



Connecticut's Lawyer Assistance Program: Helping Attorneys Battle Addiction, Depression, and Other Impairments

By William C. Leary and Matthew Hallisey

FOR YEARS, ATTORNEYS IN CONNECTICUT SUFFERING FROM ALCOHOL ABUSE OR OTHER SUBSTANCE-RELATED OR BEHAVIORAL PROBLEMS DID NOT HAVE A FORMAL, fully funded program to turn to for help in dealing with their problems—until now. Launching early in 2006, a lawyer assistance program will begin operations, reaching out to intervene in the lives of impaired attorneys while providing a confidential means of directing them to appropriate resources and services to aid them in recovering from their problems.

Society has come to recognize the high costs associated with substance abuse, depression, and similar impairments. More and more people experience the impact of these destructive diseases on their own lives and on the lives of families, friends, and loved ones. This physical,

financial, and emotional toll has led to the growth in resources dedicated to treating these illnesses and to assisting people who are coping with and recovering from these health problems.

Statistics show that approximately one in every ten adult Americans suffers from alcohol or drug addiction and related disorders. Lawyers and other professionals suffer from these types of problems in significantly greater proportion than the general population. Some estimate that members of the legal profession, including judges, suffer at twice the rate of the general population.¹ It is estimated that one out of five attorneys suffers from chemical addiction, depression, anxiety, compulsive disorders (including gambling addiction), stress, or other distress that impairs his or her ability to func-

tion.² Rare, indeed, is the lawyer who has never been personally affected by the chemical dependency of a law partner, associate, staff member, or adversary counsel. Equally rare is the judge who has never seen the smooth operation of the docket fall victim to the tardiness, absence, or incapacity of a lawyer who was drunk, drugged, or hung-over from alcohol or drugs or who is suffering from mental health disorders.

Are you struggling with these problems yourself? Perhaps you know an attorney or colleague who is. If so, help has arrived. Connecticut now offers a broad-based lawyer assistance program to aid members of the profession in recognizing and identifying their problems and finding solutions within a completely confidential and supportive network.

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Administering the Program

After a competitive bid and selection process, the Connecticut Judicial Branch recently selected Lawyers Concerned for Lawyers—Connecticut, Inc. (LCL—CT) to administer and provide services for the new Connecticut lawyer assistance program. LCL—CT is a non-profit corporation organized in Connecticut. A board of directors, currently comprised of twenty-three members, will oversee the management and operations of LCL—CT and the assistance program. Five officers, including an executive director, will lead the board's efforts. A majority of the officers and directors are attorneys licensed to practice law in Connecticut, and many of them are in stable recovery from substance abuse, depression, and/or other mental health problems. Directors include many other types of professionals as well as knowledgeable and dedicated lay people—some of whom are also in stable recovery.

One of LCL—CT's first tasks has been to find and secure space in a central location that is suitable for attorneys to begin discreetly obtaining services through the program. Office space in a low-profile building in Rocky Hill was recently rented for just this purpose.

Funding for the program is derived entirely from the Client Security Fund fee, which is paid annually by all attorneys admitted to practice law in Connecticut. For the current fiscal year, about \$250,000, which includes one-time startup costs, has been allocated to LCL—CT to administer the program. This funding amounts to about \$9 per licensed Connecticut attorney—or little more than the cost of a single alco-

holic drink. While this dollar amount is not insignificant, numerous studies have clearly demonstrated that encouraging and helping lawyers into recovery saves dollars as well as lives.³ A large percentage of malpractice claims, as well as most defalcations, can be attributed to the disease of chemical addiction and related disorders.

A nationwide search is currently underway for an executive director. A committee of the board is seeking a lawyer admitted to practice in Connecticut who has experience in lawyer impairment issues and who has been in continuous recovery for at least seven years, or a qualified healthcare professional with at least five years' experience with addiction and mental health assessment and treatment. The executive director will have sufficient experience and training to identify and assist members of the legal community affected by these problems.

William C. Leary, an attorney in Windsor Locks, is serving as the acting executive director on a pro bono basis until a permanent executive director is hired and in place. Leary is a longtime active member of the Connecticut Bar Association's Special Committee on Lawyers Concerned for Lawyers and has been in stable recovery for many years. Leary played a pivotal role in establishing the lawyer assistance program in the state and will assist in the transition of duties to the new executive director.

