Stress Hardy Transition

BY JEROME SHORE

These are stressful times. Business is bad and people are living with the fear of losing their jobs, or even worse, not finding a new one.

This article is in two parts. The first part addresses how stress that comes from fear puts blinkers on people and offers twelve ideas for dealing with it. The second part offers advice and tips about marketing yourself if you are in transition now or feel you may be soon.

When humans face stressful circumstances their automatic reaction is to become conservative and use solutions that worked in the past. This is one instinct that worked in prehistoric times when “do or die” was a regular occurrence. There wasn’t time to be creative while fleeing a tiger or some such. Our ancestors who survived were the ones who did what worked and that what worked trait has been passed down through the generations.

Twenty-first century humans instinctively still tend to get conservative when afraid. Think of it as blinkers. We tend to only see the limited range of what we think worked in the past and lose our creativity. But it’s a new world now and we have much more time to be creative when we’re up against it. You’re not likely to be chased by a tiger these days.

If you’re in job transition, or think you are about to be and feel afraid, you really need to see well beyond what your blinkers allow. Following are a dozen ideas to build mental energy to help shatter those blinkers.

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Understanding Stress in a Public Service Legal Environment

BY JOAN BIBELHAUSEN AND DAVID KUDUK

What is stress? Stress is a series of physiological responses and adaptations to a real or imagined threat or demand. Stress occurs when the pressures experienced by the individual are perceived as exceeding their capacity to deal with them, in a situation where coping is perceived as important. It can be good or bad, healthy or unhealthy.

Healthy stress charges us up and allows us to meet challenges head on and gives us the necessary energy to do so. Distress is the chronic feeling of being overwhelmed, oppressed, and behind in tasks. There is a sense that life is controlling us and we see little hope for relief, all of which can have unhealthy results. Regardless of how beneficial our stress may be, our bodies react. Our heart beats faster, our pupils dilate, our digestive and immune systems shut down, and the hormones adrenaline and cortisol are released. In the short term this helps us, but over time, the chronic presence of these changes will hurt us with results like higher blood pressure, more frequent illnesses, and coping mechanisms, like self medication with alcohol, drugs, gambling, sex, and others.

Sources of Stress for Lawyers
The legal profession presents many opportunities to take on someone else’s problems, and it presents unique sources of stress. These are the realities in the everyday practice of a lawyer.

Rules Based Morality. The way we help people; the way we make a difference for our clients, is to make their set of circumstances

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Comments from the Editor

Stress. We’re always concerned about stress and its impact on lawyers. We know that there are ways to deal with it in a healthy manner. We also know that some deal with it by using and abusing alcohol and other mind-altering chemicals. The holiday season frequently brings stress. We in the recovering community know that January is a month where many newcomers are introduced to 12-step recovery programs.

I think our LAPs are going to see an increase in stress-related issues as a result of the huge changes in the economy. Although some areas of the practice will not be affected, there will be others where lawyers will experience a significant drop in income. Some larger law firms have already had significant layoffs with more to come. Here in Iowa I’ve had more contacts this fall than in the previous ten years. Some of it can be attributed to stress from our floods and some from the economy.

This issue of Highlights focuses on stress. Hopefully these materials will be helpful. I expect we will have more to say on these issues over the next year or so.

This issue will be in your mailbox after the holidays, but I want to wish all of our readers the best for the upcoming year. I would be seriously remiss if I did not thank all of our contributors and advertisers. A special thanks and note of appreciation to the staff of the ABA.

—HUGH GRADY, IOWA LAWYERS ASSISTANCE PROGRAM

Chair’s Column Stress and the Recession

BY HONORABLE ROBERT L. “BUTCH” CHILDERS

The Commission on Lawyer Assistance Programs (CoLAP) provides a unique service for the ABA membership. During this time of care and financial uncertainty, lawyers are experiencing new stress and trauma as a result of the recession and national belt-tightening in the profession. Law firms are finding it necessary to reduce their lawyer and support staff numbers and are in some instances closing firms. The states that have staffed lawyer assistance programs (LAPs) can provide peer support for individuals and referrals to counseling—career, mental, and financial. The lawyers helping lawyers component of LAPs has existed from the beginning and continues to be of critical assistance in times of relapse, stress, and trauma. These volunteers can share a special bond and understanding, which has been found to be true in other professional peer support programs as well.

