



# NATIONAL ASSOCIATION OF WOMEN JUDGES COUNTERBALANCE

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New Judges Corner: An Ounce of Prevention: Knowing the Causes and Signs of Judicial Distress, and Getting Help Before Impairment Leads to an Ethics Complaint by Judge Simone Marsteller

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## **AN OUNCE OF PREVENTION: KNOWING THE CAUSES AND SIGNS OF JUDICIAL DISTRESS, AND GETTING HELP BEFORE IMPAIRMENT LEADS TO AN ETHICS COMPLAINT** by Judge Simone Marsteller

A state court of appeals judge is stopped and arrested for driving while intoxicated; when stopped, she pleads with officers to let her go because an arrest will ruin her career. A trial judge instigates and engages in a physical altercation with a defense attorney in the middle of a criminal proceeding; the judge is placed on leave; he agrees to seek anger management counseling and treatment. A federal judge is arrested and charged with domestic violence; he enters a treatment program pending further criminal proceedings. A county court judge comes to work one morning obviously inebriated; her staff try to keep her from taking the bench; the chief judge has to intervene. While on leave because of the incident, and after failing to complete a course of inpatient treatment, she is arrested for DUI. Notably, she is one of three judges in the jurisdiction who, within a six-month period, have gotten in trouble for drunk driving. A judge is arrested for heroin and illegal weapons possession; he enters a drug addiction treatment program after being released on \$10,000 bail. A judge with bipolar disorder is found not guilty of misdemeanor battery by reason of insanity for shoving a sheriff's deputy during a manic episode. Two years later, she is removed from the bench because her unpredictable behavior places the public at risk; her mental health issues have been evident for 18 years. A judge is suspended for 30 days without pay for coming to work so intoxicated that she ended up hospitalized thereafter for three days.

All are true stories, and all made news headlines in the last 12 to 24 months. Similar situations involving judges whose stress, substance abuse or mental health issues overcome them are occurring with alarming frequency. And when they happen, the judges become subject to misconduct complaints and likely discipline. Their behavior, which signals an underlying addiction, mental illness or troubled emotional state, may involve actions that violate the Code of Judicial Conduct.<sup>1</sup> In addition, the failure to undergo and complete treatment often serves as an aggravating factor, increasing the severity of the discipline imposed.<sup>2</sup> Besides the judge who was removed from the bench because of her longstanding bipolar disorder and failure to carry through with treatment,<sup>3</sup> two others mentioned above are under formal ethics charges, in addition to their pending criminal charges.<sup>4</sup>

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These unfortunate stories underscore two things: Judges are vulnerable to personal and occupational stressors that can impair judgment and performance. And an unchecked or untreated impairment can quickly become public and jeopardize a judge's career.

Could these judges have been helped earlier, averting the public revelation that they were in crisis? Are there structures in place, similar to employee assistance programs, or EAPs, that can provide early, confidential assistance to troubled or impaired judges?

Because of the potentially devastating professional consequences of an unaddressed emotional, mental or addiction problem, it is important for all judges—seasoned jurists, as well as those new to the bench—to be aware of the sources of judicial stress and impairment, and to know where to get help for oneself or for a colleague. This article presents an overview of the major causes of what some experts call “judicial distress,” describes some common signs of distress, and reveals why judges often do not seek, or are not referred to, early counseling and treatment. The article further surveys currently existing judicial assistance programs and other resources available to help distressed judges.

## Judicial Distress—Major Causes and Signs

Judicial distress is not simply the stress a judge might experience on any given day from having to manage an unreasonably large caseload or deal with caustic attorneys and angry litigants. Rather, judicial distress encompasses the full spectrum of physical and emotional or mental conditions that can affect a judge's ability to perform her job, including stress. It contemplates “[a]ny condition, problem, or situation that impairs a judge's ability to carry out his/her judicial functions or poses a challenge to the judge's physical or emotional stability[.]”<sup>5</sup>

