Keeping Legal Minds Intact: Mitigating Compassion Fatigue Among Legal Professionals

BY LINDA ALBERT

Compassion fatigue is defined as the cumulative physical, emotional, and psychological effects of continual exposure to traumatic stories or events when working in a helping capacity. Symptoms include sleep disturbance, anxiety, intrusive thoughts, a sense of futility or pessimism about people, lethargy, isolation, and irritability. Often referred to as secondary traumatic stress, it has been studied in social workers, nurses, doctors, and therapists who work with trauma victims. Recently, the Wisconsin Lawyers Assistance Program (WisLAP) formed a research team to study the impact on Wisconsin public defenders. The results of this study are being released in December, 2011.

Who is most at risk?

Levin (2003) and Murray (2003) found that attorneys who work in the field of criminal or family law are reportedly at higher risk of compassion fatigue. Jaffe (2003) demonstrated judges are not immune either. These legal professionals are exposed day after day to stories of human-induced violence; reading and listening to detailed descriptions and images of traumatic material.

Looking Back at the Tampa Conference and Forward to Grand Rapids

BY TERRY L. HARRELL

The 2011 CoLAP National Conference was held from September 13th through the 16th at the beautiful Tampa Marriott Waterside in sunny Florida. The Conference Planning Committee received loads of help from local hosts Michael Cohen and Tim Sweeney and, of course, from ABA staff and conference experts Janice Jones and Leigh Stewart.

In the final weeks prior to the conference I asked Laura (Gatrell) McClendon, last year’s conference chair, what I should be worrying about and she said, “Stop worrying, the conference always takes care of itself.” That might not be exactly what she said but it was close. I tried to stop worrying and just relax, but of course, I could not.

What did I worry about? I worried that the fall weather in Tampa would be a problem; it might be too hot and humid or we might have a hurricane. I worried about the wisdom of having a musical performer instead of a speaker for the Thursday night Annual Dinner. I had been previously cautioned that having a singer was a risky decision. I worried that the experiential exercise we planned for the Director’s Retreat might not go over as well as it had when I participated in it last spring. I worried about the quality of the speakers. I worried about what we could give Judge Robert “Butch” Childers that would be meaningful for him. I knew that he had enough plaques and dust collectors...

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Comments from the Editor

As I take on the new challenge and responsibilities of Chief Editor and chair of the Communications Committee I do so with a humble heart and lots of gratitude. The support and mentoring I received from Hugh Grady for the past few years has been instrumental. Hugh is a remarkable encourager. I can honestly say the part of my job that stirs the most passion, is the opportunities to interact and encourage our clients. Whether it is offering a kind word of support for the work they are doing or assurance that things will get better, when they are presented with difficult situations. Encouragement inspires hope and possibility very often depleted by addiction and dependency.

As many of you already know we are no longer going to outsource Highlights. Instead Leigh Stewart has been assigned to take over the publication. We will work together to ensure Highlights remains a high quality educational and communicational tool which supports the Commission in carrying out its mission.

This issue of Highlights begins a new journey, a new year and new challenges. We recap the CoLAP conference in Tampa, which provided an excellent venue for the programs, the speakers, as well as ample time for peer support and development. We welcome new Commission and Advisory Committee members as well as our new CoLAP Chair the Hon. Sarah L. Krauss. I look forward to working with all of you.

—JEANNE MARIE LESLIE, ALABAMA LAWYER ASSISTANCE PROGRAM

Chair’s Column

BY HONORABLE SARAH L. “SALLIE” KRAUSS

It is a great honor to serve as chair of the Commission on Lawyer Assistance Programs (CoLAP). I want to thank our ABA President Wm T. (Bill) Robinson, III for having appointed me to this position. I also want to thank CoLAP’s immediate past chair, the Hon. Robert “Butch” Childers, past chair Richard Soden as well as past Commission member Billy Hoge for their support and encouragement. President Robinson also appointed a number of new Commission and Advisory Committee members who will be working with Commission members who are continuing to bring their expertise to this work in the lawyer assistance field. The CoLAP members who are continuing to serve are Raul Ayala from California, Terry Harrell from Indiana, Jayne Mahboubi from Georgia, and Scott Mote from Ohio. New members of the Commission are Jean Marie Leslie from Alabama, Karen Kahle from West Virginia, David Jaffe from Washington, D.C., Hon. James McLeod from New York and Eileen O’Brien from Kentucky.

You will see brief profiles of the new members of CoLAP in this edition of Highlights. The varied experience of the members of CoLAP who are from diverse parts of the U.S. brings fresh ideas and energy to our work.

This is my first column as the new chair of CoLAP and with it I want to take this opportunity to thank my able predecessor, the Hon. Robert “Butch” Childers, for his leadership and guidance and for his superb mentorship these last four years. His devoted attention and skill in leadership has brought to fruition many of the projected goals of CoLAP. In recent editions of Highlights, Judge Childers has used his chair column to compile an historical record of the progress of CoLAP and some of our accomplishments during his term as chair, so I will not do a recap.

