Florida Bar were amended to provide that the Bar "create or fund a program for the identification of its members who are addicted to or dependent upon chemicals and the assistance of those members in overcoming such addictions or dependencies." The Supreme Court determined that a program designed to intervene before a chemically dependent attorney entered the disciplinary system could result in substantial savings of funds, client harm, and devastated lives, as well as acting as a resource to grievance committees in cases where alcohol or drugs were involved. In that same year, the Bar was, for the first time, given the responsibility of monitoring the probation of an attorney disciplined by the court. Charlie vocally pointed out (you may remember that he definitely was not shy) that a major roadblock to reaching attorneys was the issue of confidentiality provided to lawyers voluntarily seeking help. In order to obtain the necessary safeguards, 25 active members of The Florida Bar (obviously including Charlie) petitioned the court for a rule specifically providing such confidentiality. In 1985 the court authorized the bar rule providing "that an attorney has voluntarily sought, received, or accepted treatment for alcoholism or alcohol or drug abuse shall be confidential and shall not be admitted as evidence in disciplin-

ary proceedings under these rules unless agreed to by the attorney who sought the treatment." In 2000, that rule was incorporated into a Florida statute, guaranteeing confidentiality and immunity to the Florida Lawyer Assistance (FLA) members and volunteers.

Charlie also argued that in order to assure confidentiality and provide maximum separation, the new LAP should be completely independent of the Bar. This argument (strongly supported by Justice James Adkins of the Florida Supreme Court) was accepted by the Court, and led to the formation of Florida Lawyers Assistance, Inc. in February 1986, with Charlie being appointed the first Executive Director. Charlie set up the FLA "office" and hotline out of his home on Pine Island, and often did client interviews under the palm trees on the beach in front of his house. He served as Executive Director until 1992 and largely through his efforts made FLA one of the best funded and strongly supported LAP's in the country. Charlie was asked to assume the position of Executive Director again from July to November 1995 after the untimely death of his successor, Bill Kilby, and did so without hesitation. Charlie

remained FLA's Southwest Florida representative until the time of his death.

While never formally involved with CoLAP as a member of the Commission, Charlie was there when the Commission on Impaired Attorneys was created by the ABA in 1988, and remained informally involved with the Commission and with International Lawyers in Alcoholics Anonymous (ILAA) during his lifetime. Other than the Albuquerque CoLAP conference, Charlie attended every annual workshop since CoLAP's inception. During the October 2004 conference in Philadelphia, Charlie was diagnosed with inoperable liver cancer and returned home to Pine Island, where he passed away in January.

In the weeks before his death, Charlie was recognized by a number of agencies for his work. November 30, 2004 was named Charles O. Hagan, Jr. Day by the city of Ft. Myers, Florida and the Lee County Commissioners. On December 15, 2004, he received separate acclamations for his work from The Florida Bar (delivered by Bar President Kelly Overstreet-Johnson) and from the Florida Supreme Court (delivered by Chief Justice Barbara Pariente). The Court's resolution reads:

### Supreme Court of Florida RESOLUTION

WHEREAS, Charles O. Hagan, Jr., a dedicated professional in the field of alcohol and drug abuse counseling, served as the executive director of Florida Lawyers Assistance, Inc., from its creation in 1986 until his retirement in 1992, and offered assistance to those seeking help with alcohol abuse issues as an active participant in Lawyers' Recovery Network, Florida Lawyers Assistance, Inc.'s, predecessor; and

WHEREAS, Charles O. Hagan, Jr., as one of the members of The Florida Bar petitioning the Court to adopt *The Florida Bar In Re: Amendment to Integration Rule (Confidentiality)*, 490 So.2d 937 (Fla 1986), worked to provide for confidentiality in disciplinary proceedings regarding an attorney's voluntarily seeking, receiving or accepting treatment for alcoholism or alcohol abuse, in order to encourage attorneys to voluntarily seek advice, counsel, and treatment without the fear of such action being used against them; and

WHEREAS, during his tenure as director of Florida Lawyers Assistance, Inc., Charles O. Hagan, Jr., helped develop a program that became a model for lawyer assistance programs throughout the country; helped create a hotline for those seeking assistance for themselves or others; helped establish a network of over 200 monitors throughout Florida who assist lawyers seeking assistance; and helped develop support group meetings available to lawyers; and

WHEREAS, through months of negotiations with The Florida Bar Board of Governors Disciplinary Procedures Committee, Charles O. Hagan, Jr., helped to institute new disciplinary policies to discourage drug use and to encourage those with drug problems to seek treatment; and

WHEREAS, Charles O. Hagan, Jr., established early intervention and prevention educational programs for presentation in Florida's law schools and an annual educational workshop to address issues relating to alcohol and drug abuse, mental illness, and the effects of these illnesses on the professional, the family, and the public; and