## A. Major causes of judicial distress

### 1. The job

For judges, a primary cause of *distress* is the job—not only the stressfulness of the day-to-day responsibilities, but the weight of everything else that comes with being a judge.<sup>6</sup> To be sure, the nature of the work judges do is inherently stressful. Large dockets and caseloads require the average judge often to work late in the evenings and bring files home on the weekends, cutting into relaxation and family time. Judges who hear mostly or exclusively criminal, family law and juvenile dependency cases may suffer vicarious trauma, “which is the trauma suffered by health and justice system professionals who must listen to accounts and watch videos or pictures of traumatic situations such as abuse, rape, torture, and murder.” No matter the docket, there is internal and external pressure to “be fair, impartial and make the right decision 100 percent of the time[.]”<sup>8</sup> Such pressure is even greater in high profile cases which draw media attention, and often, public criticism of the judge's decision to which she cannot respond.<sup>9</sup> Also contributing to job stress are conflicts with colleagues<sup>10</sup> and safety and security concerns.<sup>11</sup>

Being a judge is professionally and socially isolating, as well. The need to adhere to the Code of Judicial Conduct severely limits judges' ability to interact socially outside of the courthouse. Not only are public speech and behavior restricted,<sup>12</sup> but “it is more the ‘appearance’ requirement that poses the biggest burden. [Judges] have to be vigilant and maintain an appropriate distance and demeanor at social and bar gatherings.”<sup>13</sup> Activity on social networking sites also may be problematic for the same reason, depending on a judge's governing jurisdiction.<sup>14</sup>

In addition, isolation occurs as a result of the higher status a judge attains upon being elected or appointed to the bench. Former colleagues and professional peers immediately start to treat the new judge differently, addressing her by her title instead of by her name, and the distancing trend does not appear to correct itself over time.<sup>15</sup> Consequently, the judge's social circle, within which she feels free to “be herself,” shrinks considerably. Arguably more isolated are unmarried judges who simply are unable to socialize as they once did—whether because of public scrutiny, or because dating opportunities are fewer. Indeed, “[t]he single woman on the bench is often an object of outright curiosity and chatter. Who does she date? If she doesn't date, is she gay or are there other issues?”<sup>16</sup>

### 2. Prolonged job stress; occupational burnout

The National Institute for Occupational Safety and Health (NIOSH) defines job stress as “the harmful physical and emotional responses that occur when the requirements of the job do not match the capabilities, resources, or needs of the worker.” While the occasional stressful situation is manageable, prolonged stress can lead to significant physical and mental health problems. As NIOSH explains:

Stress sets off an alarm in the brain, which responds by preparing the body for defensive action. The nervous system is aroused and hormones are released to sharpen the senses, quicken the pulse,

deepen respiration, and tense the muscles. This response (sometimes called the fight or flight response) is important because it helps us defend against threatening situations. The response is preprogrammed biologically. Everyone responds in much the same way, regardless of whether the stressful situation is at work or home.

Short-lived or infrequent episodes of stress pose little risk. But when stressful situations go unresolved, the body is kept in a constant state of activation, which increases the rate of wear and tear to biological systems. Ultimately, fatigue or damage results, and the ability of the body to repair and defend itself can become seriously compromised. As a result, the risk of injury or disease escalates.<sup>18</sup>

Prolonged unresolved stress increases one's risk of developing cardiovascular disease, musculoskeletal disorders, and, of course, mental health problems such as depression and burnout.<sup>19</sup>

Judges are particularly susceptible to burnout because of the nature of the work and judicial life, as described previously. A 2009 study of a group of judges in a "medium-size city in the western United States" found three main contributors to judicial job stress and burnout: overload of workload and job responsibilities; workplace conflict (particularly conflict that is inherent in the adversarial process); and perceptions of occupational inequity.<sup>20</sup> As to the third contributor, the study's authors make a noteworthy observation relative to new judges and their vulnerability to burnout:

Notions of occupational inequity may be a common sentiment among judges as the job requires long hours and intense emotional investment with relatively small rewards. Prospective judges certainly play an active role in seeking judicial appointment or election and should thus be aware of the long hours, heavy workloads, and important responsibilities that the position demands. However, it is plausible that some judges do not fully understand the nature of the position before entering it.<sup>21</sup>