In introducing myself as CoLAP chair, please bear with me for a short recounting of my background in the area of lawyer assistance service. I have volunteered for many years at both the state and local
NEW APPPOINTMENTS

NEWLY APPOINTED COMMISSION CHAIR
Sarah L. (Sallie) Krauss, Brooklyn, NY, is an elected judge to the New York City Civil Court and now serves as an Acting Supreme Court Justice in the Family Court in Brooklyn, New York. From 2008 through 2011 Judge Krauss served as the Chair of the CoLAP Judicial Assistance Initiative (JAI). Prior to becoming Chair of JAI, Judge Krauss served as Education Chair of JAI for 2 years. She is a past chair of the New York State Bar Association’s Lawyer Assistance Committee and the Lawyers Helping Lawyers Committee for the Brooklyn Bar Association (BBA), has served as a CoLAP Commissioner member from 1994 through 1997 and has been active as a lawyer assistance volunteer and committee person in New York State since 1990. Judge Krauss served as a member of the Bellacosa Commission on Alcoholism and Substance Abuse which was created by Chief Judge Judith Kaye in 1999 and was then appointed by Chief Judge Kaye as a trustee on the subsequently created Lawyer’s Assistance Trust (LAT) in 2002 and served as the vice-chair of the LAT from 2004 to 2007. Judge Krauss has served on the Judicial Advisory Panel to LAT; has been active in both the Brooklyn Women’s Bar Association (BWBA) and the Women’s Bar Association of the State of New York (WBASNY) since 1980 and the Brooklyn Bar Association (BBA) and the New York State Bar Association since 1990. She received the Doris Hoffman Medal from the Women’s Bar Association of the State of New York in 2006, the Marty Mann Award from the New Jersey Lawyers Assistance Program in 2004, the Sybil Hart Cooper award from the Brooklyn Women’s Bar Association in 1996 and the Marilyn R. Menge award from the Women’s Bar Association of the State of New York in 1994 in recognition of her continuing contributions to these bar associations. After graduating magna cum laude from Oakland University in 1972, Judge Krauss earned her Juris Doctor degree from Wayne State University Law School in 1975 and was admitted to the bar in New York State, the Second Judicial District, in 1979, and worked for two Supreme Court Justices for fourteen years, 1980-1994 before her election to the Civil Court.

NEWLY APPOINTED COMMISSIONERS
David Jaffe, Washington, DC, is an attorney and the Associate Dean for Student Affairs at the American University Washington College of Law since 1997. He has been the Chair of the District of Columbia Bar Lawyer Assistance Program (DC Bar LAP) Committee since 2009. Also in 2009 Dean Jaffe produced a video aimed at law students and their need to get out in front of their issues. The video, to date has been utilized by at least thirty law schools across the U.S., and although not the goal, the video also received the American University 2010 Innovation Award.

Karen Kahle, Wheeling, WV, is the Chair of the Committee on Lawyer Assistance & Intervention of the West Virginia State Bar. West Virginia does not have a staffed LAP and Ms. Kahle is therefore the leading figure in the state in this area. She has been a practicing attorney with the firm of Steptoe & Johnson of Wheeling, West Virginia since 1990. She has been active in the state bar in addition to her work with the state LAP. Prior to becoming a lawyer, she was a pharmacist and adds that insight to the work of the Commission. She is also a member of the Commission’s Policy Committee and was previously a member of CoLAP’s Advisory Committee.

Jeanne Marie Leslie, Montgomery, AL, is the Executive Director of the Alabama Lawyers Assistance Program (ALAP). Educating members about addiction and mental health issues as well as the services ALAP provides is one of her passions. Jeanne Marie is also active in presenting programs to bar associations, law schools, and the judiciary throughout the state. She has been a member of the CoLAP Advisory Committee and is currently a member of several CoLAP committees including the Judicial Assistance Initiative, the Conference Planning Committee and the Law School Assistance Committee and a member of the Highlights Publication Board.

Honorable James A. W. McLeod, Buffalo, NY, is a City Court Judge, Buffalo City, elected 1999 to 2008, re-elected, 2009 to 2018. Other professional experience includes Private Practice, Justice Samuel L. Green, Supreme Court, 8th Jud. Dist, Confidential Law Clerk, Buffalo Legal Aid Bureau, Inc., Administrator, Dayle, Diebold, Bermingham, Gorman & Braun, Associate, Erie County, Second Assistant County Attorney and Erie County Family Court, Hearing Examiner. He graduated from the Buffalo University School of Law.

Eileen O’Brien, Lexington, KY, has been a member of the Lexington office, of Stoll Keenon Ogden PLLC since 1981. She is the Chair of the Family Law Practice Group as well as a member of the Tort, Trial and Insurance Services Practice Group. She also organizes the firm’s annual Women in Business Conference held each fall. Ms. O’Brien’s practice focuses on insurance defense, including workers’ compensation, employment issues, product liability and personal injury, as well as family law. She has been a volunteer counselor for the Kentucky Lawyers Assistance Program since 1998. Ms. O’Brien has received an AV Martindale-Hubbell Peer Review Rating © and is rated as a Best Lawyer for her many legal accomplishments. She has presented various seminars for clients regarding employment issues. She is also an experienced mediator for personal injury and civil dispute resolution. She received her mediation training at Harvard Law School, as well as through the Kentucky Administrative Office of the Courts. Ms. O’Brien is a member of the Fayette County, Kentucky and American Bar Associations. She has served on the Editorial Board for Kentucky Bench and Bar since 2000, is a volunteer counselor for the Kentucky Lawyers Assistance Program and is active with the Fayette County Pro Bono Board. She presently serves as the Treasurer for the Kentucky Bar Foundation Board. To give back to the community, Ms. O’Brien serves as the President of the Board of the Chrysalis House and the Carnegie Center for Literacy and Learning.

