

Lawyers
Concerned
for Lawyers of
Pennsylvania

Confidential
Helpline

1-888-999-1941

24 hrs./day, 7
days/week, 365
days/year

www.lclpa.org

- Free information and literature
- Free evaluation by a healthcare professional
- Free assistance with interventions
- Peer support
- Lawyer/Judge/Law Student-only support group meetings
- LCL staff support

Our services are **free, confidential, non-judgmental** and **non-obligatory**.

The Impaired Lawyer



A Call for Action

THE IMPAIRED LAWYER – A CALL FOR ACTION

Presented by Brian S. Quinn, Esquire

Brian S. Quinn, Esquire is a licensed attorney in Pennsylvania who currently serves as the Education and Outreach Coordinator for Lawyers Concerned for Lawyers of Pennsylvania, Inc., a Lawyers Assistance Program established in 1988 for the purpose of helping lawyers, judges and law students recover from alcoholism, drug addiction and mental health disorders.

Mr. Quinn obtained his undergraduate degree in 1970, his law degree in 1973 and a certificate in Drug and Alcohol counselling in 2012, from Villanova University. Prior to working for Lawyers Concerned for Lawyers, he was a sole practitioner for nearly 40 years and has also worked in the field of Alcohol and Drug Counseling at Mirmont Treatment Center and Malvern Institute in suburban Philadelphia.

Mr. Quinn is a past member of the Board of Directors of Lawyers Concerned for Lawyers of Pennsylvania and served as a peer volunteer for over six years prior to accepting his current role as the organization's Educator.

What Is LCL ?

Lawyers Concerned for Lawyers of Pennsylvania, Inc. (LCL) is an independent, not-for-profit corporation.

Our mission:

To provide a caring peer assistance program to save the lives and restore the health and professional competence of Pennsylvania's judges and lawyers, members of their families, and law students who are at risk as a result of alcohol and drug use, gambling, depression or other serious mental illness. We carry out this mission through a combination of confidential helpline services, volunteer support and education.

What LCL IS and IS NOT

LCL is NOT

- a health care provider or affiliated with any medical facility or providers
- a service that pays for treatment, although LCL may assist lawyers who can't afford treatment find private or public funding sources
- a service that performs substance abuse or mental health evaluations
- a reporting agency or affiliated with the PA Disciplinary Board as it relates to attorney or judicial misconduct cases.

GUIDANCE FROM THE SUPREME COURT

Rule 8.3 (c) of the Rules of Professional Conduct addresses that concern by providing an exception to the duty to report: "The Rule does not require disclosure of information otherwise protected by Rule 1.6 or information gained by a lawyer or judge while participating in an approved lawyers assistance program."

Comment 7 explains: "... providing for an exception ... encourages lawyers and judges to seek treatment through such a program. Conversely, without such an exception, lawyers and judges may hesitate to seek assistance from these programs, which may then result in additional harm to their professional careers and additional injury to the welfare of clients and to the public."
(emphasis added)

We Protect Your Identity and Information

LCL does **not** report or disclose any identifying information to the Supreme Court, the Judicial Conduct Board, the Disciplinary Board, the Board of Law Examiners or any other agency of the Supreme Court; nor do we report or disclose any identifying information to the Conference of State Trial Judges, Pennsylvania Bar Association, local bar associations or any judicial or law related organization. We do not report any identifying information to anyone without your prior consent.

You may remain anonymous and still receive LCL services.