### 3. *Marital, family and financial issues*

These categories of problems are neither unusual nor unknown to most people. Conflicts with a spouse, separation or divorce, dealing with sick children, caring for aging parents, money problems—all are difficult and stressful for anyone facing them, but they generally are not insurmountable. What makes marital, family and financial problems potential sources of judicial distress are the added pressures of being a public official always under scrutiny,<sup>22</sup> serving as a role model in and out of the courtroom, and having a job that requires maintaining a calm, controlled demeanor at all times.<sup>23</sup> "Because of the weight of public expectation, judges generally feel that they should be perfect."<sup>24</sup> Trying to live up to such an impossible ideal inevitably leads to distress. Add to that the isolation factor, and the risk of judicial distress is even greater.

### 4. *Emotional and mental health issues; substance abuse and addiction*

With the exception of conditions like bipolar disorder that do not appear to be caused by conditions external to the individual, emotional and mental health issues and substance abuse and addiction do tend to flow from external pressures, including those discussed above, and are often related. Thus, for example, social isolation or job burnout can cause depression, which, in turn can lead to alcohol overuse and dependence—the most common category of addictions.<sup>25</sup> Indeed, addiction "is often referred to as a 'dual-diagnostic' area because concomitant psychological and medical conditions are usually involved."<sup>26</sup> But no matter the condition or the cause, untreated mental health and substance abuse issues invariably manifest themselves in decreased productivity, changes in temperament, erratic behavior, and the like.<sup>27</sup>

#### *B. Signs of judicial distress*

It is apparent that many of the causes of judicial distress are related, if not intertwined, and several can be occurring at once, seriously affecting a judge's ability to competently do her job. It makes sense, then, that changes in a judge's physical condition or behavior on and off the job can signal one or more of the causes of judicial distress. Following are just *some* signs that a judge may be experiencing some of those causes and may need to seek (or be encouraged to seek) help:

- Short temper
- Mental and/or physical exhaustion
- Lack of sleep/loss of appetite
- Inability to concentrate
- Lack of interest or concern
- Depressed mood
- Irritability/hostility and impatience
- Mood swings
- Inability to make decisions
- Reduced productivity
- Tardiness in getting work done
- Boredom with/at work
- Job dissatisfaction
- Increased absences from work
- Onset of anxiety/panic attacks
- Inappropriate behavior on or off the bench
- Too much alcohol consumption at professional functions

#### **Judicial Distress—Hindrances to Seeking and Getting Help Early**

Three significant barriers often prevent a judge in distress—or make it difficult for her—to get needed help: denial, public expectations, and confidentiality concerns.

The first step to recovery is admitting you have a problem. Denial is perhaps the number one hindrance to judges in distress getting the counseling or treatment they need before their impairment becomes grounds for a disciplinary complaint. Indeed, "[d]enial is the single most important reason why alcohol or substance abuse addicts do not seek help."<sup>28</sup> There is, of course, denial by the individual—



including outright denial that there is a problem, or minimizing the problem so that its effects seem less harmful.<sup>29</sup> For judges, “endorsed denial” is also a factor. Endorsed denial “is shared by the commanding figures in the person’s family, community, or work environment” and occurs when those people “deny or ignore the problem, because acknowledging it would require certain actions to be taken, which could create a crisis or difficult situation.”<sup>30</sup> Thus, a judge’s staff or colleagues avoid dealing directly with a troublesome issue, and will look the other way, or help the distressed judge contain the problem, until it gets out of hand.<sup>31</sup>

The pressure of the public’s expectations also can prevent a judge from getting help, or even acknowledging she has a problem.<sup>32</sup> As noted earlier, judges are regularly in the public eye, under scrutiny, and lawyers and citizens alike expect judges to present an image of wholeness and infallibility. This pressure to “keep it together” can cause a judge in distress to try to handle the problem without outside assistance, or even fail to recognize the signs she may have a problem.