Returning Commission members: Raul Ayala, Los Angeles, CA; Terry L. Harrell, Indianapolis, IN; Jayne Mahboubi, Smyrna, GA and Scott R. Mote, Columbus, OH

NEWLY APPOINTED ADVISORY COMMITTEE MEMBERS
Andrew Branhm, Memphis, TN, is an honors graduate of the University of Memphis School of Law and Rhodes College. Upon graduation from law school, he served as a judicial law clerk to the Honorable Robert M. McRae, United States District Judge for the Western District of Tennessee. Andy is licensed to practice law in Tennessee. He is the Chair of the Tennessee Bar Association Attorney Well Being Committee, Member and Immediate Past Chair of the Tennessee Bar Association Access to Justice Committee, Board Member and Past President of Memphis Area Legal Services, Founder and Member of the Memphis Community Legal Center, Member and past Chair of the Memphis Bar Association Access to Justice Committee, is a Fellow with the Memphis and Shelby County Bar Foundation and the Tennessee Bar Foundation and a Master Member of the Leo Bearman Sr. Inns of Court. Andy works extensively with lawyers concerning balance of life issues and is a volunteer and Commissioner for the Tennessee Lawyers Assistance Program. He is also Founder and Board Chair for Second Chances Foundation, Inc. a Tennessee 501(c)(3) Not for Profit Corporation whose mission is to provide transitional living for persons recovering from drug and alcohol addiction.

Martha D. Burkett, Lansing, MI, is the Program Administrator for the State Bar of Michigan Lawyers and Judges Assistance Program. Ms. Burkett completed her Masters Degrees in Public Administration...
Welcoming Remarks - 2011 National Conference for Lawyer Assistance Programs

By Judith R. Rushlow

We at Florida Lawyers Assistance, Inc. (FLA) were thrilled to greet our counterparts and friends from LAPs around the country this year in Tampa for the 2011 National Conference for Lawyer Assistance Programs. We were especially proud to have two distinguished Florida lawyers and a former Florida Supreme Court Justice deliver the welcoming remarks on the opening day of the conference.

Former Justice Harry Lee Anstead opened by welcoming everyone to our state and acknowledging the important work done by LAPs around the country. In 2010, FLA was fortunate to have Justice Anstead accept FLA’s invitation to join our Board of Directors. His experience on the Court and his long-term interest in the concept of lawyers helping lawyers has made him an invaluable member of our Board. We are indeed fortunate to have Justice Anstead whose knowledge and experience have been a great resource to the Board and staff alike. We are proud to claim him as our own. Justice Anstead served on the Florida Supreme Court from 1994 to 2009, and served as chief justice from July 1, 2002 until June 3, 2004. His appointment to Florida’s highest court followed a distinguished career as a judge on Florida’s Fourth District Court of Appeals. He is known for his interest in professionalism among judges and lawyers in the state and he initiated a statewide program including the creation of the Supreme Court Commission on Professionalism as well as a permanent Center for Professionalism at The Florida Bar. The ABA has recognized these achievements as one of the most significant professionalism initiatives in the nation and Florida lawyers recognize him as the father of the professionalism movement in Florida.

The next to welcome CoLAP attendees was Florida Bar President, Scott Hawkins who also praised the work of lawyer assistance programs. He indicated an understanding of substance abuse and the intervention process by relating a personal experience with someone he knew well. He made clear that as Florida Bar president and a practicing attorney he was well aware of the work being done by FLA, and all such programs, and that his respect and support was assured.

He has been a shareholder in the West Palm Beach firm of Jones, Foster, Johnson, and Stubbs, P.A. since 1990, and is currently vice chair of the firm. He is a well-regarded commercial litigator, named a “Florida Super Lawyer,” and listed in “The Best Lawyers in America.” He served as president of the Palm Beach County Bar Association, and has been active in local and state bar endeavors.

Last, but certainly not least, attendees were welcomed to Tampa by Rep. Darryl Rouson, a Florida attorney and State Legislator from St. Petersburg. Representative Rouson is known by many as an active supporter of substance abuse programs, who speaks openly and candidly about his own addiction and its consequences and his path of recovery. He related his first meeting with FLA, while in treatment, and thanked us for being there for him.

Rep. Rouson was elected to the Florida House of Representatives in 2008, and has been subsequently re-elected. He is former chairman of the Substance Abuse and Addictions Task Force for the National Bar Association, and remains an active advocate in this area. He is currently with the firm of Morgan & Morgan, P.A.

All three welcoming remarks included praise for the work of our programs and support for our continuing role in the welfare of all lawyers and the legal profession. Most compelling was each speaker’s expression of personal understanding and experience with our work. These remarks marked a positive beginning for the program that followed—an extremely successful conference presented by CoLAP and the institutions that support our work.

Judith R. Rushlow is the Assistant Director of the Florida Lawyers Assistance Program.

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Grand Rapids boasts of a high-energy, walkable downtown with dining, nightlife, sports and entertainment venues, and museums. Discover the splendor of Frederik Meijer Gardens Sculpture Park, a 125-acre botanical garden, visit the Gerald R. Ford Presidential Museum or take in a round of Michigan golf at one of several championship courses. Grand Rapids is also the gateway city to Michigan’s West Coast, a region of unparalleled natural wonders dominated by the crystal clear waters of Lake Michigan. For more information, visit www.experiencegr.com or www.puremichigan.org.