WHEREAS, from 1986 to 1992, Charles O. Hagan, Jr., drove over 100,000 miles to work with judges and lawyers, and as a result of his efforts, Florida Lawyers Assistance, Inc., has opened over 2500 formal cases, been involved in almost 10,000 informal contacts, and positively affected at least 30,000 family members, colleagues and clients; and

WHEREAS, through prevention and education efforts to legal professionals, Charles O. Hagan, Jr., has significantly increased awareness of impairment, resulting in substantially lower malpractice claims and disciplinary complaints filed against lawyers after entering the Florida Lawyers Assistance, Inc., program;

NOW THEREFORE BE IT RESOLVED, that we, the Justices of the Florida Supreme Court, do ordain and express our sincere appreciation to Charles O. Hagan, Jr., for his more than 35 years of public service on behalf of troubled attorneys in the State of Florida and his singular strength, courage, and selflessness in helping others.

AND THE SAME is hereby ordered and done at Tallahassee on December 15, 2004.

## 16th and 17th National Conferences for Lawyer Assistance Programs

by Conference Chair **Barbara Harper MA, LMFC, LMHC**

Director, Lawyer Services Department Washington State Bar

As chair of the 16th and 17th National Lawyer Assistance Program Conferences, I would like to say thank you, once again, to the members of both Conference Planning Committees and the ABA staff for their contributions to the success of the Conferences in Victoria and Philadelphia.

The work of these two enthusiastic committees went beyond planning for the annual conferences. Some interesting things they addressed included:

- Establishing a three-year plan for the conference, with related themes.
- Offering a conference schedule that included two tracks: one for volunteers, judges, discipline staff and one for professional LAP staff.
- In keeping with the magnitude and comprehensive nature of the event, the 2003 Planning Committee encouraged the Commission to rename the Annual Workshop the "Annual Conference."
- 2004 was the first year the Conference was identified by its new title.
- The 2003 Planning Committee agreed to recommend that LAPs discontinue the use of the term "broad brush" when referring to programs that offer both chemical dependency and mental health services. The esteemed David Brink (former ABA President) suggested that the use of broad brush implied "disorganized and unstructured". The Committee agreed that was not the image they wanted to encourage or portray.

For those of you who are new to CoLAP, or who haven't yet had the opportunity to be involved in the CoLAP conference, I would like to suggest that you offer to join in planning for the 2006 event (*The 2005 committee is already in place*). To my way of thinking, being a member of this, or any CoLAP committee, is the best way to become familiar with what is going on in other states as well as the best way to get to know fellow volunteers, directors and ABA staff.

Taking the opportunity to share your knowledge of issues and speakers is a great service to all of us who do this work.

## 2005 CoLAP 18th National Conference, Charleston, SC.

by **Stephenson Todd**

Conference Chair

The ABA CoLAP National Conference for Lawyer Assistance Programs has been operating under a three-year plan centered around the theme of "Balance Issues." In 2003, it began with *Balancing Self—The Importance of LAP's Role in Bringing the Whole Person to the Workplace*. In 2004, it was *Balancing Relationships—Striving for Balance, Creating Healthy Lawyers, Families, Firms, Courts and Clients*. Now, the theme for the 2005 CoLAP Conference in Charleston, South Carolina will be *The Role of the Legal Community in Supporting Balance*.

The Honorable Carl Horn III, author of *LawyerLife: Finding a Life and a Higher Calling in the Practice of Law*, will be the keynote speaker on Tuesday afternoon November 8, 2005. The planning committee is hard at work finalizing the agenda. More will be revealed later, but we can let you know that this year will see a return of the ever popular 'Roll Call,' which will begin right after Judge Horn's kick off presentation. Forms will be provided to all LAPs, requesting the program detail required for the Roll Call. We hope everyone will mark his/her calendar and make plans to be in beautiful Charleston for the 18th National Conference for Lawyer Assistance Programs, November 8 - 12, 2005.

## Message from the Commission on Lawyer Assistance Programs Chair Richard A. Soden

As I reviewed the draft of this current issue of Highlights I could not help but reflect on how far the LAP movement has come. As noted by our editor, even the passing of one of our pioneers, Charlie Hagen, bears witness to that progress. We will miss Charlie but know that his spirit lives on not only in the extraordinary programs of Florida Lawyers Assistance but throughout the LAP community. It is important to note that each tribute to him, from the Supreme Court of Florida to our very own, has focused on how far the Lawyers Helping Lawyers movement has come.

Barbara Harper's report on the Commission on Lawyer Assistance Program's (CoLAP) 17th National Conference and the work of its planning committee provides still more evidence of the movements progress. When last I wrote, I looked forward to that Conference with great anticipation, today I look back at it with pride. I saw that in 2004 we

had the largest number of exhibitors in the history of our event with 38 representatives from treatment facilities (up from a previous high of 24). Let me add my thanks to hers for the great work of that planning committee and the volunteers and professionals who served as faculty, exhibitors and facilitators.