In addition, despite the availability of lawyers assistance programs in every state, and the increasing availability of judicial assistance programs, judges in distress, who acknowledge they need counseling or treatment and are willing to undergo it, hesitate to take advantage of such programs because of confidentiality concerns.<sup>33</sup> They avoid the bar programs and seek help privately, likely for fear the fact they are going to counseling will become known in the legal community.<sup>34</sup> Interestingly, confidentiality concerns also arise from the nature of the needed treatment or therapy. Effective counseling modes like group psychotherapy and group marital counseling are simply unavailable to judges because they cannot be sure their membership in such groups will remain confidential.<sup>35</sup>

## WHERE TO GO IF YOU NEED (OR A COLLEAGUE NEEDS) HELP

### A. For state court judges

A number of states have developed assistance programs exclusively for judges and specifically designed with their concerns in mind. Several of them use judges as peer volunteers—a concept the ABA’s Judicial Assistance Initiative advocates in its comprehensive *Judges Helping Judges* handbook for setting up judicial assistance programs. Some of the more robust programs include:

- **Illinois Lawyers’ Assistance Program**—Offers a confidential program specifically for judges. The program promotes action and intervention by judicial colleagues with the help of trained LAP volunteers who are judges and who understand the issues particular to judicial officers. State-wide toll-free number (800) LAP-1233 (527-1233). Website: [www.illinoislap.org/judicial-assistance](http://www.illinoislap.org/judicial-assistance)

- **New Jersey Judges’ Assistance Program**—The program’s motto is: Never again will a Judge have to say, “there was nowhere to turn.” Assuring judges “utmost confidentiality,” New Jersey’s JAP helps with alcohol, drug and gambling addictions, depression, marital and family difficulties, stress and burnout, among other issues. Call toll-free (877) NJ-JUDGE (655-8343). Website: [www.judgesassistance.org](http://www.judgesassistance.org)

- **New Mexico Lawyers and Judges Assistance Program**—Provides confidential services and trained volunteer judges to provide peer support to judges suffering depression or battling alcohol or drugs. The program also offers judges and their family members assessments and counseling referrals for marital issues, chronic stress, eating disorders, among other issues. Judges have a dedicated 24-hour hotline. Call toll-free (888) 502-1289. Website: [www.nmbar.org/JLAP/JudicialAssistance.html](http://www.nmbar.org/JLAP/JudicialAssistance.html)

- **New York State Bar Association Judges’ Assistance Program**—Provides confidential assistance to judges dealing with alcoholism, prescription and other drug abuse, stress and depression; also provides collateral services to family members. Call toll-free (800) 255-0569. Online brochure: <http://www.nysba.org/WorkArea/DownloadAsset.aspx?id=28223>

- **Oregon Attorney Assistance Program**—Features a “Volunteer Network of Assisting Judges” who either connect callers with appropriate resources or make the call for them. The judge-centric program was created after results of a survey sent to all Oregon judges reflected a need for a confidential service using colleagues and trained professionals to provide assistance for stress, burnout, depression, anxiety, retirement, and compulsive behavior. Call (503) 226-7150 (a dedicated phone number for judges). Website: [www.oaap.org/2011/Judges.aspx](http://www.oaap.org/2011/Judges.aspx)

- **Pennsylvania Judges Concerned for Judges**—A confidential service offering help to judges with anxiety, bipolar, alcohol and drugs, grief, gambling, eating disorders, and other emotional problems. The program also provides peer support and self-assessment tools and guides. Judges staff the confidential hotline. Call toll-free (888) 999-9706. Website: [www.jcjpga.org](http://www.jcjpga.org)

- **Washington State Bar Association Judicial Assistance Services (JAS) Program**—An exclusive program for judges. JAS offers confidential assistance with mental, emotional, drug, alcohol, family, health and other issues; services include assessment, referral, short-term or long-term counseling, follow-up and training. Call the JAS at (206) 727-8268. Online brochure: [www.courts.wa.gov/judicialfamily/judicialassistancebrochure.pdf](http://www.courts.wa.gov/judicialfamily/judicialassistancebrochure.pdf)

All states have Lawyer Assistance Programs (LAP) that serve lawyers and judges alike. Apparently sensitive to some of the reason for judges’ reluctance to seek help from LAPs, a few programs offer judges dedicated hotlines manned by fellow judges. For example:



• **Indiana Judges and Lawyers Assistance Program** has a toll-free peer-to-peer hotline for judges: (800) 219-6474. Website: <http://www.in.gov/judiciary/ijlap/>

• **Minnesota Lawyers Concerned for Lawyers Judges Helpline** is a confidential phone line assisting judges with "any issue that is stressful." Call toll-free (877) 6JUDGES (658-3437) Website: <http://www.mncl.org/resources/judges-judges-resources/>

• **Texas Lawyers' Assistance Program** operates the ABA's National Hotline for Judges Helping Judges: (800) 219-6474. Website: <http://www.texasbar.com/AM/Template.cfm?Section=Judges1&Template=/CM/HTMLDisplay.cfm&ContentID=15127>

Judges in states without judicial assistance programs should take advantage of, or refer colleagues in distress to, their state's LAP. For a one-stop directory of all state LAPs, visit the ABA's Commission on Lawyer Assistance Programs (CoLAP) website at <http://apps.americanbar.org/legal-services/colap/colapdirectory.html>.

#### B. For federal judges

Not surprisingly, there is no system-wide intervention program or assistance initiative for federal judges. Unfortunately, it appears only the Ninth Circuit provides an avenue for judges in distress to seek and obtain counseling or treatment. Around 2000, based on recommendations from its Judicial Disability Task Force, the Ninth Circuit established the Private Assistance Line Service—a confidential referral resource that operates 24 hours a day, 7 days a week, serving judges seeking assistance for themselves or a family, family or staff members concerned for a judge's wellbeing, and judges who have concerns about colleagues.<sup>37</sup>

Elsewhere in the federal system, unless judicial impairment issues give rise to conduct serious enough to warrant a formal complaint that then goes through the investigatory and disciplinary process provided for in the Judicial Conduct and Disability Act of 1980 ("Act")<sup>38</sup> and the Rules for Judicial-Conduct and Judicial-Disability Proceedings promulgated by the Judicial Conference of the United States, such problems are handled informally.<sup>39</sup> Generally, the informal process is initiated by the chief judge of the circuit or district; but the process can be peer-driven, as well.<sup>40</sup> Notably, the informal resolution process was contemplated by Congress when it passed the Act, and is the preferred mechanism for dealing with a wide range of conduct issues among the federal judiciary, including substance abuse.<sup>41</sup>

#### C. For all judges

As previously mentioned, the ABA, as part of its CoLAP Judicial Assistance Initiative, established and sponsors a national toll-free *Judges Helping Judges* helpline (800-219-6474). The helpline puts judges needing help for substance abuse, mental health and other issues in touch with peers who either are in recovery or who have completed treatment. Also born of the CoLAP initiative is the *Judges Helping Judges* handbook, which is a comprehensive reference for judges who have impairment issues and for jurisdictions interested in establishing their own judicial assistance programs. The handbook is available to ABA members and non-members for purchase and download from the CoLAP website at <http://apps.americanbar.org/legal-services/colap/judicialassistinitiative.html>.

Another useful resource is the Judicial Family Institute (JFI). A subcommittee of the Conference of Chief Justices, JFI's goals include providing tools to judges and their families for managing the stresses of the job and public life. JFI makes available on its website ([www.judicialfamilyinstitute.org](http://www.judicialfamilyinstitute.org)) many articles and other materials giving invaluable information about judicial life, the stressors one encounters as part of the job, and how to cope with or get help with the challenges that come with the territory.

Finally, the various judicial assistance program and LAP websites provide an abundance of resources, including self-assessment tools, to educate judges, family members and staff about judicial distress and impairment. And any NAWJ member who just needs a caring, objective colleague to talk to may contact any of the judges on the New Judges Committee; see the list of committee members at the end of this article.