Amway Grand Plaza
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For up to date Conference information, visit the ABA CoLAP website at www.americanbar.org/colap or contact Janice Jones at the ABA at 312-988-5787 or janice.jones@americanbar.org.
Around the LAPs

Alabama
RULE; 8.3 of the Alabama Rules of Professional Conduct was updated and now includes confidentially for the state’s Practice Management Program. ALAP and the ALAP Committee of Lawyers Helping Lawyers put on a successful silent auction at the State Bar’s Annual Bar Meeting in July. All funds raised go into the Alabama Lawyer Assistance Foundation which assists members in need of treatment. ALAP and the ALAP Committee of Lawyers Helping Lawyers also performed a mock disciplinary reinstatement hearing which offered two hours of Ethics CLE for attendees. Our Assistant General Counsel, Robert Lusk played the prosecutor and several Judges as well as previous Disciplinary Commission members participated in the panel. This was a great opportunity to educate members about ALAP. The program was very well received and concluded with questions from the audience. - Jeanne Marie Leslie

Arkansas
The Arkansas Judges & Lawyers Assistance Program’s (JLAP) law student program which is less than one year old has surpassed all expectations for referrals, donations by students, and inclusion by faculty. Student referrals make up 43% of our total 2011 referrals. The students have raised $4900.00 through golf tournaments and 5K races. Four law professors from our two law schools have become trained JLAP volunteers.

JLAP’s first fundraiser, the JLAP Advocates’ Dinner was held October 22. The Justice Robert L. Brown Community Support Award was presented at the dinner to Jim Smith, a long time CoLAP member and founding member of JLAP. - Sarah Cearley

Colorado
The Colorado Supreme Court Advisory Committee is pleased to announce that Barbara A. Ezyk has been appointed to serve as Director of the newly-created Colorado Lawyer Assistance Program (“COLAP”). Ms. Ezyk brings a wealth of legal and peer assistance experience to this position. During her 16 years as a Colorado attorney and 28 years as a licensed Registered Nurse, Ms. Ezyk has worked with professionals in need of assistance due to substance use and/or mental health issues. Ms. Ezyk has held the position of Substance Use Education Director for a peer assistance services program, has managed the Colorado Drug Abuse Task Force, has served on the Colorado Lawyers Helping Lawyers (CLHL) Board of Directors since 2004, and has been an active participant in the ABA Commission on Lawyers Assistance Programs since 2005. As the Director of COLAP, Ms. Ezyk will help lawyers, judges, law firms, law schools, courts and others to identify and intervene with impaired and/or struggling legal professionals and law students, and assist those individuals in recovery.

Kansas
The Kansas LAP has been busy this spring and summer. Anne McDonald, Executive Director received the Outstanding Service Award from The Kansas Bar Association and was honored at their Annual Meeting in June. Also in June, Anne and other KALAP Board Members made nine (9) CLE presentations to various organizations and bar associations across the state. The KALAP Foundation is up and running and will soon begin its Marketing Campaign. The KALAP Foundation Board now meets regularly and KALAP is grateful for the talent and expertise this outstanding group of attorneys brings to this organization. We are also grateful for the assistance of the Alabama and Tennessee LAPs and all of our LAP colleagues in helping to get this new Foundation up and running.

KALAP Board Member Carol Ruth Bonebrake attended the CoLAP National Conference this year. This was the first conference a KALAP board member attended. Now the KALAP Board knows firsthand just how beneficial this fantastic conference can be for lawyer assistance programs and lawyers across the U.S. and Canada. - Brynn Mroz - Anne McDonald

Minnesota
Lawyers Concerned for Lawyers, the oldest continuing lawyers assistance program in the country, celebrated its 35th Anniversary on October 28th. David R. Brink was honored at this event. David has served on LCL’s Board of Directors, has been a staunch supporter of LCL for many years and has spread our message of experience, strength and hope to many in our community. He is a Past President of the Hennepin County Bar Association, the Minnesota State Bar Association, and the American Bar Association. While his involvement with the ABA is extensive, we particularly note his service on the ABA Standing Committee on Substance Abuse and the Advisory Committee to the ABA Commission on Lawyer Assistance Programs. We also honored Charles E. Steffey. Chuck was very involved in expanding LCL’s services to include mental health issues. As LCL Board Chair, Chuck attended a CoLAP conference where he learned about the QPR suicide prevention protocol. He went on to become a QPR trainer and has presented this topic many times on behalf of LCL. LCL has started a support group for lawyers diagnosed with AD/HD. - Joan Bibelhausen

Pennsylvania
During the first half of 2011 Pennsylvania’s Lawyers Concerned for Lawyers of PA, Inc. recorded 131 new helpline cases: 18 interventions; 49 personal requests for services; and 64 requests for literature, recovery meeting locations or other information on services. Presenting problems were as follows: 48% alcohol and/or drugs, 25% mental health, 13% stress and 14% other. All helpline callers are offered, and 25% accept, recovery literature targeting their presenting problem. (Note: 100% of

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our helpline calls come from concerned judges, lawyers, law students and members of their families. Monitoring services (independent of LCL) are provided by the state bar’s lawyers’ assistance committee. Also, PA does not have conditional admission.

In the first six months of 2011 our educational message reached 3,660 PA lawyers, judges and law students as well as an additional 5,000 lawyers nationwide. We conducted 104 live presentations and utilized Internet presentations (www.pbi.org and www.lawline.com). Approximately 12,000 brochures were distributed targeting lawyers, judges and law students.