During an extended recession in the 1980s, researchers at Johns Hopkins University were able to correlate a statistical significance between economic factors, such as joblessness and social harms, with alcoholism and suicide. The data showed that for each one percent rise in unemployment, suicides increased 4.1 percent; homicides, 5.7 percent; deaths from heart disease, cirrhosis of the liver, and stress-related disorders, 1.9 percent; and admissions to mental hospitals, 2.3 percent for women and 4.3 percent for men. Although data and intuition imply that unemployment and lack of hope, both common in recession, are correlated to addictive behavior, a cause and effect relationship cannot be automatically implied. The legal profession has previously reached number one in another Johns Hopkins study that ranks professionals in rate of depression and suicide. We are seriously concerned that these numbers will continue to increase.

After September 11 and the Katrina disaster, the lawyer assistance programs’ staffs were
ready to evaluate the needs of the individual lawyers asking for support. CoLAP’s mission is to promote these services and get those in need to the appropriate resource. By calling CoLAP’s hotline (1-866-LAW-LAPS), our staff will provide phone numbers for LAP staff or volunteers who can listen and guide them through the initial crisis. LAPS can provide a lifeline for action, which can hopefully avoid a later headline.

Senior Lawyer Assistance Committee. In an effort to address the increasing need to support aging legal professionals, CoLAP has created the Senior Lawyer Assistance Committee. CoLAP recently conducted a survey of forty-six state and local LAP directors. The questions related to the type of service the LAPS are providing to senior members of the profession. Of the forty-three responses received, 95 percent indicated their calls were not related to chemical abuse/dependency/addictions, 93 percent indicated the types of requests received were concerns of decreasing mental/cognitive functioning or mental health disorders. CoLAP’s Senior Lawyers Assistance Committee will work to develop methods by which LAPS can be of greater assistance with these issues.

2009–2010 ABA Presidential Appointments. It is that time of year when president-elect Carolyn B. Lamm (Washington, D.C.) is asking all interested ABA members and associates to submit names for appointments to the various ABA standing and special committees, commissions, and advisory committees/commissions. If you are interested in being considered for a position on CoLAP or its Advisory Commission, please enter your application online at www.abanet.org and link to the presidential appointments site. Commission and Advisory Commission appointments are for one year and you must resubmit your name each year to continue. It is also necessary to be a member of the ABA for lawyers and join as an associate for non-lawyers. Notification of appointments is generally sent in June or July.

CoLAP acknowledges its appreciation to the advertisers that support Highlights. We are pleased to have the support of the following companies in this issue:

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PEOPLE IN THE NEWS

Ann D. Foster, director of the Texas Lawyers’ Assistance Program (TLAP), was selected as one of thirty “Extraordinary Women in Texas Law” by Texas Lawyer, an Incisive Media publication. She was honored November 14, 2008, in Dallas.

Foster and the other twenty-nine women lawyers were chosen from nearly five hundred nominations. There are nearly 23,000 women attorneys practicing in Texas.

TLAP is a State Bar of Texas program that provides crisis counseling and referrals, peer assistance, education, and rehabilitation to Texas attorneys, judges, or law students whose professional performance is impaired due to substance abuse, dependency, or mental health disorders. It is estimated that 10,000 to 15,000 lawyers in Texas suffer from substance use or mental health issues affecting their law practices.

Foster worked with Austin lawyer Martha Dickie, 2006–07 State Bar of Texas president, to produce “Practicing from the Shadows: Depression and the Legal Profession” to help lawyers suffering from depression seek needed assistance. More than 2,000 copies of the DVD have been distributed in Texas—increasing awareness of the incidence of depression in the legal profession and urging people to get help.

Foster has worked for TLAP since 1997, and has served as its director since 1999. Prior to joining the State Bar of Texas, she practiced law in Houston, Galveston, and Austin, focusing on litigation in civil, criminal, and administrative law. Foster earned a BA from Smith College in Northampton, Massachusetts, a JD from the University of Texas School of Law, and a Masters in Counseling from St. Edward’s University in Austin.

She served as commissioner on the American Bar Association (ABA) Commission on Lawyer Assistance Programs (CoLAP) from 2003 to 2006, and on the ABA CoLAP Advisory Commission from 2001 to 2003.