*"In my ten years as a trained Peer Counselor for the Washington State judiciary, I have been privileged to assist judges facing challenges ranging from isolation to decision fatigue to substance abuse and Post-Traumatic Stress. Our annual training prepares Peer Counselors to assist through personal interaction and referral to professionals providing individual therapy. The Washington model of 'judges helping judges' creates an atmosphere of trust and safety, encouraging those who are called upon daily to resolve the issues of those before them to address their own issues without jeopardizing their careers. The process of providing compassionate confidential assistance has benefitted me, as well, in achieving a healthy work/life balance."*

Hon. Susan J. Woodard  
Yakima Municipal Court Judge  
Co-chair, Judicial Assistance Services Program

#### CONCLUSION

Being a judge and coping with all that comes with the job can be stressful and, indeed, overwhelming. Add to that the challenges and pressures of life in today's society, and it's no wonder some judges find themselves in situations like those recounted at the beginning of this article. But as judges, we also are solely responsible for preserving public confidence

in our court system. As such, it is of utmost importance that we learn to recognize the signs of judicial distress—not only in ourselves, but in our colleagues, as well—and take advantage of the resources available for confidential counseling and treatment before a manageable problem becomes a publicly-known, career-damaging ethics complaint.



**Simone Marstiller** (left) is a judge on the First District Court of Appeal in Tallahassee, Florida.

This article is submitted on behalf of the NAWJ's New Judges Committee: Jamoa Moberly (CA) (chair); Beverly Cutler (AK); Bernadette D'Souza (LA); Ellar Duff (IL); Jennifer Gee (Fed.) (CA); Pammela Lattier (LA); Antoinette Leoney (MA); Simone Marstiller (FL); Ann Moorman (CA);

Wendy Morton (AZ); Charmaine Pemberton (Trinidad and Tobago); Ioana Petrou (CA); Sheva Sims (LA); Theresa Timlin (Fed.) (NJ); Elizabeth Yablon (NY); Daria Zane (DC). The New Judges Committee includes new and seasoned judges; its mission is to guide NAWJ in addressing the needs of new judges in all sectors of the judiciary.

ENDNOTES

<sup>1</sup>Cynthia Gray, *The Worst-Kept Secret in the Courthouse*, 90 *Judicature* 30 (Jul.-Aug. 2006).  
<sup>2</sup>*Id.* at 31.  
<sup>3</sup>*In re Brim*, No. 13-CC-1 (Illinois Courts Commission May 9, 2014).  
<sup>4</sup>*Inquiry Concerning a Judge*, Nos. 13-633, 14-151, 14-187, *Re: Giselle Pollack*, No. SC14-985 (Fla. 2014); *Inquiry Concerning a Judge*, No. 14-255, *Re: John C. Murphy*, No. SC14-1582 (Fla. 2014).  
<sup>5</sup>Mirelsa Modestti Gonzalez, Ph.D., *Judges in Distress: When to Seek Help*, available at <http://www.judicialfamilyinstitute.org/judges-in-distress.html>, last accessed Sept. 30, 2014.  
<sup>6</sup>Hon. Thomas R. "Skip" Frierson, II, *Stress Resilience for the Judicial Family*, available at <http://www.judicialfamilyinstitute.org/pdf/stress-resilience.pdf> [sic], last accessed Sept. 30, 2014.  
<sup>7</sup>Gonzalez, *supra* n.5.  
<sup>8</sup>Hon. Robert L. "Butch" Childers, *Even Judges Get the Blues*, *Highlights* (Summer 2009), at 3.  
<sup>9</sup>Gonzalez, *supra* n.5; Frierson, *supra* n.6; Isaiah M. Zimmerman, Ph.D., *Helping Judges in Distress*, 90 *Judicature* 13 (Jul.-Aug. 2006).  
<sup>10</sup>Zimmerman, *supra* n.9, at 12.  
<sup>11</sup>Frierson, *supra* n.6.  
<sup>12</sup>Zimmerman, *supra* n.9, at 13.  
<sup>13</sup>Isaiah M. Zimmerman, Ph.D., *Isolation in the Judicial Career*, 36 *Ct. Rev.* 4 (2000).  
<sup>14</sup>*See, e.g.*, Fla. JEAC Op. 2009-20 (Nov. 17, 2009) (opining that "friending" or accepting "friend requests" on Facebook from lawyers who "may appear before the judge" violates Canon 2B because such actions reasonably convey to others that the lawyer is in a "special position" to influence the judge); *see also* Brian Hull, *Why Can't We Be "Friends?" A Call for a Less Stringent Policy for Judges Using Online Social Networking*, 63 *Hastings L. J.* 595, Note (2012) (comparing the prohibitive approach taken by Florida, Oklahoma and California, with the more permissive stance of New York, Kentucky, Indiana, Wisconsin and Ohio).  
<sup>15</sup>Zimmerman, *supra* n.11, at 5.