Our 8th Annual Volunteer Conference (“Is Recovery Contagious?”) was held in April with an attendance of 112 (@45% of our volunteer base). Additionally, we held our 5th Annual Law School Dean of Students Retreat in May which was attended by representatives from 6 of the 8 PA Law schools, the Board of Law Examiners, the state bar’s Young Lawyers Division, and the Lawyers Fund for Client Security. - Ken Hagreen

**Vermont**

The Vermont LAP put on a most informative 2 hour presentation on Prescriptive Drugs and reporting and identifying lawyers with problems. - John B. Webber

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**New Appointments**

CONTINUED FROM PAGE 3

and in Counseling Education, and is both a Licensed Professional Counselor and a Nationally Certified Counselor. Additionally, she has completed Graduate Certification in Holistic Health, and has achieved level II Certification in Addictions Counseling. She is certified as an advanced level Board Certified Interventionist and as an Approved Clinical Supervisor. Ms. Burkett is a past President of the Michigan Association of Alcohol and Drug Counselors (MAADAC). Currently she sits on the Michigan Certification Board for Addictions Professionals (MCBAP) and is a Governor’s Appointee to the Michigan Board of Counselors (MBOC).

**Honorable Robert L. Childers, Memphis, TN,** is a Tennessee Circuit Court Judge and the immediate past Chair of CoLAP. Judge Childers is the former President of TN Judicial Conference and President of TN Trial Judges Association. He also served as Special Judge of TN Supreme Court Workers Compensation Panel and TN Court of Appeals, served as Chair of the TN Domestic Violence State Coordinating Council, and Chair of the Shelby County TN Domestic Violence Council. In 2008 he helped to shepherd the passage of the Model Rule on Conditional Admission to Practice Law through the ABA House of Delegates.

**Cecile B. Hartigan, Concord, NH,** is the Executive Director of the New Hampshire Lawyers Assistance Program. From 2005 to 2007 she was a practicing attorney with the Phillips Law Office, Concord, NH, specializing in general practice of law with a focus on family law. She was a contract attorney for the NH Division of Behavioral Health representing admits to NH State Hospital. Throughout the years she has been a member of the New Hampshire Supreme Court Committee on Professional Conduct Hearings Committee, the New Hampshire Adult Parole Board, Board of Directors, the Riverbend Community Mental Health Center, Board of Directors of the Concord YMCA, NH Bar Association Pro Bono Grievance Committee (1995- Present Chair), City of Concord Personnel Appeals Board, NH Bar Association Tort Reform Committee, NH Bar Association Family Law Committee, Board of Directors of the Rape and Domestic Violence Crisis Center, Concord and member of the Florida and New Hampshire Bar Associations.

**Stewart Hsieh, Los Angeles, CA,** is partner with the fimm of Frye & Hsieh LLP whose area of practice is healthcare, wills & trusts and business transactional. He was a Board Member of the Medical Board of CA from 1993-1999 and served on the oversight committee of its Diversion Program. Mr. Hsieh has been a member of the Lawyers Assistance Program of the

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**A National Helpline for Judges Helping Judges at 800-219-6474**

Judges who need assistance because of alcoholism, substance abuse, addiction, or mental health issues may reach other judges, who are in recovery or who have gone through treatment, by calling a helpline sponsored by the American Bar Association. Judges who have volunteered to be a personal resource to other judges throughout the United States and Canada are uniquely positioned to share their experiences, strengths, and hope. Both judges in need of help and those interested in serving as a peer-to-peer volunteer should call 800-219-6474 during business hours central time. All information is confidential and protected by statute. The National Judges’ Assistance Helpline is a service of the ABA Commission on Lawyer Assistance Programs Judicial Assistance Initiative and administered by the Texas Lawyers’ Assistance Program.

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Lawyers and judges are taught not to show weakness; to deny, defend, and deflect vulnerability, while staying emotionally detached at all times. The reality is that attorneys and judges are human beings. Human beings have mirror neurons which innately identify with the pain of others (empathy) and our brains maintain the information and respond through several paths: hearing the story, seeing the images and identifying with the emotions. Many practitioners also experience negative changes in their assumptions about life, other people, and issues of safety. These reactions are indicative of the physiological and psychological changes occurring within the mind and body due to the processes of empathy, the fear response system and patterns of thinking. If left unchecked, these reactions wear on the mind and the body and correlate with higher levels of depression, burnout, secondary traumatic stress and an overall decrease in well-being.

What places legal professionals at increased risk?
Levin (2003) found that compared to mental health providers and social service workers, attorneys surveyed had significantly higher levels of secondary traumatic stress and burnout.

Organizational and job issues that contribute to the development of compassion fatigue include:
- high caseloads
- lack of peer support
- minimal support from supervisors
- excessive paperwork
- inadequate resources to meet demands
- limited job recognition

Researchers also report the impact of compassion fatigue upon the work environment includes:
- increased absenteeism
- high staff turnover
- lower productivity
- impaired judgment
- low motivation

What can legal organizations do?
With the current culture of budget deficits, limited space and resources, non-paying clients and increasing caseloads it is imperative (albeit difficult) for legal organizations and the judiciary to recognize and acknowledge that compassion fatigue exists and identify how it impacts the practice of law. Prevention strategies include:
- reduce caseloads
- educate legal professionals about what compassion fatigue is, how a person may be impacted while working with traumatic stories
- create a supportive atmosphere where staff can openly discuss how they are impacted by the work they do and are encouraged to engage in self-care on a regular basis.