Barbara, Director of the Lawyer Services Department of the Washington State Bar, served as chair of that conference as well as CoLAP's 16th National Conference having served as a member of the planning committee of each of the Commission's annual events for over 12 years! Her contributions to the development of the LAP movement are worth noting. Involved with CoLAP since its establishment in 1988, she has served as an invaluable resource for LAPs across the country as they prepared to transition to comprehensive services incorporating mental health and quality of life with existing substance abuse services. As one of the few credentialed

mental health professions in the LAP community she has served as an educator to our planning committees, the Commission and the LAP community as a whole. Due to her role at the Washington State Bar, Barbara has been able to provide guidance as we have begun to tackle the issues of law office management, discipline and Ethics Hot Lines with the help of her understanding of the other segments of the bar that regularly address those issues. Although her priority has always been the delivery of service to the lawyers of the state of Washington she has spent much of her personal time helping other LAPs grow to serve their constituents. Her input has driven the breadth and depth of our Annual Conference and assured its superior quality. Barbara, thank you for all you do for our legal community.

As I write, the Planning Committee for CoLAP's 18th National Conference is hard at work. Chaired by Stephenson Todd of Tennessee and Co-Chair Derek LaCroix of British Columbia the Committee is building a conference around the theme of "The Role of the Legal Community in Supporting Balance"

(continued on page 7)

# Once a Party Drug, Methamphetamine Moves into the Workplace

*Stressed employees turn to the drugs to boost concentration and stamina. But accidents and absenteeism tell the real workplace story.*

by **Daniel Costello**

*Times Staff Writer*

*September 13, 2004*

Lawyers use it to deal with grueling workloads. Movie executives say they like how the buzz keeps them focused as they multi-task throughout the day. It's most popular, researchers say, on construction sites and in manufacturing plants where workers need to stay alert during long hours of repetitive work. And the cost—as little as \$100 a month—makes it affordable to many.

While methamphetamines have long been a bane to law enforcement, and treatment experts say the number of methamphetamine addicts has been increasing for years, the drugs have graduated into a formidable problem in the workplace.

The illegal drug, also known as "ice," "Tina" or "crystal," is a powerful stimulant: A single dose can keep users high for up to 14 hours. At least initially, people say it makes them feel like a superhero confidant, untouchable and able to accomplish a day's work in a few hours.

It may be particularly attractive for the growing number of American workers who, studies show, are putting in longer hours and being asked to do more by their employers. For some, the drug seems to provide a good solution to busy work schedules and demanding bosses. Anecdotaly, users talk of stirring methamphetamines into their coffee in the morning before leaving for the office.

"A lot of people look at this like it's No Doz; just another way to keep them awake and on message," said Nancy Delogu, a Washington, D.C., attorney and an expert in workplace substance abuse.

Still, the problem of methamphetamine use remains largely unnoticed by much of corporate America. While a small number of employers are recognizing methamphetamines as a problem, researchers, treatment counselors, and state and federal regulators say most employers have done little to address the issue or the myriad problems—erratic behavior, accidents, increased sick days and health costs—that are attributed to its use. Although there are no government or private statistics on methamphetamine use in the workplace, a major national survey in 2002 found that an estimated 77% of people who use drugs of any type are employed.

California appears to have much at stake. Methamphetamine use is highest in the West, where its use first soared over a decade ago in cities such as San Diego and Honolulu.

According to the California Department of Alcohol and Drug Programs, methamphetamines overtook heroin two years ago as the No. 1 reason Californians are entering drug treatment. Nationally, use of the drug has also been growing in the Midwest and East, according to a 2002 study by the National Institute on Drug Abuse.

"There is too much methamphetamine out there to explain this away as a party drug," said Dr. Richard Rawson, associate director of UCLA's Integrated Substance Abuse Programs, who has studied methamphetamines for more than a decade. The drug is more abused worldwide than cocaine and heroin combined, according to the World Health Organization. And, Rawson said, it is popular with workers in overachieving, highly productive economies such as those in Japan and South Korea.

Recently, several indicators point to methamphetamines' growing influence in the workplace. According to a study this summer by Quest Diagnostics Inc., a company that processes more than 7 million employee drug tests each year, the number of workers testing positive for the stimulant rose 68% last year.

The California Bar Association says one in four lawyer who voluntarily enters drug rehabilitation programs is addicted to methamphetamines.

The Entertainment Industry Referral and Assistance Center, an employee assistance program for industry workers and their families, says it sees one to two methamphetamine addicts a day. That figure is up significantly from five years ago, said the program's director, Dae Medman.