Chief Court Administrator Judge Joseph Pellegrino has appointed attorneys and mental health professionals to serve on an advisory committee, which will monitor the program. The committee will work with LCL—CT to assist in providing crisis intervention and referral assistance to impaired attorneys.

Providing Assistance to Those in Need

How will Connecticut's lawyer assistance program work? Impaired attorneys can come to the program through several different routes. Lawyers who think they need assistance can contact LCL—CT directly. Its office in Rocky Hill is purposefully located away from the CBA Law Center and the courts. An attorney can speak in confidence with the executive director, who will listen, explore possibilities, and prepare a plan of action. The executive director will make referrals and assist the attorney

Signs or Symptoms that May Indicate Alcohol or Drug Problems

- Do you drink or use drugs to improve your job performance or to deal with difficult people or situations?
- Do you miss appointments, depositions, or court appearances?
- Do you miss deadlines or neglect work? Is the overall quality of your work declining?
- Do you fail to return phone calls or respond to client inquiries in a timely fashion?
- Do you drink or use drugs when you are alone?
- Do you have increased discord in your marriage or family?
- Do you make excuses or lie about the frequency or quantity of drinking or drug use?
- Has your life become unmanageable because you cannot control your drinking or drug use?

in finding the appropriate care provider. LCL—CT will serve as a referral information and education resource. It will not provide financial assistance to its clients but will work closely to maximize any third-party benefits available on an individual-case basis.

Building a Support System

Connecticut's lawyer assistance program represents the culmination of a five-year effort on the part of CBA leadership and staff; prominent members of the Judicial Branch, including Chief Justice William J. Sullivan, Justices David Borden and Richard Palmer, and Judge Pellegrino; and numerous dedicated individuals who recognized that Connecticut had to dramatically improve its commitment to reaching out and providing assistance to impaired attorneys in order to

(Please see next page)

Volunteer to Help an Impaired Attorney

The most successful and respected people throughout history have been those who freely give of their time to assist others in need.

If you have been through the emotional, physical, and financial wringer of alcoholism or drug addiction, depression, compulsive gambling, severe stress, or similar health problems, then you may possess some invaluable experience that can be of help to others.

Why not donate a small amount of time to discreetly share your experience, strength and hope with another? It's a win-win proposition. Persons who suffer from similar addictions will be forever grateful for your unselfish act of kindness,

and you will be rewarded with a sense of well-being and purpose that is more difficult to find in today's busy world.

For more information contact:

LCL-CT, Inc.
2080 Silas Deane Highway
Rocky Hill, CT 06067

We are *your* confidential lawyer assistance program.

If you have a concern about a family member, a colleague, or yourself, call the Confidential Lawyers' Infoline at (860)529-4077.

save lives, preserve families, protect clients, and improve the image of the legal profession. These efforts also received substantial assistance and encouragement from the American Bar Association's Commission on Lawyer Assistance Programs (COLAP) and many directors of lawyer assistance programs throughout North America.

Impetus for the program initially came from members of the CBA's Lawyers Concerned for Lawyers Committee, which is comprised of Connecticut attorneys in recovery from alcohol or drug addiction who reach out to their colleagues in distress and who then assist each other in their recoveries. The group has been in existence for about twenty-five years and meets on a

weekly basis in Rocky Hill. This group and two others—one in Fairfield County and another forming in New Haven—are based on the traditional twelve-step, Alcoholics Anonymous model. Countless members of the legal community attribute their recovery from addictive diseases and related disorders to the inspiration and assistance that came from this group of dedicated lawyers.

The ABA created COLAP in 1988 to advance the legal community's knowledge of impairments that lawyers face and to support and serve as a resource to state and local bar association lawyer assistance programs. COLAP has become an essential component of North American lawyer assistance programs by providing ongoing research, networking opportunities, and annual forums to enhance the efforts and methodology of assistance programs across the continent. With the addition of Connecticut to the ranks, nearly every state has such a program

in place. Connecticut's program is based on the ABA-recommended model for a broad-based, volunteer-driven program.