What can legal professionals do?
Whether an attorney, judge, or other professional, the recommendations to mitigate or treat compassion fatigue are similar.
- understand what compassion fatigue is, assessing for it on a regular basis
- talking on a regular basis with another practitioner who understands and is supportive
- establishing a healthy diet, sleep and exercise program
- work daily on balance
- be intentional about asking for help
- don’t hesitate to seek professional services from a mental health clinician who specializes in the treatment of trauma

The good news: LAP’s can be a resource for legal professionals.
Help is available through your local Lawyer Assistance Program (LAP). LAP programs understand the specific stressors faced by judges and lawyers. They can assist you in putting together a plan to mitigate compassion fatigue, work on an organization level or find local resources. These programs are confidential and specialize in assisting legal professionals with many challenges or conditions that can impact their ability to practice or decrease well-being. Early intervention is the key to best outcomes.

LINDA ALBERT is the Program Coordinator of the Wisconsin Lawyer Assistance Program (WisLAP).

References:
Looking Back at the Tampa Conference and Forward to Grand Rapids
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and wanted to find a special way to show him our appreciation.

Well, my worry about the weather or anything else in Tampa was a complete waste of time and energy. We had wonderful Florida volunteers on site, the food was great, and the weather was lovely. I need to particularly thank Michael Cohen and Tim Sweeney for taking care of all the details, which made for a great conference.

John McAndrew, the singer/songwriter for the Thursday night banquet, was beyond good; he was almost magical. I know at least four attendees from Indiana purchased CDs and based on the line we stood in to do so I think many people took home a CD. We all treasure the memory of that night. At the end of the evening John had everyone stand in a circle and hold hands. The feelings of joy, gratitude, peace, and community were strong. An attorney near me asked, “What other attorney conference can you think of where you can hold hands with a total stranger and not feel awkward.” The warmth and support that permeates this conference was at a peak that night in great part I think because John McAndrew understood and hit the notes perfectly for our audience.

For several years now, we have held a retreat for all the LAP directors on the Monday before the conference. We try to make the day a blend of sharing information about how to run a LAP (nuts and bolts) and sharing thoughts on how to stay healthy as a LAP director. It is also an important time to reconnect with our colleagues from around the country and beyond. This year Cecie Hartigan and Laura (Gatrell) McClendon organized Director’s Day. The three of us (and several other LAP directors) had participated in an experiential exercise back in May and we decided that the other LAP directors would really like it...or hate it. We decided it was worth the risk. Thankfully, whether they enjoyed the exercise or not everyone seemed to agree that it was valuable. The rest of the day was filled with problem solving exercises aimed specifically at LAP work, sharing significant developments in our programs over the past year, catching up personally, and enjoying a wonderful lunch with Flamenco dancers.

In terms of speakers, Judge Victoria Brennan and State Representative Darryl Rouson far exceeded my expectations. Dr. Michael Herkov’s presentation on what can be done to help disruptive attorneys was informative and gave me hope that in the future we will be able to assist more effectively in situations involving “workplace bullies.”

Presentations by Linda Albert, the Wisconsin LAP director and a member of the Conference Planning Committee, received the highest evaluation of all the speakers. The week before the conference I attended a program on how to give better presentations and how to educate adults. Linda put into practice all the things I learned at that program. Not only was her presentation stellar but we did not have to struggle to find a sponsor or educate her about the conference planing that still puzzles me. If anyone can tell me how to convince a hotel (any hotel) to set the temperature in the meeting rooms above 60 degrees would you please share the secret!

So, I pass on Laura’s advice to Janet Piper Voss, our conference chair for 2012, and future conference chairs—“Do not worry about the conference.” The most important part of the conference is the warmth and support we all receive from each other. That comes from the people who attend and not the conference planning committee. So, trust your instincts on speakers, take a risk on fun activities, and know that the conference will always be great because of who shows up.

“How other attorney conference can you think of where you can hold hands with a total stranger and not feel awkward.”

TERRY L. HARRELL is the Executive Director of the Indiana Judges and Lawyers Assistance Program.
CoLAP 2011 Law Student Wellness Award

BY GENA LEWIS SINGLETON

The Commission on Lawyer Assistance Programs (CoLAP) established the Law Student Wellness Award to acknowledge the work of law schools, students, staff or faculty members who have made a significant contribution to law student assistance. This award recognizes significant initiatives or contributions toward law student mental and physical wellness through prevention, education, intervention, and treatment of substance abuse, addiction, and mental illness within the law student population.

Alfred (Cal) W. Baker was selected as this year’s recipient posthumously. Judge Robert Childers, former ABA CoLAP Chair, presented the Award to Cal’s brother, Jim Baker, his son, Christopher Baker and daughter, Cailey Baker during CoLAP’s Annual Conference Dinner held at the 2011 National Conference in Tampa, Florida.

Gena Singleton, former CoLAP Law School Assistance Chair, wrote the following in memory of our friend Cal Baker.

Alfred “Cal” W. Baker Jr.
March 26, 1961 – April 8, 2011

On behalf of the ABA Commission on Lawyer Assistance Programs and South Texas College of Law, we extend our sincere condolences to Cal’s family and friends. Cal was a loyal, active, and valued member of our ABA and Law School family.

I met Cal when he was a new law student in the fall of 2003. It was a routine meeting to discuss disclosure issues and I anticipated the typical law student response – limited understanding, some resistance to instruction, and a readiness to conclude the matter for personal benefit. However, I quickly learned that Cal was not your typical law student and this was not a routine encounter. Cal readily identified the professional implications and turned the matter from himself to how he could help others avoid similar mistakes.