Case Law Corner

Counsel for Discipline v. Shaun F. Downey

In Nebraska Ex Rel. Counsel for Discipline v. Shaun F. Downey, 276 Neb. 749; 2008 Neb. LEXIS 167 (Nebraska 2008) the attorney was charged with committing a criminal act that reflected adversely on his honesty, trustworthiness, and fitness as a lawyer. Downey’s answer to the charges was to admit most of them and others in part. A referee was appointed to conduct a hearing. She recommended a period of indefinite suspension with no possibility of reinstatement until he successfully completed his criminal probation and maintained a voluntary period of sobriety.

The underlying criminal charges involved events where Downey drank alcohol with his girlfriend and her fourteen-year-old daughter during which he slapped the minor on her buttocks. He was charged with third degree assault but failed to appear because he was on a self-described cocaine binge. He fled to Missouri where, after a high-speed chase, he was arrested and charged with felony driving under the influence and possession of a controlled substance. He pled guilty to the Missouri charges and was sentenced to ninety days in a drug offender boot camp with five years of probation. In Nebraska he pled guilty to third degree assault. He was sentenced to ninety days in jail.

The Nebraska Supreme Court imposed an indefinite suspension with no possibility of reinstatement prior to August 1, 2012. The court found in mitigation that Downey’s drug and alcohol addiction was the primary cause of his violation of the conduct rules and the near destruction of his professional career. They were persuaded that after a lifelong struggle with addiction, he has acknowledged responsibility for his actions, cooperated throughout the course of the disciplinary proceedings, and he appeared to have made a sincere and productive effort to confront his addiction and obtain the necessary professional treatment.

—Hugh Grady, Iowa Lawyers Assistance Program
Recollections of Michael Sweeney

By Hugh Grady

This is not Michael’s obituary; rather it’s a recollection of how Michael, and others like him, influenced my recovery. Michael carried the message of recovery to other suffering alcoholics and addicts and in doing so, practiced the principles we are taught in 12-step programs. This is about Michael as a member of a group of recovered lawyers.

On June 13, 1988, Don Muccigrosso, the director of the Oregon Attorney Assistance Program (OAAP), visited me. He had been hearing things about me that made him concerned. After disclosing that I was using heroin, cocaine, and alcohol I was sent to treatment and began my relationship with the OAAP. Michael began working with the OAAP in 1989 and it was in that capacity that I first met him. He was an integral part of the “group” of recovered lawyers who met regularly on Mondays, Wednesdays, and Fridays. It was the group that most influenced my early recovery. I learned from them and from Michael that in order to stay sober it was necessary, indeed required, to give away what we are given by others.

He was eloquent, funny, and above all, honest.

My life was chaotic in the early stages of my recovery. After thirty days or so of treatment I went to live in a halfway house. I resigned from the Oregon Bar on the day I left treatment, admitting numerous ethical violations. I was separated from my family and was indicted on two serious felony counts to which I ultimately pled guilty. Without the support and the power of the group in those early days I’m not sure what would have happened. Michael and the other recovered lawyers were always available to offer me support. I worked for some of them, I lived with some of them, and one of them represented me in my various legal entanglements. It was the power of this group that carried me in those early days.

My thinking and behavior did not immediately change the day I stopped using drugs and alcohol. In early sobriety, I continued to engage in willful behavior and to act in a self-centered way. It isn’t necessary to this story to detail those behaviors but suffice it to say, it took me some time to learn that when you engage in negative behavior negative consequences will result.

I would go to our meetings and talk about these things. Michael was always supportive, offering some suggestions, and willing to do anything he could to help. So was the group. That was the power of the group. They were tolerant, patient, humorous, willing, and giving. I began to learn that the group and Michael were practicing that principle of giving away what they had been given.

As part of the sentence for the felonies to which I had pled guilty, I was placed on probation after my release. Still running on self-will, I did not comply with all the terms of probation. Needless to say I was arrested for violating those terms and a hearing was set to determine the consequences. What followed was a two-day hearing (my probation officer later remarked that these hearings usually lasted about ten minutes). The star of the hearing was Michael. I was fortunate to have a judge who was keenly interested in learning about the diseases of alcoholism and drug addiction. Michael educated him. He was eloquent, funny, and above all, honest. He spoke of the stages of recovery, the issues of self-will and self-centered thinking, and the necessity to learn responsibility in recovery. How much he affected and influenced the sentence I don’t really know. But what impacted me the most was the dedication and the willingness he showed while trying to help a pretty immature early recovering person. Michael once again demonstrated what is now my favorite principle: “Having had a spiritual awakening as the result of these steps we tried to carry this message to other alcoholics and to practice these principles in all our affairs.”