<sup>16</sup>Zimmerman, *supra* n.9, at 12.  
<sup>17</sup>National Institute for Occupational Safety and Health (NIOSH), Publication 99-101 (1999), available at <http://www.cdc.gov/niosh/docs/99-101/default.html>, last accessed Sept. 30, 2014.  
<sup>18</sup>*Id.*  
<sup>19</sup>*Id.*  
<sup>20</sup>Jared Chamberlin, M.A., Monica K. Miller, J.D., Ph.D., *Evidence of Secondary Traumatic Stress, Safety Concerns, and Burnout Among A Homogeneous Group of Judges in a Single Jurisdiction*, 37 *J. Am. Acad. Psychiatry Law* 214, 215, 219 (2009).  
<sup>21</sup>*Id.* at 217.  
<sup>22</sup>"In smaller and rural communities, judges have little or no privacy outside of their homes. A judge in a one-judge court is especially vulnerable. In larger or metropolitan jurisdictions, the media are interested in publicizing what may be occurring in the life of the judge and the court. In a divorce proceeding, judges . . . tend to appease the spouse in contested custody and financial matters to minimize public scrutiny. These are severe stresses on the equanimity and working ability of the judge and his or her staff." Zimmerman, *supra* n.9, at 12.  
<sup>23</sup>Gonzalez, *supra* n.5.  
<sup>24</sup>Childers, *supra* n.8.  
<sup>25</sup>Zimmerman, *supra* n.9, at 11.  
<sup>26</sup>*Id.*  
<sup>27</sup>*Id.*  
<sup>28</sup>Mirelsa Modestti Gonzalez, Ph.D., *The Many Faces of Denial*, *Highlights* (Summer 2009), at 5.  
<sup>29</sup>*Id.*  
<sup>30</sup>*Id.*  
<sup>31</sup>*Id.*; Childers, *supra* n.8, at 3.  
<sup>32</sup>Childers, *supra* n.8 at 3.  
<sup>33</sup>Gonzalez, *supra* n.5.  
<sup>34</sup>Zimmerman, *supra* n.9, at 10.  
<sup>35</sup>*Id.* at 11.  
<sup>36</sup>Because this article's focus is on pre-disciplinary-complaint assistance programs for judges, entities like Kansas' Judges Assistance Committee and West Virginia's Judicial Committee on Assistance and Intervention, or programs like the Texas State Commission on Judicial Conduct Amicus Curiae program, which are part of or ancillary to the state's judicial disciplinary process, are not included here. However, that is not to diminish their importance in the legal profession's overall effort to give judges in distress every opportunity to obtain counseling and treatment and avoid disciplinary sanctions.  
<sup>37</sup>*Implementation of the Judicial Conduct and Disability Act of 1980* (2006) ("Breyer Committee Report"), at 104-5, available at [http://www.fjc.gov/public/pdf.nsf/lookup/breyer06.pdf/\\$file/breyer06.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/breyer06.pdf/$file/breyer06.pdf), last accessed Sept. 30, 2014.  
<sup>38</sup>28 U.S.C. §§351-364.  
<sup>39</sup>Breyer Committee Report, *supra* n. 37, at 100-1.  
<sup>40</sup>*Id.* at 102-3.  
<sup>41</sup>*Id.* at 100-1.

ADDITIONAL RESOURCES FROM NAWJ MEMBERS

"Reducing Judicial Stress Through Mentoring: A Mentoring Program Can Help Judges, Particularly New Judges, Deal with the Stress and Strain Inherent in Their Job". Hon. Celeste F. Bremer, Counterbalance (Winter, 2012).  
*Judges Helping Judges*, Hon. Sarah Krauss, Nancy Stek, Hon. William Dressell, The Judicial Assistance Initiative, Resources & Education. ABA Commission on Lawyers Assistance Programs, 2010.