I also learned that Cal had a lot of lessons to share with his peers. I gave him the green light and he took the ball and ran with it. He began speaking at every student orientation about the professionalism and wellness and the interdependence of the two. He founded Law Students Anonymous, a support group for law students dealing with addictions and other mental health concerns. He encouraged the law school to participate in National Mental Health Awareness Day and he gave of his time to screen and evaluate law students every semester for mental and substance abuse conditions. He pushed for a wellness office which is now used for counseling, peer groups, and as a library of wellness materials. He reached out to the State Bar of Texas Lawyers Assistance Program (TLAP) and eventually became the liaison between the law school and TLAP. At the 2006 graduation ceremony, he received the Dean’s Citizenship Award for exemplary service to the law school. Dean James Alfini made the following remarks:

Fifteen years ago one of our December graduates entered a drug and alcohol treatment center with only the clothes on his back and a GED. Since that day, he has subsequently, earned a college degree and a professional license as a chemical dependency counselor. As a Director for the Right Step, he helped hundreds of young people get their lives back on track. He has been a sponsor and mentor to numerous adults struggling with addiction. As a law student, he created one of the first peer assistance programs for law students and he coauthored an ABA publication entitled Substance Abuse in Law School: A Tool Kit for Law School Administrators. Today, he celebrates 15 years of recovery. And tomorrow, he will be receiving his law degree! This semester the Dean’s Citizenship Award goes to Alfred W. Baker or as we all know him – Cal.

Later, he joined me in my work with the ABA Commission on Lawyer Assistance Programs (CoLAP) – a national effort to support recovery, sustained health and productivity of lawyers across the country. He co-authored a toolkit on substance abuse in law schools with me and Elizabeth Escobar published by the ABA. He served as a presenter at several ABA CoLAP national conferences, he provided consultation in the development of CoLAP’s LSD Tool Kit on Mental Health, and he assisted in the creation of the ABA CoLAP Law Student Wellness Award honoring law schools that have made significant strides in fostering wellness in their communities. He went on to serve on the ABA CoLAP Advisory Committee. Upon learning of Cal’s passing, I have received many words of sympathy and praise for Cal’s work. Former ABA CoLAP Chair Judge Childers made the following remarks:

Thank you Gena for passing along the very sad news. We share your profound sadness at Cal’s passing. Cal was a joy and an inspiration to work with. He threw himself into his work with a passion beginning with his tenure as the ABA-LSD liaison to the Commission and continuing with his appointment to CoLAP’s Advisory Committee. Cal provided invaluable assistance and insight to CoLAP’s Law School Assistance Committee in its work to assist law students. He was very helpful with the production of the “Law School Tool Kit”, among other resources produced by the committee. And as pointed out by others, Cal pitched in and provided assistance at Commission meetings by taking the minutes for meetings. I was delighted last year when Cal was finally approved by the Bar Examiners to be licensed to practice law in Texas. Among my fondest memories of Cal was when we were coming back from dinner in Chicago and Cal spotted John Madden (the football coach/sports commentator) in the lobby and ran up to him to get an autograph. Cal had a great spirit and a kind heart and really cared about helping others. We will all miss him.

Cal would often seek my counsel, but in reality he was the one who provided meaningful inspiration. He will live on through the work we do to help law students reach their fullest potential, to improve the lives of lawyers, and to enhance our profession as a whole.

One of Cal’s favorite inspirations was a prayer written by St. Francis and found in the “Twelve Steps and Twelve Traditions”, a book published by Alcoholics Anonymous World Services, Inc. I am sure this prayer provided comfort through some personal tribulations, hope for the future, and motivation to achieve success in helping others:

Lord, make me a channel of thy peace;
that where there is hatred, I may bring love;
that where there is wrong, I may bring the spirit of forgiveness;
that where there is sad news. We share your profound sadness at Cal’s passing. Cal was a joy and an inspiration to work with. He threw himself into his work with a passion beginning with his tenure as the ABA-LSD liaison to the Commission and continuing with his appointment to CoLAP’s Advisory Committee. Cal provided invaluable assistance and insight to CoLAP’s Law School Assistance Committee in its work to assist law students. He was very helpful with the production of the “Law School Tool Kit”, among other resources produced by the committee. And as pointed out by others, Cal pitched in and provided assistance at Commission meetings by taking the minutes for meetings. I was delighted last year when Cal was finally approved by the Bar Examiners to be licensed to practice law in Texas. Among my fondest memories of Cal was when we were coming back from dinner in Chicago and Cal spotted John Madden (the football coach/sports commentator) in the lobby and ran up to him to get an autograph. Cal had a great spirit and a kind heart and really cared about helping others. We will all miss him.

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Lord, make me a channel of thy peace;
that where there is hatred, I may bring love;
that where there is wrong, I may bring the spirit of forgiveness;
that where there is discord, I may bring harmony;
that where there is error, I may bring truth;
that where there is doubt, I may bring faith;
that where there is despair, I may bring hope;
that where there are shadows, I may bring light;
that where there is sadness, I may bring joy.

Lord, grant that I may seek rather to comfort than to be comforted;
to understand, than to be understood;
to love, than to be loved.
For it is by self-forgetting that one finds.
It is by forgetting that one is forgiven.
It is by dying that one awakens to eternal life.
Amen.
levels in New York serving as a volunteer and committee member of the New York State Bar Association Lawyer Assistance Committee from 1991 to the present, as chair of the Brooklyn Bar Association Lawyers Helping Lawyers Committee from 1998 to 2005, and chair of the New York State Bar Association Lawyer Assistance Committee from 2005 to 2009. I also served as a trustee on the New York State Lawyer Assistance Trust (LAT) as well as serving on the Judicial Advisory Panel of the LAT. I have been active with CoLAP, serving as a Commissioner from 1994 to 1997. Judge Childers appointed me to serve in the Judicial Assistance Initiative (JAI), as the chair of the Education sub-committee when it was first created in 2006. He then asked me to chair the JAI in 2008.