In 1998 one of the members of the group referred me to the LAP in Iowa. I left Oregon to become the director of the Iowa Lawyers Assistance Program in November of that year. I maintained contact with Michael until his retirement. I saw him at CoLAP conferences and Commission meetings. He invited me to Oregon to lead a retreat and kept volunteering to come to Iowa to help in any way he could. My son Chris graduated from law school in Portland four years ago and Michael insisted that he take him to lunch to offer whatever advice he could give regarding Chris’ job search. Chris accepted the invitation and still remembers the helpful advice Michael gave him.

I am most grateful in this holiday season for the gift of recovery. I am blessed to be
Stress Hardy Transition
CONTINUED FROM PAGE 1

1. Develop a clear and specific goal. Think about what success would look like for you. Use that vision to continually refocus yourself. Write your vision down. Review it regularly. Update it when you learn something new. Refocusing will produce energy to help you think more creatively.

2. Mindfulness builds mental energy. Pay attention to what you are doing. Don’t multitask. Do one thing well at a time.

3. Build your self-esteem. Create a victory list that includes the things you’ve accomplished in your life. Carry it around with you on a 3 x 5 card. Look at it to build your optimism and mental energy.

4. Challenge negative beliefs that you are helpless. Specify each of your negative beliefs. Examine each for its truthfulness, exaggeration, overgeneralization, and distortion. You will develop some new positive truths about yourself.

5. Fight back against fear by enrolling other people in your situation. One way is to simply talk to someone about how you are feeling. The support you will receive as you share your pain will cause you to feel less afraid. Less fear will lead to more mental energy. You may also get some good ideas from a friend.

6. Another way to fight back is to create or join a support and strategy group. This has the added benefit of more sources of creative ideas to deal with your transition.

Confidence comes from learning, experience, success, risking, trial, and error.

7. Learn to turn barriers into stepping stones. Rather than focusing on the difficulty of reaching your vision, focus instead on the steps to get there one at a time. A good way to do this is to plan “looking backwards from success.” That is, once you decide what success looks like determine the key steps that got you there and then work on those.

8. Don’t let worst case scenarios get you down. Examine the worst case scenario and compare its likelihood with best case scenario. You’ll see that the best case scenario can be more likely especially as you make plans to overcome problems. Seeking support and taking action is always part of a good plan.

9. Confidence comes from learning, experience, success, risking, trial, and error. Confidence builds mental energy.

10. Confidence also comes from a bias toward being confident. Using the imagery of Velcro and Teflon can help you build confidence—you want good thoughts to stick and negative thoughts to fall away.

11. You can gain mental energy by habitually taking direct action in one of three ways: (1) by scheduling to do a task or make a decision at a certain future time; (2) by dividing big projects into small pieces; or (3) with a “do it now” mentality for small tasks and decisions.

12. Learn to let go of feelings, attitudes, beliefs, fears, and policies that are in your way and use the energy created to help you take creative action. For example, when you simply decide to let go of something like a long-standing fear, there are so many possibilities for action to take that you have not considered before.

Michael J. Sweeney
JUNE 2, 1949–SEPTEMBER 20, 2008

PORTLAND, ORE.—Michael J. Sweeney, 59, of Milwaukie (Ore.), formally of Heppner (Ore.), died Saturday, September 20, 2008, at St. Vincent Hospital in Portland after battling with Pick’s Disease.

He was born June 2, 1949, in Chicago, Illinois the son of Jerry and O.V. (Tiny) Harris Sweeney. He was raised in Butte, Montana; Ontario, Oregon; and Grants Pass, Oregon; before the family settled in Heppner where Mike graduated from high school in 1967. He then attended the University of Oregon in Eugene where he graduated in three and a half years. He also attended colleges in Europe and Russia before entering Gonzaga University School of Law in Spokane, Washington, where he graduated in 1975. He was admitted to the Oregon State Bar in 1976 and worked in a private law practice in Heppner, Oregon, from 1976 to 1983. From 1983 to 1989 he served as CEO and corporate counsel for a Portland advertising company.

In 1989, he began his work with the Oregon Attorney Assistance Program (OAAP), where he has spent the last eighteen years working with lawyers and their families in recovery, facilitating interventions, organizing support groups, and providing empathy and guidance. He was a constant source of inspiration, assistance, information, and support for anyone interested in recovery.