Lawyer assistance programs offer troubled lawyers and members of the legal community a chance to change their lives. Persons in the program receive treatment and ongoing assistance over time, working with trained, professional care providers and attorney-volunteers who have experienced and conquered similar problems. The most common impairments are alcohol and drug abuse and depression. A significant percentage of attorneys refer themselves to these programs. Colleagues and family members refer others.

Preserving Privacy

Confidentiality is a hallmark of any successful lawyer assistance program and, in Connecticut, it will be no different.



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Confidentiality is essential for the program to be effective and successful. It is guaranteed.

Any and all information given or received in connection with the services provided by LCL-CT will be handled in such a way that confidentiality is assured. For example, participants will not be identified by name but by a number. Records will not identify participants. Confidentiality was the cornerstone of the statutory authority authorizing the adoption of Connecticut's program and is the foundation of every lawyer assistance program in existence. The officers of LCL-CT, members of the board of directors, and any prospective staff of the organization are committed to confidentiality in the program.

Lawyers Helping Lawyers

LCL-CT believes that a successful lawyer assistance program must be rooted in the concept of lawyers helping other lawyers. This concept drives successful assistance programs throughout North America. These programs clearly demonstrate that there is no substitute for the passion and commitment of a lawyer who has "been there and done that" in helping another lawyer in crisis. The underlying philosophy is that lawyers are able to provide a unique rapport and network of confidential support to other lawyers who are suffering from the same distress, and they are very effective in encouraging other lawyers to seek assistance. Attorneys understand the stresses associated with practicing law, the need to maintain confidentiality to protect clients, and the risks associated with practicing law while impaired, be it by alcohol, drugs, other addiction, or mental disorder. LCL-CT is fully committed to this concept and this philosophy.

With the commitment of the CBA, leaders of the Judicial Branch, dedicated volunteers, and others, Connecticut's new lawyer assistance program is destined to become a highly successful and effective program akin to those that now exist in many other states. Lawyers in Connecticut who may be suffering from addiction or other impairments can be assured that they will have a confidential program to turn to for assistance. The program is designed to assist the legal community in meeting the needs of impaired attorneys, helping to preserve careers, rebuild families, and protect the public. **CL**

William C. Leary is the pro bono, acting executive director of Lawyers Concerned for Lawyers-Connecticut, Inc. Matthew Hallisey is director of government relations and legislative counsel for the Connecticut Bar Association and a member of the board of directors of Lawyers Concerned for Lawyers-Connecticut, Inc.

Notes

1. Reported by Connie Beck, Bruce Sales, and G. Andrew H. Benjamin, "Lawyer Distress: Alcohol-related Problems and Other Psychological Concerns Among a Sample of Practicing Lawyers," 10 J. Law and Health 1, 1-60 (1996).
2. See, e.g. Susan Daicoff, *Lawyer, Know Thyself: A Psychological Analysis of Personality Strengths and Weaknesses*, APA Books (2004).
3. Sweeney, Michael J., "Lawyers in Recovery Have Low Claim Rates!" *In Sight*, Issue 46, Oregon Attorney Assistance Program (April 2002), <http://www.oaap.org/data/documents/insight/Lawyers.pdf>.

Executive Director

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Lawyers Concerned for Lawyers-Connecticut, Inc. seeks to hire an Executive Director for the newly formed Connecticut Lawyer Assistance Program which has been created in accordance with Section 51-81d(a) of the Connecticut General Statutes to provide crisis intervention and referral assistance to lawyers admitted to practice in the state of Connecticut.

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Qualifications

The Executive Director shall be either a lawyer admitted to practice law in Connecticut who has experience in lawyer impairment issues and who has been in stable recovery for at least seven (7) years, or a qualified healthcare professional with at least five (5) years of experience with addiction and mental health assessment and treatment. The Executive Director should have sufficient experience and training to enable him/her to identify and assist lawyers affected by alcohol or other substance abuse problems or gambling problems or who have behavioral/health problems as well as sufficient administrative expertise to manage competently a human services organization.

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Salary Range

\$70,000-\$80,000, depending upon qualifications and experience.

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For a full job description, including duties and responsibilities, visit the Career Center at www.ctbar.org.

To apply, send a résumé and a letter of interest to Lawyers Concerned for Lawyers-Connecticut, Inc., 487 Spring Street, Windsor Locks, CT 06096.