What LCL IS and IS NOT

LCL IS

- a provider of **FREE** non-clinical services to Pennsylvania lawyers, judges, their *family* members and law students
- a 24 hour, **CONFIDENTIAL**, no strings attached Helpline and peer assistance program. LCL received 600 calls in 2018, 64% of which were self-referrals
- an organization that in 2018 offered 331 **LCL funded** mental health and substance abuse evaluations by 141 independent healthcare providers

What LCL IS and IS NOT

LCL IS

- a source for **interventions**. LCL assisted with 217 interventions in 2018, an increase of 22% over 2017
- an Educational source that reached over 26,000 lawyers, judges and law students in 2018
- a paid staff of 6 and 280 unpaid peer volunteers who provide encouragement and support to PA lawyers, judges, their family members and law students in a **safe, non - judgmental** environment

ABA / Hazelden- Betty Ford Study (Published February, 2016 *Journal of Addiction Medicine*)

Problematic Drinking*

- 6.4% of entire U.S. population
- **21%** of *all licensed attorneys*
- **32%** of *all attorneys under 30 yrs. old*

* Problematic drinking defined as hazardous, possible dependence

ABA / Hazelden- Betty Ford Study (Published February, 2016 *Journal of Addiction Medicine*)

Depression, Anxiety and Stress Scale

- Depression – **28%** of all attorneys
- Stress – **23%** of all attorneys
- Anxiety – **19%** of all attorneys
- Higher rates among younger lawyers

Common Warning Signs at the Law Firm

1. Isolation; avoids interactions
2. Change in physical appearance; significant weight gain/loss
3. Mood swings; increased irritation
4. Lateness
5. Lots of excuses for unexplained issues
6. Missed deadlines
7. Red eyes
8. Disappearing at unexpected times



Common Warning Signs at the Law Firm

9. Lack of concentration/ confused thinking/ forgetfulness
10. Extended breaks/lunches
11. Looking/being tired all the time
12. Decrease in productivity
13. Unexplained "emergencies"
14. Strange breath; smell of alcohol
15. Misses work on Mondays and leaves early Friday
16. Unsteady gait; unexplained bruises, injuries



Why Lawyers ?

The deepest of all the psychological factors making lawyers unhappy is that American law is becoming increasingly a win-loss game



Lawyers who do not appropriately address their personal issues can harm their clients,



destroy their own careers, damage the reputation and viability of their law firms, and sometimes even lose their lives.

What keeps judges and lawyers from seeking or accepting the help they so desperately need

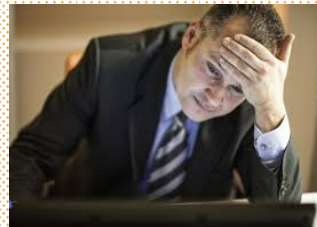


FOUR MAJOR BARRIERS

1. Shame and Embarrassment
2. Denial
3. Cunning, baffling, insidious nature
4. Enabling

WHO ? ME ??

A high-functioning impaired individual might feel hopeless, but she puts on a strong front. The high-functioning impaired attorney is at high risk and will push people away



Dealing with *Denial*

- The most potent barrier
- Psychological defense mechanism
- Rationalize and minimize behavior
- Honestly believe alcohol/drug use is under control
- I'm not one of "them" mentality



See Terence Gorski, *Denial Checklist* <http://www.tgorski.com>

Lawyers are trained to deal with and solve problems. Thus, it is most difficult for the attorney to seek help since by doing so he feels he is admitting failure.



Complicating this problem further is the tendency of the attorney's or judge's peers to indulge in a conspiracy of silence (enabling), and lighten the normal stresses of our profession.

THE CONSPIRACY OF SILENCE ENABLING

The high functioning lawyer impaired by substance abuse or mental illness is successful in hiding the signs of their impairment.

They may have someone in their life who is knowingly or unknowingly allowing them to avoid the consequences of their illness based misconduct or behavior.

THE CONSPIRACY OF SILENCE ENABLING

- Removes motivation to change
- Provides evidence that fuels denial
- Allows cons of treatment to outweigh pros
- PREVENTS treatment of a progressive disease
- Greater harm to career, family and well being
- Not good for YOU either !!

THE CONSPIRACY OF SILENCE ENABLING

Are YOU an enabler ??

1. **RATIONALIZE** your colleague's behavior by blaming other situations ?
2. **CLEANUP** your colleague's messes ?
3. **IGNORE** new bad behaviors ?
4. **HIDE** your thoughts or feelings to avoid angering a colleague ?
5. **LIE & MAKE EXCUSES** for behavior to colleague's clients or coworkers ?