Everything I have I owe to the fellowship. I remember him for something else. I will remember him as one of many who wanted to give away what he had been given. Everything I have I owe to the fellowship. This is what it’s all about for me.
Now, if you are in transition or think you will be here are some ideas. This will sound a lot like normal business development activities, which you probably have had some exposure to already.

1. Make a variety of lists that can be the foundation of your personal strategic plan: potential employers, contacts you want to network with, other kinds of careers you might want to explore (teaching, starting a business, consulting, in-house assignments, and so on), learning that will benefit you (courses, CLE, degrees, and so on), your strengths and weaknesses that are worth taking action on, and your passions. As a coach I find that making lists is a way to think through problems and opportunities and always something my clients can do more of. It’s a kind of thinking that produces excellent rewards. Lists are fertile ground for creating an action orientation, which is so necessary when in transition. Having nothing to do is a depressing thought. Making lists and following through on their contents is a great antidote.

Warren Bongard of ZSA Legal Recruitment (wbongard@zsa.ca) suggests that people in transition ought to be very aware of their passions as they relate to career choice. “Nothing makes for a better fit than being in the right job for your skills, education and passion,” he says.

2. Successful transition is a fulltime marketing job. And it takes a lot of mental energy—more so when nobody is chasing you. My suggestion is that you divide your day into sections devoted to certain types of activities that will focus your efforts. Use the first hour of everyday for contacting people to start and cultivate relationships. This should be done with a list made at the end of the previous day. If you can have success first thing it will be energy boosting for everything else you do that day. Just making a good number of calls, even if you only leave a bunch of messages, can be energy boosting.

Other things to focus on in specific day parts: plan tomorrow at the end of each day. This makes the transition process for the firm and the lawyer that much easier.

3. In addition to networking spend time building your brand name—essentially raising your level of trustworthiness. To build your brand name you can publish articles; take advantage of speaking opportunities; and use social marketing like blogging, Facebook, LinkedIn, and Twitter to get your name and expertise out.

You can also continue to learn as a way of brand building. In fact, if you are still employed you may get your employer to back your continuing education. Warren Bongard notes that many enlightened firms are funding learning and even coaching for lawyers who may have to be transitioned out. This makes the transition process for the firm and the lawyer that much easier.

4. Grow your interviewing skills. Prepare knowing that people who hire will respond well to candidates who have taken the time to learn about their firm. Learn your script so you can spend your interview time acting the necessary role, not creating answers to questions on the fly. Show enthusiasm during and after the interview. People hire others who seem to like them.

5. Make sure you’ve done a good self-assessment. In my coaching practice I often work with people who don’t like what they are doing and could be doing something they would prefer to do, and make a good living doing it. Bongard notes that many people he sees “crave an alternative to law, like an entrepreneurial business or consulting that are good fits with their personality and their legal education.” I find that these people just don’t realize they can get what they want—they just have to market themselves to make it successful.

So if you’re embroiled in the stress of transition or facing it square on, now is the time to learn how to cope with your stress and make yourself successful by marketing yourself effectively.

JEROME SHORE is the managing partner of The Coaching Clinic, a group of executive coaches who coach executives and professional service providers about resilience, leadership, and marketing. He can be reached in Toronto at coach@coachingclinic.com or 416/787-5555.

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“It’s Only Your Career We Counsel”
Around the LAPs

Louisiana
Ed Blewer, former CoLAP Commission chair, was honored as Shreveport’s Samaritan of the Year last month before three hundred friends and family at a wonderful Gala event. Guests traveled from all parts of Louisiana, Arkansas, Texas, Washington, and as far away as Canada to join in the celebration. Three generations of Blewers were on hand as Bill Leary, director of the Louisiana State Bar Lawyers Assistance Program, spoke of Ed’s contributions to addiction treatment, building and assisting programs and institutions, and helping the needy and the forgotten in Shreveport, in Louisiana, and across America.

Ed’s contributions to CoLAP are only a small part of the legacy of leadership, caring, and commitment he has shown over the past thirty years. A number of close friends joined in a video tribute that added both humor and tears to a wonderful evening of fellowship and celebration.

Maine
David Kee and Bill Cote, the director and chair of the Maine Assistance Program for lawyers are corecipients of the 2008 Maine State Bar Association John Ballou Distinguished Service Award—the most prestigious award given by the bar association. The award will be presented at the annual winter meeting of the association to be held at the Sable Oakes Marriott Hotel in South Portland, Maine, on January 29, 2009.