Researchers report a small but growing number of employers in industries hit hardest by methamphetamine abuse—construction, sales and retail companies—now screen employees for methamphetamine use, in addition to cocaine, marijuana, opiates and PCP.

Methamphetamines have a long history of keeping people awake on the job. Nazi troops used it during World War II, and many countries still provide soldiers and pilots methamphetamines-like "go pills" to keep them awake during long battles or flight missions. Before the U.S. government banned the sale of methamphetamines in the 1970s, students, housewives and businesspeople used methamphetamines, then known as "pep pills," to regularly cram for exams or boost energy.

Some major concerns with methamphetamine use in the workplace are increased risk

of accidents, especially in the manufacturing and transportation industries, as well as loss of productivity and higher employee health costs, according to workplace experts and researchers.

The U.S. Occupational Safety and Health Administration is concerned about the drugs' rising use in the workplace because employees can become disoriented and develop a lack of coordination, said Dr. Don Wright, director of occupational medicine. The agency now includes information about methamphetamines on its website and provides training materials to help employers recognize workers who may be using the drug. "As this becomes a longer trend, we are definitely growing more worried," he said.

Katherine Deck, associate director of the Center for Business and Economic Research at the University of Arkansas, is studying the economic impact of methamphetamine use in Benton County, Arkansas. According to the study's preliminary findings, methamphetamine use costs area employers \$21 million last year—about \$42,000 per affected worker—in higher absenteeism and health costs. "Employers are going to be surprised by what this drug can mean to their bottom line," said Deck, whose study was financed by Wal-Mart, the retailing giant that is headquartered in the Arkansas County.

Methamphetamines work by blocking the brain's ability to cleanse itself of the euphoria-causing neurotransmitter dopamine. That can lead to intense feelings of pleasure and an elevated mood that lasts for hours, compared to cocaine high that lasts for around 45 minutes. Many people snort the drug, but others smoke it or inject it intravenously.

Researchers say the drug has become as easily available as cocaine in recent years. At their most extreme, methamphetamine users are easy to spot: They can be extremely fidgety, sometimes aggressive and often talk rapidly without stopping. Many experience rapid weight loss, and they may appear overconfident, even cocky. Those who stay on the drug for days often don't sleep and may become paranoid or delusional.

People who temper their use of the drug, known as maintenance users, are more difficult to spot. After all, many of the drug's initial characteristics—increased concentration and the ability to work longer hours—are traits valued by managers and unlikely to be seen as a "problem."

Carol Falkowski, a drug researcher at

*(continued on page 7)*

## Around the LAPs

**Arkansas** - The Supreme Court of Arkansas, by per curium order, increased the allocation of funding designated to support the Arkansas Lawyers Assistance Program (ArLAP) to \$20 for each licensed lawyer in the state. As a result, Pan Adams, RN, LPC was hired full-time as Director of Client Services to compliment the needs of the medical and mental health aspects of the "comprehensive" program. Early on in the quarter, Pan attended the Virginia Lawyers Helping Lawyers Annual Conference as orientation to the concept and workings of lawyer assistance programs.

Later in the quarter, Ms. Adams and Gail Harber, Executive Director, attended the ABA Commission on Lawyer Assistance Program's National Conference in Philadelphia. As always, it was an educational, supportive, and fun experience.

As the result of the ABA Conference, a Long Term Planning Retreat was scheduled for December 3, 2004 at Harber Farm, Glencoe, Arkansas. The full ArLAP Committee was joined by Tennessee (TLAP) Committee Chair, Stephenson Todd for the event. Stephenson was asked to assist in facilitating the retreat and to share the experience of TLAP and his knowledge of the good works of other states. It turned out to be a combination of work and pleasure as "special Christmas gifts" were awarded to Committee members for the "spark" they added to the hard work of the Committee.

ArLAP had received 25 new referrals through October of 2004. This made the year compliance rate 80%; up from 52% and 48% respectfully the initial two years of the program.

**British Columbia** - The B.C. LAP Volunteer Training Retreat is set for March 4 -6, 2005 at Harrison Hotsprings, B.C. There are a limited number of spaces for LAP directors or volunteers from outside B.C. to attend.

**Delaware** - Larry Fifer the chair of the Delaware LAP reported that the CoLAP Philadelphia Conference was the first attended by anyone from Delaware in years, and he brought along with him four other representatives from their small state. Fifer reported that the information and ideas gathered at the conference have been of great benefit to the Delaware LAP.

**District of Columbia** - Lynn Phillips, the director of the DC Bar Lawyer Counseling Program, reported that her staff and Committee have been busy since the CoLAP Conference. Their chair, Travis Murrell spoke at the Black Entertainment and Sports Lawyers Association Annual Conference in Puerto Vallarta on October 22, 2004. His topic was Substance Abuse in the Legal Profession and the response was excellent. This was the first presentation of its type at this conference.