THE CONSPIRACY OF SILENCE ENABLING

Are YOU an enabler ??

6. **RESENT** your colleague because they don't seem to care ?
7. **HELP** your colleague by loaning money ?
8. **RESCUE** your colleague when impairment gets them into trouble ?
9. **BACKDOWN** from ultimatums that you know you can't meet ?
10. **GIVE A MILLION "LAST CHANCES"** to colleague for change ?

Avoid Enabling

DO NOT:

- Wait until a crisis develops
- Try to diagnose or treat the problem
- Ignore the issue of job performance
- Get distracted by excuses or pleas of sympathy
- Discuss a colleague's referral for help with others

ABA / Hazelden- Betty Ford Study

(Published February, 2016 *Journal of Addiction Medicine*)

CONCLUSIONS

Greater education aimed at prevention is also indicated, along with public awareness campaigns within the profession designed to overcome the pervasive stigma surrounding substance use disorders and mental health concerns. The confidential nature of lawyer-assistance programs should be more widely publicized in an effort to overcome the privacy concerns that may create barriers between struggling attorneys and the help they need.

*“Balance is the key.
Balance is everything.”*



What can YOU do??

Although it is difficult, remember that your end goal is to help motivate the impaired lawyer or judge to seek professional help they so desperately need.



That is where **LCL** comes into play

LCL exists to assist judges, attorneys and law students in distress, but we cannot help *if you do not call us*.

LAWYERS CONCERNED FOR LAWYERS OF PA
24 hrs./day, 7 days/week, 365 days/year

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For **CONFIDENTIAL** help today, call:

1-888-999-1941 (717)-541-4360

To Call LCL...or Not to Call

- I'm ok. I can work this out for myself.
- I'm not like a "real" alcoholic anyway.
- I want help but I don't want anyone to know.
- Will I be reported to Discipline?
- I already tried to get help and it didn't work.
- I don't have the money to pay for treatment.
- What will people say about me if I ask for help ?
- It's no use – nobody will understand – I give up !

To Call LCL...or Not to Call

- I want to help but I don't want to get involved.
- Will I harm his/her or the firm's reputation?
- Must I report him or her to Discipline?
- I already tried to help and it didn't work.
- Is this really any of my business?
- Let's wait and see. Maybe it will get better.
- I really don't have time for someone else's problems.

When we don't reach out...

- Out of some misplaced sense of loyalty
- Due to fear of anger or retribution
- Out of concern about implications for career and firm
- Because of a 'mind-my-own-business' attitude

...people get sicker and die.

Call the LCL Helplines

We help by:

- **Identifying** possible approaches
- **Discussing** pros and cons of each approach
- **Selecting** an acceptable approach
- **Advising** what to say (and not to say) and how to say it
- **Participating** in the approach if it will help

Five Core Steps for a Sustainable Culture in the Legal Profession:

1. Identify stakeholders and their roles.
2. Diminish stigma associated with seeking help.
3. Emphasize that well-being is a part of competence.
4. Educate on well-being/mental health/substance use disorders.
5. Make health and well-being a top priority throughout the profession



LCL exists to assist judges, attorneys and law students in distress, but we cannot help if you do not call us.

For CONFIDENTIAL help today, call:

1-888-999-1941

(717) 541-4360

ADDITIONAL RESOURCES

2017 CoLAP National Conference for Lawyers Assistance Programs, [Well Being Tool Kit](#)

https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_Brafford_Tool%20Kit.authcheckdam.pdf

National Task Force on Lawyer Well Being, [The Path to Lawyer Well Being](#)

<https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf>

Directory of Lawyers Assistance Programs by State

https://www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state.html

National Task Force on Lawyer Well-Being Recommendations

"The Path to Lawyer Well-Being: Practical Recommendations For Positive Change"

<http://lawyerwellbeing.net/wp-content/uploads/2017/11/Lawyer-Wellbeing-Report.pdf>