Ontario
We are happy to announce the launch of the Lawyers’ Group—a support group for lawyers. This mutual aid group is based on the principles of self help. It is not a clinical group. Ontario Lawyers’ Assistance Program (OLAP) staff act as a resource to the group and there are two volunteer facilitators who manage the group process. The group will be ongoing and will meet the first and third Thursdays of each month. The group is open to lawyers who are struggling, stressed, depressed, anxious, or are in career transition or recovery. Our first meeting was held on November 20, 2008, and eighteen lawyers attended. We think this is an indication of the need and interest in such a group.

The Women’s Work and Wellness Series opened the 2008-09 series with a presentation on “Six Simple Steps to Financial Fitness.” The topic generated a lot of interest given the current economic turmoil. The speaker was Perry Quinton, a certified financial planner. This series continues to be an effective way to involve women lawyers and promote the wellness message.

The trend of increased stress is evident in our recent statistics. OLAP has dealt with six serious suicidal situations in the past quarter. This compares with two in the previous three quarters. Unfortunately, one of these was a completed suicide by a lawyer with a young family. These difficult situations remind us of the importance of reaching out and offering help to colleagues. OLAP has added warning signs and things to do to assist someone who is suicidal to a more prominent position on our website, www.olap.ca.

LEOTA EMBLETON

Oregon
The Oregon Attorney Assistance Program (OAAP) staff—along with many others in Oregon and elsewhere—took time from our busy routine to mourn and remember our cherished colleague, Michael Sweeney, who passed away on September 20, 2008. The OAAP held a celebration of Michael’s life on October 3, 2008, providing an opportunity for many people to share stories, memories, tears, and laughter.

In October the OAAP also presented a daylong CLE entitled “Smart Isn’t Enough: Improving Your Personal and Professional Effectiveness,” with Kenton Hill and Alyssa Blum. Positive response to the event led Shari Gregory to offer a six-week group (starting in January 2009) for lawyers interested in developing and increasing their strengths in this area.

Later that month, the OAAP welcomed John Dougal as our new program assistant and office manager. His pleasant demeanor and friendly voice greets lawyers who call the OAAP or venture through our doors, and he keeps the office running smoothly.

Practicality will mix with celebration well into the new year when the OAAP sponsors a free CLE, social and book signing reception on January 14, 2009, to celebrate the publication of Lawyers at Midlife. The authors, OAAP counselor Mike Long, financial planner John Clyde, financial professional Pat Funk, and legal publisher Mark Jaroslaw will share their perspective on issues facing mid- and late-career lawyers with attendees, who will have the opportunity to have their books personally signed during the social that follows.

MELONEY CRAWFORD CHADWICK

Pennsylvania
For twenty-one years LCL-PA, Inc. (Lawyers Concerned for Lawyers, Pennsylvania) has successfully blended the special skills of our recovering attorneys, an EAP to answer our helpline, and paid staff. By “successful” I mean we have consistently increased the number of people we help; improved our long-term contact with those we help (our source for future volunteers); grown our trained volunteer base; expanded our utilization of volunteers; made deep inroads into the psyche of the bench and bar regarding addictions and mental illness through continuing education; and secured stable, adequate funding. I credit our success to five guiding principles established by LCL’s founders: (1) utilize independent professionals to handle our helpline, assessments, and treatment; (2) utilize our volunteers to promote long-term recovery and service work; (3) employ staff to maintain close oversight of the helpline operations; and to serve as a liaison between the

WANT TO SHARE NEWS ABOUT YOUR LAP?
Send your submissions for the winter edition of Around the LAPs to Hugh Grady, hughgrady@mac.com, by February 18, 2009.

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professionals and the volunteers, thereby insuring our peer support program is the heart and soul of our operations; (4) use staff to network with CLE providers and each year take LCL’s message to lawyers in all sixty-seven counties, our eight law schools and, wherever possible, to the judiciary; and (5) keep LCL’s helpline services separated from the state bar association’s lawyers assistance committee sobriety monitor subcommittee—thereby, allowing LCL to never have to report a lawyer to discipline for a relapse while simultaneously ensuring that a structured monitoring program is available for a lawyer who might otherwise lose his or her license.