**Editor's Comments:** *Congratulations, DC. Keep up the good work.*

On December 1, 2004, Director Phillips presented to senior staff and faculty advisors at Georgetown University Law Center. The presentation described program services available to students, how an impaired student (or faculty member) might behave, and what could be done to assist, including interventions. Phillips offered to make volunteers available to speak at more Professional Responsibility classes.

On December 8th, The Lawyer Counseling Program conducted their annual "Substance Abuse and the Legal Profession" CLE

program, which now has four parts. Phillips presented a session on the extent of the problem and the nature of addiction. Roger Warin, who was part of an ABA presentation about impaired lawyers and the firm, presented a program on issues for managing partners. Clay Smith, Assistant Bar Counsel, and Sam MacClendon led a discussion on the important disciplinary cases in which Alcoholism, Addiction to Prescription Drugs and Mental Health were used as mitigating factors. Then two program volunteers spoke about the course of their addiction, intervention and recovery.

**Hawaii** - Peter Donahoe retired as Director of the Hawaii Attorneys and Judges Assistance Program, so he and his wife Jane moved to Nevada. His new mailing address is: Peter A. Donahoe, 433 Scenic Drive, Henderson, NV 89015.

Peter was selected as the recipient of the American Board of Trial Advocates - Hawaii's 2004 Ha'aeo Award (ha'aeo means noble, proud). The Ha'aeo Award is presented to a person who has demonstrated, by his or her words and deeds, a mutual respect and compassion for as well as leadership of his or her fellow men and women. The Award was presented to him at the annual Ha'aeo Awards Banquet on Sunday, November 7, 2004. The dinner was attended by 300 people, including the national President of the American Board of Trial Advocates (ABOTA), all of Hawaii's Supreme Court Justices, all of Hawaii's Federal District Court Judges, as well as most of the members of the state Judiciary. Pete said, "While I was the one being honored, I believe the award was truly recognition of LAP itself."

The Attorneys and Judges Assistance

*(continued on page 7)*

## Comments from Darryl Rouson: 17th National Conference in Philadelphia, Pennsylvania

On July 21, 2004 an historic Memorandum of Understanding was signed by President Dennis Archer of the ABA and then President Clyde J. Bailey of the National Bar Association. This document formally calls for the ABA and the NBA to collaborate, share information and work together over the next three years towards the creation of a Lawyers Assistance Project for the NBA. As an initial part of the collaboration, Attorney Darryl E.

Rouson, Chair of the NBA Taskforce on Substance Abuse attended the ABA CoLAP 17th Annual Convention in Philadelphia.

In his remarks, he expressed gratitude for the model created by the ABA and his desire that members of the NBA will share in the beauty of recovery. His challenge for greater partnership between the nation's two oldest and greatest bar associations was well received. Mr. Rouson is in private practice in St.

Petersburg, Florida and is in recovery from chemical addiction. He spoke of the deterrent effect of the professional stigma that comes with the admission of an addiction problem and how he overcame it to find recovery.

This was a great start to what will hopefully be a great partnership.

**Editor's Comments:** *The entire context of his charismatic remarks will be published in the next issue of Highlights.*

**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. All reprint rights are reserved. American Bar Association ISSN Pending. © 2005 American Bar Association.

**Disclaimer:** The materials contained herein represent the opinions of the authors and editors and should not be construed to be those of either the American Bar Association or Commission on Lawyer Assistance Programs unless adopted pursuant to the bylaws of the Association. Nothing contained herein is to be considered as the rendering of legal advice for specific cases, and readers are responsible for obtaining such advice from their own legal counsel. These materials and any forms and agreements herein are intended for educational and informational purposes only.

## People in the News

**Erin Laptos** joined the Pennsylvania Lawyers Concerned for Lawyers staff as Senior Case Manager on September 1, 2004. Mrs. Laptos has her Masters in Education, is a Certified Addictions Counselor, and a Nationally Certified Counselor. She has 12 years experience as a counselor for adolescents, as well as with case management. LCL is pleased to have her as part of their team. Her energy and enthusiasm are contagious, plus her organizational skills are outstanding!

**Cindy Reigle** was promoted to Deputy Executive Director of the Pennsylvania LCL in February 2004. She was initially hired in August 2003 as the Senior Case Manager. Ms. Reigle is a Licensed Social Worker who during the past 13 years has worked primarily with adults with dual disorders as both a therapist and a case manager. Not believing that she would ever enjoy the administration aspect of the field, Ms. Reigle is finding her new position fun and challenging.

**Ken Hagreen**, Executive Director, LCL Pennsylvania continues to oversee its operations, as well as traveling the Commonwealth to conduct continuing legal education seminars. Ken may actually go on vacation this year, two years ahead of schedule having missed his regularly scheduled, decennial vacation in 1997.