In this issue you will read about the wonderful and informative presentations that were part of this year’s annual CoLAP National Conference held in Tampa, Florida, this past September. Suffice it to say for now that the conference was once again a resounding success. Due to retirements within the LAPS, there were quite a few new faces in attendance among the LAP directors from within the states as well as provinces of Canada. All were welcomed to the conference in the Orientation Program that is now the unofficial opening of each conference.

The Orientation serves not only to introduce new members and attendees to more seasoned veterans of CoLAP but there is also a mentoring component to help new attendees and particularly new LAP directors and other LAP employees to more quickly become part of the CoLAP family.

There were approximately 240 attendees at the Tampa conference representing lawyer assistance program professionals and volunteers, bar leadership, members of the judiciary, law school professionals and students, and treatment facility professionals.

CoLAP’s goals for 2012 include more development of programming for the Judicial Assistance Initiative, developing better resource identification and programming for senior lawyers and judges, creating more online programming on stress, addiction, depression and other issues, developing model confidentiality and immunity rules for LAPS, strengthening our contacts and outreach in diverse legal communities and providing additional regional programming. In addition, the Commission is collaborating with the National Organization of Bar Counsel (NOBC) and the Association of Professional Responsibility Lawyers (APRL) to present a simulated reinstatement hearing for a lawyer in recovery at the ABA’s Midyear Meeting being held in New Orleans, February, 2012. The Law School Assistance Committee plans to explore research to update a 1990’s study which measured the incidence of addiction, alcoholism and mental health issues in law students.

I am excited about all of these ongoing initiatives and hope to be able to fill the big shoes of our immediate past chair as well as continue the work that my predecessors have so ably carried for so many successful years. I thank all of the professionals who so generously give of their time, energy and expertise to ensure that the message of recovery is carried effectively within the greater legal community. I especially want to extend a big thank you to the out-going members of the Commission-Joan Bibelhausen from Minnesota, Susan Grover and George Hetrick from Virginia, Mary Robinson and Janet Piper Voss from Illinois.

In a recent op-ed piece for the New York Times, David Brooks wrote about the limits of empathy. He wrote that “[e]mpathy orients you toward moral action but doesn’t seem to help much when that action comes at a personal cost.” He went on in the article to talk about the personal commitment it takes to follow up “delicious moral emotions” with constructive actions that might make a difference in our communities; actions that may require us to do more than write a check for a charity.

For those who volunteer their time and energy to CoLAP, often at their own expense, in the words of Mr. Brooks, their actions are structured by a sacred code, which is not only a source of identity but is also pursued with joy. I know that for me, the work of CoLAP, to assist the state LAPS in their efforts to try to save the lives of our fellow lawyers, judges and law students, is a source of great energy and joy. I am so happy to have been selected to serve the larger legal community in this capacity.

As we go forward into 2012, I welcome the opportunity to work with our diverse community of Commission and Advisory Committee members and all the members of CoLAP to explore new ways to bring our message of recovery and support and the services of LAPS to a wider audience within the legal community.

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**New Appointments**

State Bar of California from its inception and served as its first Chair. He is a member of the Los Angeles County Bar, the State Bar of CA, the ABA, and the California Society of Healthcare Attorneys. He received his BS from California State University, Los Angeles in 1975 and his JD from Southwestern University School of Law in 1978. Mr. Hsieh is also a season ticket holder to the Los Angeles Dodgers and the University of Southern California Football.

Debra Lawson, San Francisco, CA, is a member of the State Bar of California. She received her undergraduate degree from the University of California Berkeley, graduated from Harvard University Law School and we admitted to the Bar December, 1988.

Patricia Spathar, New York, NY, is Director of the New York State Bar Association’s confidential Lawyer Assistance Program (LAP). Ms. Spathar is a NYS Licensed Mental Health Counselor, Certified Employee Assistance Professional, Distance Credential Counselor, and Certified QPR Trainer. In addition to her professional credentials, she has over 15 years of working in the employee assistance profession, and over five years working in lawyer assistance. As the LAP Director, Patricia works closely with the State Bar’s Lawyer Assistance Committee and the numerous local bars’ Lawyers Helping Lawyers Committees statewide. In addition, she collaborates with LAP Directors throughout New York State to develop and deliver outreach efforts, educational programs, and comprehensive services to attorneys, judges, and law students experiencing mental health problems.

Janet Piper Voss, Chicago, IL, is a past Commission and Advisory Committee member. She has been an active member of CoLAP’s National Conference for Lawyer Assistance Programs Planning Committee and is the Conference chair for 2012. Her past experience has been as the administrator of the Relapse Prevention Program, director of a half way house for women in the Chicago area where she currently serves as a volunteer on its Board.

**Returning Advisory Committee members:**

David F. Hurley, Indianapolis, IN; Teresa D. Jones, Memphis, TN; William John Kane, New Brunswick, NJ; Andrew J. Rothermel, Wernersville, PA; Judith R. Rushlow, Fort Lauderdale, FL and Michael A. Stewart, Sr., Birmingham, AL
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