Educational commitments are interfering with my ability to attend CoLAP’s National Conference. This conference has been my primary source for networking and new ideas since I first began attending in 1990. I miss your company and the sharing of your experience, strength, and hope. In particular, if any of you have a LAP similar to Pennsylvania’s, please take a moment to get in touch with me by phone (800-335-2572) or e-mail (ken@lclpa.org). I think we can enrich our respective programs by discussing issues that we may have in common. KEN HAGREEN

Wisconsin

Wisconsin Lawyers Assistance Program (WisLAP) is working on the development of their Judicial Assistance Program. Fifteen judges have volunteered to serve in the program and their first training session is scheduled for January 9, 2009. WisLAP presented at a judges conference in December focusing on issues faced by judges, difficulties accessing treatment, and the importance of balance taking into account the culture of judging.

The program continues to work on Condition Admission with a Supreme Court hearing scheduled for March 9, 2009.

The WisLAP monitoring program petition gained the approval of the Board of Governors on December 5, 2008, and will be submitted to the Supreme Court of Wisconsin. Petitions for immunity for WisLAP and confidentiality of communications were also approved and are also being submitted to the Supreme Court of Wisconsin. LINDA ALBERT

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**CALENDAR OF EVENTS**

**2009**

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<td>ABA ABA COLAP BUSINESS</td>
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<td>Feb</td>
<td>ABA ABA COLAP BUSINESS</td>
<td>Orlando, Florida</td>
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<td>AND COMMITTEE MEETINGS</td>
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<td>07–10</td>
<td>ABA MIDYEAR MEETING</td>
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<td>Aug</td>
<td>ABA COLAP BUSINESS</td>
<td>San Francisco, California</td>
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<td>05–08</td>
<td>ABA ANNUAL MEETING</td>
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<td>ABA COLAP 23RD NATIONAL</td>
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<td>CONFERENCE FOR LAWYER</td>
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For a full list of events, visit CoLAP’s website www.abalegalsservices.org/colap.

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Understanding Stress
CONTINUED FROM PAGE 1

fit a set of rules. We apply the law to the facts. From that can come a tendency to see everything in terms of how we believe it should fit into the world as we see it. And we will use our finely tuned persuasive and argumentative skills to insist upon it.

Perfectionism. We are told from the beginning in law school that mistakes will cost us. From the humiliation of the Socratic Method when we are not prepared (or even if we are) to cases where professional discipline occurs because of missing deadlines and important details, we learn that we must not fail. When we learn perfectionism it is not limited to our work life. Any possible failure becomes an opportunity for intense self scrutiny and every move we make can become defined by winning or losing.

Pessimism. We may be the only profession that succeeds because we can anticipate the worst that might happen. Yet, how else do we solve problems? The pessimist not only sees what can go wrong but is more likely to view bad things as permanent and unchangeable. Optimists see opportunity.

Vicarious Trauma. This may be our greatest risk. We are not the immediate first responders to the worst things that happen in our world, but we may spend more time with the details and people who experience the direct trauma than anyone else. Yet our need to be perfect (don’t let them see you sweat) and pessimistic can make us even more vulnerable to the effects of this trauma. We don’t show our weakness, we don’t process and we hold it inside until we burn out. Yet studies have shown that simply talking about our experiences and feelings can reduce the effects of the trauma.

Stress and Public Service
Every area of practice has its unique qualities that can add to stress. At the 2008 Equal Justice Conference, a discussion of stress and public service generated a number of issues within some common themes.

Resources. Staff is stretched in an area where nearly everyone requesting assistance is facing some kind of crisis. Tight budgets do not always allow access to technological and other assistance that would better serve clients, and that which is available may be slow or out of date.

Public Scrutiny. Stereotypes abound about us and our clients. Those accused of crimes or depending on public assistance are patronized, belittled, and sometimes demonized and so are their lawyers. And while we do this work because of our commitment, it is not always easy to put on a happy face.

Some organizations publicly state that they support pro bono but when the rubber hits the road, the support is not there or is lukewarm.

Client abilities and expectations. Our clients are often dealing with impairment (such as addiction) or some other form of diminished capacity. Depending on the level of that impairment, additional ethical rules may apply. It may also be necessary to spend more time explaining things to our clients because of language or other barriers. Clients may have unreasonable expectations about what can be done for them and in reality meeting their legal needs is often only the tip of the iceberg.

Personal balance. When resources are stretched, providers such as public service lawyers may be out of balance as well. We may be dissatisfied because we are unable to be as thorough as we would hope with individual clients. Unhealthy levels of stress render us less able to be creative in looking at options. We may not take care of ourselves the way we should. And while we make more money than our clients, it is typically far less than private sector salaries including those of the pro bono lawyers we may be asked to mentor.