**Adrian Hill** resigned as the Executive Director of the Legal Profession Assistance conference (LPAC) in Canada. He will be greatly missed. He has generously shared his experience, strength, hope and knowledge freely. He received rave reviews for his presentation at the ABA National Conference last year in Victoria on "Laughter and Living: Preventing Burnout for Lawyers, Judges, and Law Students." On behalf of CoLAP, Adrian, we wish you the best in your future endeavors. You'll be a winner! Joyce Stewart is the interim Executive Director.

**Derek LaCroix, QC**, the Executive Director of the British Columbia Lawyer Assistance

Program has been designated as a Queens Counsel (QC). This is a distinguished honor for lawyers in countries which recognize the Queen of England.

**Ray Lopez** announced his plans to retire as Director of the New York State Bar LAP on May 13, 2005. What a loss this is for New York and all of us. Ray has been a leader in the lawyer assistance program arena and a great support to the ABA Commission on Lawyer Assistance Program for nearly 15 years.

**James C. Moore**, former New York State Bar Association President and current New York State Lawyer Assistance Trust Chair was this year's recipient of the Frank Gavin Award. It is given annually to a lawyer in recognition of his or her support to lawyer assistance efforts throughout the state of New York. The award was presented to Jim by Tim Foley a fellow Trustee of the New York State Lawyer Assistance Trust. We have shared content of speeches by Jim Moore in the past, because he so eloquently expresses what we feel about the work of lawyer assistance programs. Once again, here are his comments following his acceptance of the Frank Gavin Award.

"I wish to take just a moment and thank all of you and the leadership of the NYSBA's Committee on Lawyer Alcoholism and Drug Abuse for the privilege of receiving this wonderful award.

These past three years as a member of the Board of Trustees of the New York State Lawyer Assistance Trust have taken me on an enormously rewarding journey. When Chief Judge Kaye asked me to chair the LAT's Board, I knew virtually nothing about substance abuse, or the damage and pain that it causes not only to lawyers, but to their families and clients, or that a vast array of help is available, and that recovery is a realistic and achievable goal.

However, during these past three years, with the help of so many of you, I have learned so much about the good that one or two individuals can do for another; about the importance of honestly confronting one's own demons; about the need for support from the community as one confronts those demons,

and about the need in times of distress to be able to reach inside oneself to find that inner strength which will allow an individual to overcome one of life's greatest hurdles. So many of you have found that strength. I pray that if I am ever confronted with a crisis of the magnitude which most of you have faced, I too will find that inner strength.

Also, my pride in our profession has increased manifold during these past three years as I have learned how much every one of you has done—often at considerable personal sacrifice—to help our brothers and sisters who suffer from the disease of substance abuse. You are indeed, a truly blessed band.

At the risk of not thanking each one of you who have helped me along this journey, allow me to express my personal thanks and gratitude to a few: to Ray Lopez and Eileen Travis who run two of the world's most effective and vibrant lawyer assistance programs; to my good friends Judge Sallie Krauss, Tim Foley, Jim Gavin, Kathy Russotti and David Pfalzgraf, each of whom has helped me to understand the disease and the ability to help; and to my dear friend and colleague, Barbara Smith, who has single-handedly breathed life and substance into the work of the Lawyer Assistance Trust.

*It was not my privilege to have known Frank Gavin. Although we both lived in Albany for parts of our lives, I regret to say that our paths never crossed. Nevertheless, I understand that Frank was an aficionado of things Latin. I suspect, therefore, that he would have been pleased were I to speak these few words in Latin to you this evening: Lux, Veritas et Nobilitas, which very loosely translated means "you have given me light, truth and nobility as we have made this journey together."*

**Congratulations!!!!** – We can't possibly overlook the winners from the last golf competition, which was held after the ABA National Conference and before the ILAA Opening Session on October 15, 2004. The winners of the 6th Annual Humility Cup at Pine Hill are (until November 2005 at the next tournament) Tim Foley, Scott Mote and Patrick Reily.

## Calendar of Events

**February 10-14, 2005** – ABA Midyear Meeting, Grand America Hotel, Salt Lake City, Utah. Open AA meetings will be scheduled with the support of the Utah LAP. See Midyear Program schedule for times

and locations or call Binti Hawks for a schedule at 312/988-5717 or e-mail: hawksb@staff.abanet.org.

**February 11 -13, 2005** - The Oregon Attorney Assistance Program and The Other Bar of Oregon are sponsoring a retreat for lawyers in recovery at Menucha Conference Center.

The retreat leaders will be Don M. and Billy H. both of Louisville, Kentucky. For more information please contact Michael Sweeney at 800/321-6227 or 503/226-1057 Ext. 12 or michael@oaap.org.

(continued on page 8)

## Methamphetamines

(continued from page 4)

the Hazelden Foundation, a prominent drug treatment center in Center City, Minnesota, said some methamphetamine users could maintain their use for long periods of time and never become addicts. "There are definitely people who can hide their use of the drug," Falkowski said.

