

January 5, 2010

**LOUISIANA STATE BAR ASSOCIATION
COMMITTEE ON ALCOHOL AND DRUG ABUSE**

ANNUAL REPORT - January 1 - December 31, 2009

This report covers the activity for the year of 2009 of the Lawyers Assistance Program, Inc. (LAP) and the Committee on Alcohol and Drug Abuse of the Louisiana State Bar Association.

GENERAL

The goal of the Lawyers Assistance Program is to serve the public, the Bar and the profession by assisting, on a confidential basis, lawyers or judges whose professional impairment may stem from alcohol, drug abuse or mental illness. LAP is first and foremost an absolutely confidential method of providing help to an impaired lawyer or judge. By statute and by Supreme Court rule, any information received by the LAP director or committee members must remain completely confidential.

ACTIVITY

In 2009, LAP assisted 103 lawyers with referrals to inpatient/outpatient treatment and detoxification/halfway house cases; 44 lawyers were helped into ongoing participation in 12 Step Programs; 60 lawyers were helped with gambling/mental illness/evaluation/ domestic abuse/suicide/depression; and 4 judges were helped. As of December 31, there were 102 active monitoring contracts in place for the ongoing recovery of these lawyers and law students.

The referral sources of those given assistance were as follows: law firms 15; self 51; other lawyers, staff, family members, etc. 29; disciplinary system (Supreme Court Committee) 29; and Admissions System (Supreme Court Committee) 30.

Mental health issues with lawyers have risen significantly nationally. Depression and suicides have become epidemic.

The LAP Director has been appointed by the CoLAP Chair as Chairman of the Evaluation Committee. The LAP Director also serves on the CoLAP Judicial Outreach Committee and Work Life Balance Committee.

The LAP Director continues to serve on the Board of Bridge House in New Orleans. The Bridge House provides long term treatment (up to one year) for men and women suffering from alcohol/drug addiction. Several attorneys have been referred to this program.

Phoenix, Arizona was the host of the 2009 National Conference of Lawyers Assistance Programs October 6-9, 2009. This year's theme was "Serving the Arc of the Legal Community". The sessions presented topics about Medication Use and Abuse, Milestones in Adult Development, Intervening on Sexually Addicted Clients, the Economic Crisis in the Legal Community, Current Issues in Substance Abuse Testing, Dementia in the Aging Attorney and How to Help, Judges Helping Judges, and Stress in the Law. Directors of LAP Programs reported on the activities in their states.

The Louisiana Disciplinary Counsel, Charles B. Plattsmier, was one of seven Disciplinary Counsels, presented with the 2009 Commission of Lawyers Assistance Program Meritorious Service Award. These Disciplinary Counsels have distinguished themselves by advocating for or working with Lawyers Assistance Programs.

A letter from Chief Justice Catherine D. Kimball was read which recognized Mr. Plattsmier's high level of leadership and commitment while serving as Chief Disciplinary Counsel.

Our annual training session was held in St. Francisville on May 8 and 9, 2009. There were 65 lawyers and law students in attendance. Presentations were made by: Charles B. Plattsmier, Chief Disciplinary Counsel, "Disciplinary Update"; Kervin Doyle and Laura Davenport, "What it was like, what happened and what it's like now"; Kathleen Leary and J. R. Clary, "Problems Encountered by Attorneys Seeking Assistance"; and Bill Leary, "LAP Update". Barbecue and fellowship followed the last session.

At the executive committee meeting in St. Francisville, James Lambert was re-elected Chair, Susan Tart was re-elected Treasurer and Donald Massey was re-elected Secretary.

Don Massey, a member of the Executive Committee of LAP, made presentations at two LSBA Ethics Schools; Association of Legal Administrators; Solo Practitioners and Small Firm Conference (intro only); New Admittees to Louisiana Bar; Bridging the Gap; and Lafayette Bar Association.

Stephen E. Everett, a member of the Executive Committee of LAP, made a presentation to the Disciplinary Board which was comprised of Practice Monitors. The subject was the LAP monitoring process.

Susan Tart, a member of the Executive Committee of LAP, made presentations at Loyola Law School for first year law students; LSBA Solo Practitioners and Small Firm Conference; and New Orleans Bar Bridging the Gap.

William R. Leary, Executive Director of LAP, also presented at the National Bar Association in Shreveport on February 28, 2009. The topic was "Addictive Behavior". This presentation highlighted how judges and lawyers can recover from addiction if confronted and leverage is used to obtain help for the judge/attorney.

Another presentation was a panel discussion at the LSBA Summer School Revisited in New Orleans on December 11, 2009. The panel discussed how judges/attorneys with addiction/mental health issues can get help before they get in trouble. They must be willing to obtain documented help from the Lawyers Assistance Program.

The Executive Director and Judge Tom McGee (Ret.), former member of the Executive Committee of LAP, made a presentation during the week of the LSBA Convention in San Destin, Florida, at the "Nuts & Bolts" seminar. The topic was "How to Help the Addicted Person".

LAP continues to assist the Committee on Bar Admissions with evaluating applicants who will be taking the bar examination. Law students are calling LAP to see what they should do if they have anything in their past that has alcohol/drug or mental health issues. LAP refers the students to independent evaluators so that it might be determined whether or not the student is fit to practice law.

The Louisiana Bar instituted a Bar Admissions Education program in all the law schools. The LAP Director participated with a LSBA officer, representative from the Committee on Bar Admissions, Respondent Counsel, Chief Disciplinary Counsel and a member of the Bar Admissions Sub-Committee. This program informed the law students as to what information is needed to be included in the Character and Fitness section on the Application to the National Conference of Bar Examiners. This program was presented the ABA Standing Committee on Professionalism E. Smythe Gambrell Professionalism Award.

The LSBA/LAP web site continues to be a source of requests for information and lawyers seeking help. This site was recently updated with more articles on depression.

Very truly yours,

William R. Leary, J.D., LAC
Executive Director