Stress and Pro Bono
Pro bono can be an excellent stress management tool. It adds variety to your practice, often allows you to see a quicker and more concrete result than in many practice areas and can offer a needed respite to everyday demands and routines. However, it can also add to your stress under some circumstances. The most obvious of these is time. You may already feel overworked. Unless you understand and accept that your pro bono cases or work are as deserving of your time and attention as paid work, you may also feel resentment and give less than your full attention to the needs of the client. That can set up feelings of guilt which of course will add to your stress. Busy attorneys who successfully integrate pro bono into their practices note that the acceptance of the case as deserving equal attention (and sometimes more because you’re learning something new) helps them to manage multiple demands.

Another source of stress can be the level of institutional support for your pro bono efforts. Some organizations publicly state that they support pro bono but when the rubber hits the road, the support is not there or is lukewarm. Think about your reasons for doing pro bono and be prepared to discuss cost/benefit with those who may be skeptical or unsupportive. In the long run, pro bono can help you be a more effective and successful attorney. Be prepared to make your case and if the support is still not there, it may be appropriate to find another position.

The level of emotional engagement with pro bono clients can be surprising for some attorneys, especially if your typical practice does not involve helping individuals in crisis. While this may be what drew you to the work, those situations which are
overwhelming your client may also seem overwhelming to you. Pro bono supervisors who are mindful of the secondary effects that client trauma can exact can check in with volunteers and be a source of support or guidance on outside resources.

Opposing counsel will sometimes assume that the pro bono client is getting second rate or less attentive service and may challenge the pro bono lawyers in ways they are unaccustomed to, especially if it is a less familiar area of law. Mentors in the new area can point out the practical as well as the legal opportunities and pitfalls.

The bottom line is that many attorneys find that pro bono work relieves their stress. A good manager can watch for distress and as a volunteer you can look for ways to effectively integrate this value driven work into your everyday life.

Our Response to Stress
Many try to cope with stress by turning to tobacco, alcohol, caffeine, herbal remedies, legal or illegal drugs as well as diversions like gambling, internet shopping, games and porn, or compulsive eating. These substances and processes may mask some of the symptoms of stress and provide temporary relief but they don’t help in the development of effective stress-management techniques. They may harm your physical health, weakening resistance to stress even further and cause additional stressful complications in life. You’re in this profession and this work to make a difference. Take care of yourself so you can do your best.

JOAN BIBELHAUSEN is executive director of Lawyers Concerned for Lawyers in Minnesota.

DAVID KUDUK is the managing attorney of Legal Services of Northeastern Minnesota in Grand Rapids, Minnesota. He is a board member of Lawyers Concerned for Lawyers, Minnesota’s Lawyer Assistance Program.

David and Joan presented a program on the topic of this article at the 2008 Equal Justice Conference in Minneapolis, Minnesota.

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Testimonials from attendees of the 2008 National Conference in Little Rock:

The Chris Lawford talk was one of the most inspiring “call to arms” I have heard.—Ken Ackerman, Syracuse, New York

I served on the commission many years ago when it was the Commission on Impaired Attorneys and attended my share of conferences in those days. I have been active in New Mexico’s Lawyer Assistance Program, but for a number of years other bar obligations made it impossible to attend CoLAP conferences. I started attending again three years ago in San Francisco, last year in Halifax, and this year in Little Rock. San Francisco was a refreshing change from the conferences in the beginning years of this Commission. In San Francisco, there were the programs involving the nuts and bolts programs, which are a necessary component each year, but there were also a wonderful blend of touchy feely, spirituality based programs that I found tremendous. When the Halifax program rolled around, I thought it would be impossible that CoLAP could repeat for me the experience of the San Francisco program, but Halifax was a place I had never visited so I took a chance. The Halifax program was equally stupendous. This year’s program was the best yet. Perhaps I am at a stage in my own personal recovery and long enough in the tooth as a lawyer that programs that are unusual and interesting just jazz me—Little Rock, San Francisco, and Halifax have done that for me. Then you add as “bookends” to the programs the incredible 12-step morning and evening meetings and the special event speakers such Christopher Lawford and Monsignor Beshara, and you have three days that serve as my recharge for the year.—Briggs Cheney, New Mexico
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