Methamphetamine users tend to bottom out more slowly than people who use cocaine or heroin, possibly because the drug is so cheap and doesn't often lead users into financial ruin, according to a 2002 study in the *Journal of Addictive Diseases*. Prices for methamphetamines vary around the country, but users can usually get a hit for as little as \$10.

Elizabeth Stuart, a 36-year-old mother of three from San Jose, has worked as a radiology technician at a local hospital for the last five years. Four years ago, she started using methamphetamines, after spending a few

years dipping into her son's attention deficit disorder medication, a stimulant, to boost her energy. She stopped after her son's doctor suspected she was abusing the medication and refused to write more prescriptions.

Initially, she said, methamphetamines helped her balance life at home with the stresses at work, where she felt she was better able to concentrate. "It was my super-drug," she said.

Eventually, however, things began to fray. Stuart said she started losing her grip at home and by the end lost interest in work. Before entering a 30-day treatment program last month, she was often arriving late to work and was calling in sick once or twice a week. She said her bosses never said anything to her about the possibility she was on drugs. After asking her boss for help, her employer, who declined to be interviewed, allowed her to combine her vacation and sick days and take an unpaid leave. "I really thought this drug kept me in control," she said.

Research is starting to document the long-term effects of methamphetamine use on the brain, which appear to be severe. According to one recent study, long-term users suffer losses in memory and cognitive ability similar to those of people with Parkinson's disease.

UCLA's Rawson has found that users begin to reverse brain damage once they've stopped using the drug for about a year. Although some treatment experts have reported that methamphetamine addiction is very difficult to kick, Rawson's research has found that success rates for treating methamphetamine addicts are about the same as cocaine users—about 50% to 60%.

Stuart, of San Jose, has returned to work. At first, she was uncomfortable, but she relaxed after her boss and co-workers told her how happy they were to see her. "Other than my kids, right now my job is everything," she said. "I hope to God I can keep it."

Copyright © 2004, The Los Angeles Times. Reprinted with Permission.

## Around the LAPs

(continued from page 5)

Program Board recently selected Mr. Steven B. Dixon to be Pete's replacement as Director of the Hawaii Attorney and Judges Assistance Program. Steve has been an attorney in Hawaii for over 25 years. He served on the Volunteer Committee and for 3 terms on the AAP Board. He can be reached at the address for Pete in the Directory.

**Kansas** - Kansas was scheduled to publish its first Kansas Lawyers Assistance Program (KALAP) Newsletter titled *In Vision* in December. It is to be published quarterly, in color and with a sassy sunflower logo, of course.

Also, KALAP is establishing an Office Practices (not management) Committee designed to assist those lawyers whose office practices and disorganization may be contributing to their depression, other impairments or bar complaints. Don Zemites thanks those of you who gave him suggestions.

**Ontario** - The Ontario Bar Assistance Program (OBAP) and the Legal Profession Assistance Conference of the Canadian Bar Association (LPAC) Board Members held their Volunteer Experience Workshop in Toronto, Ontario, Canada, on November 18, 2004. The event was well received by the approximately 40 participants. The event was part of the training for OBAP peer volunteers. The dinner speakers, Donald

Murray, Q.C., and Johnette Royer, LL.B., addressed the issue of trauma in the courts and the secondary trauma experienced by lawyers. They discussed the various ways that secondary trauma affects practices and lives. A copy of their paper, *Vicarious Traumatization: The Corrosive Consequences of Law Practice for Criminal Justice and Family Law Practitioners*, is available on the LPAC website, WWW.LPAC.CA.

**Pennsylvania** - LCL Pennsylvania reorganized their operations in February 2004 to provide better case management services for Helpline callers, expand their volunteer base, and increase outreach to both the county bars and the judiciary. They are aggressively pursuing marketing opportunities to spread the word about free, confidential Helpline services.

And the biggest news yet.....LCL Pennsylvania will soon have a website!!!!!! Look for it in March of 2005!!!!!!

**Washington State Bar Association** - Pete Roberts MBA, WSBA Law Office Management Manager and Jennifer Favell, Ph.D. WSBA LAP psychotherapist, and Discipline Diversion Co-coordinator, have been asked to present the WSBA's landmark *Discipline Diversion Program* at the NOBC meeting in Salt Lake City. The WSBA program provides that every diversion respondent who wishes to go through the Diversion Program must first be screened by the Lawyers' Assistance Program. Many of the diverted lawyers are then referred to programs in the Lawyer Services Department, LOMAP, LAP or

Professional Responsibility and all are referred to Ethics School.

**West Virginia** - The Philadelphia conference was the first CoLAP conference attended by anyone from West Virginia for many many years. Arch Riley, chair of the West Virginia LAP attended and was most impressed with the wealth of information available.

