

LAWYERS Assistance

By J.E. (Buddy) Stockwell

REACH OUT IN CONFIDENCE

The Lawyers Assistance Program, Inc. (LAP) provides free and confidential life-saving assistance to the profession and it helps those who are suffering due to substance abuse, depression or any other mental health issue. Pursuant to La. R.S. 37:221 and Supreme Court Rule XIX(16)(J), a person who contacts LAP or a member of the Louisiana State Bar Association's voluntary Committee on Alcohol and Drug Abuse for assistance does so confidentially as a matter of law. Confidentiality can only be waived by the person who has contacted LAP.

The most coveted success stories among LAP participants involve lawyers and judges who reached out to LAP early on. They are fortunate because they decided to take advantage of LAP's confidential assistance *before* their mental health condition progressed to the point that it caused them to exhibit potentially unethical conduct. A DWI or drug arrest, complaints by clients, or concerns by the judiciary and peers all mark the potential for both serious personal problems and significant professional problems.

Once a person's mental health problems have progressed to the point that impairment-related complaints of unethical conduct have occurred and/or an arrest has occurred, it often becomes known to the person's employer. It also may become known to the Office of Disciplinary Counsel (ODC) and spark a formal investigation by the ODC. A lawyer's employment and/or law license can be placed at risk by allegations of impairment-related unethical conduct.

By reaching out to LAP early on, however, impaired individuals can sometimes successfully obtain help and effective treatment for their condition *before* their disease has progressed and their behavior has deteriorated to the point that they are facing severe professional consequences.

These remarks, from a proactive LAP participant who avoided any professional issues whatsoever, fairly summarize the miracle of confidential LAP assistance (published with permission of the undisclosed participant):

Since that first day I reached out to the LAP, many miracles have taken place. My family is proud of me and I now enjoy being there for them in a loving, healthy, sober manner. I am also a very productive attorney who serves clients well. My future is bright again. I will always remain a supporter and friend of the LAP. Thank you LAP for helping save my life.

As was the case with the person above, a significant percentage of LAP's services are rendered in total privacy to people who have never been in any professional trouble whatsoever. In fact, in 2013, 40 percent of the people coming to LAP did so proactively and independently.

LAP's 2014 theme — **Reach Out!** — seeks to raise the legal profession's awareness of LAP's confidential assistance to lawyers, judges, law firms, law students and all family members of those licensed to practice law in Louisiana. At LAP, we are determined to continually improve the percentage of LAP cases wherein the person obtains effective LAP assistance *before* unethical conduct occurs and potentially harms the person, the profession and the public. In cases involving early, successful LAP participation, damage is often averted or significantly attenuated and the person, the person's family and employer, the profession and the public all benefit greatly.

Of course, denial is an extremely powerful component of diseases such as alcoholism and addiction. Many people simply cannot admit to a problem and won't reach out for help until a crisis is reached. For many, their past impairment-related

misconduct has already landed them, or will likely land them, in serious hot water with their clients, their law firm, the ODC or, sometimes, all of the above.

For these people, a formal LAP Recovery Agreement can often be invaluable if they are in the position of needing, or anticipating needing, to objectively demonstrate to their employers or the ODC that they have successfully followed LAP's recommendations for assessment and treatment, and have established continuous, sustained recovery under formal LAP monitoring.

While the primary mission at LAP is to help legal professionals restore their mental health and help save their lives in every case, regardless of whether the person has run afoul of the disciplinary system or suffered professional consequences, it is nonetheless still very important to routinely remind the profession that many LAP cases do not involve employers or the ODC. A significant number of people obtain LAP's assistance without anyone else ever being involved.

If you are in need of LAP's help, don't wait! Make the decision to trust LAP and reach out immediately. No matter how isolated you feel or how reticent you are to share your situation, please put those feelings aside and trust LAP. You do not even have to give your name. All you have to do is make the call to LAP at (866)354-9334, email LAP@louisianalap.com, or visit the website: www.louisianalap.com.

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