## Message from the Chair

(continued from page 3)

providing an opportunity to work to change that culture that "puts too high a value on invulnerability and power and too low a value on caring for others." I am already looking forward to hearing the Honorable Carl Horn III, author of *LawyerLife: Finding a Life and a Higher Calling in the Practice of Law* as he addresses our opening session.

As I watch the traffic on our various list serves with the daily inquiries about how to do this or to approach that and the many responses they provoke I am impressed by the resources that have been harnessed to the purposes of the Lawyers Assistance movement as it has grown to provide "comprehensive services". The Commission in partnership with the state and local bars and Lawyer Assistance Programs will continue to work to further integrate the work of those who labor at trying to improve the quality of life for lawyers who have encountered difficulty in their personal or professional lives further into the fabric.

## Calendar

(continued from page 6)

**April 14-15, 2005** - The ABA Commission on Lawyer Assistance Programs will hold its next business meeting at the Catamaran Resort Hotel just before the Spring Networking Meeting of The Other Bar. To learn more about the Commission and its activities, you are invited to join them for an all day business meeting on Thursday, April 14 and half day on Friday morning. The Planning Committee of the 18th National Conference for LAPs is tentatively scheduled to meet

Friday afternoon. Please contact the Catamaran Resort Hotel directly for your room reservations at 800-422-8386 or 800-876-4229 and refer to 2005 CoLAP Spring Business Meeting. The room rates are \$139 single; \$149 double. Rooms will be held until March 16, 2005. Contact Binti Hawks 312/988-5717 or hawksb@staff.abanet.org if you will be attending the CoLAP Business Meetings. Chair Richard Soden encourages you to stay for the Spring Networking Meeting of The Other Bar (see below).

**April 15-17, 2005** - The 18th Annual Spring

Networking Meeting of The Other Bar will be held at the Catamaran Hotel in San Diego. For fun, fellowship, serenity and tools for recovery, including dynamite speakers and MCLE credits, be sure to stay on after the CoLAP Business Meetings (see above). The registration fee is \$250 (\$150 for guests or those who do not require CLE credits) and includes a Friday reception, Saturday, continental breakfast, lunch and evening banquet, and Sunday breakfast. Call the Catamaran directly for hotel reservations at 800-422-8386 or 800-576-4229 and refer to The Other Bar Spring Networking Meeting.

### American Bar Association Commission on Lawyer Assistance Programs COMMISSION ROSTER - 2004-2005

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

**Zeb (Barney) Barnhardt, Jr.**  
Leland, NC  
910/383-3175  
E-mail: zbarnhardt@ec.rr.com

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

**Philip H. Corboy\***  
Chicago, IL  
312/346-3191  
E-mail: phc9@corboydemetrio.com

**Ann D. Foster**  
Austin, TX  
512/463-1453  
E-mail: afoster@texasbar.com

**Shell Goar\***  
Madison, WI  
608/250-6172  
Cell: 608/770-6636  
E-mail: sgoar@wisbar.org

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

**Hon. Sheila M. Murphy**  
Chicago, IL  
312/372-2345  
E-mail: Murphy@rbmchicago.com

**Stephenson Todd**  
Kingsport, TN  
423/245-1111  
E-mail: stodd@tdlaw.com

**Dolores Wilson**  
Freehold, NJ  
732/462-0290  
E-mail: dpw4law@aol.com

**\*new appointment**

### ADVISORY COMMISSION to the Commission on Lawyer Assistance Programs - 2004-2005

**C. Stephen Barrett, III**  
Newark, NJ  
973/622-5151  
E-mail: CSB309@aol.com

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

**Hon. Robert L. Childers**  
Memphis, TN  
901/545-4022  
E-mail: childe-r@co.shelby.tn.us

**Robert P. Cummins\***  
Chicago, IL 60601  
312/578-0500  
E-mail: rpc@cumminscronin.com

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

**Gail Driebe**  
Atlanta, GA  
770/478-8894 or 404/355-8829  
E-mail: gaildriebe@aol.com

**Jeffrey Friedman\***  
Tucson, AZ  
520/743-2118  
E-mail:  
jeff.friedman@cottonwooddetucson.com

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

**James W. Griffis**  
Neptune Beach, FL  
904/249-2865  
E-mail: jimmygjax@yahoo.com

**William Livingston**  
Lansing, MI  
517/346-6306  
E-mail: blivingston@mail.michbar.org

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

**James E. Smith**  
Little Rock, AR  
501/537-5111  
E-mail: jsmith@smithakins.com

**C. Coe Swobe**  
Reno, NV  
866/866-3211 or 775/322-2154  
E-mail: coe@gbis.com

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

**Bonnie Waters**  
Boston, MA  
617/482-9600  
E-mail: bonnie@lclma.org