

Idaho's Lawyer Assistance Program



Absolutely 100% Confidential

Today's Presenter

**Jamie Shropshire – Idaho Lawyer Assistance
Program Chairperson**

The Idaho State Bar established the Lawyer Assistance Program by resolution approved by the membership in November 2001, and the Idaho Supreme Court formally adopted Idaho Bar Commission Rule Section XII, effective July 1, 2002.

The problem was identified as follows:

- **Impairment of a lawyer's performance may result from physical, mental or emotional illness, including addiction.**
- **Impairment may also result from circumstantial problems of the lawyer in family, financial or other areas.**
- **The stress of practice adversely affects some members of the bar, as do pathological gambling, depression, neuroses and other health problems.**

The purposes of the LAP Program:

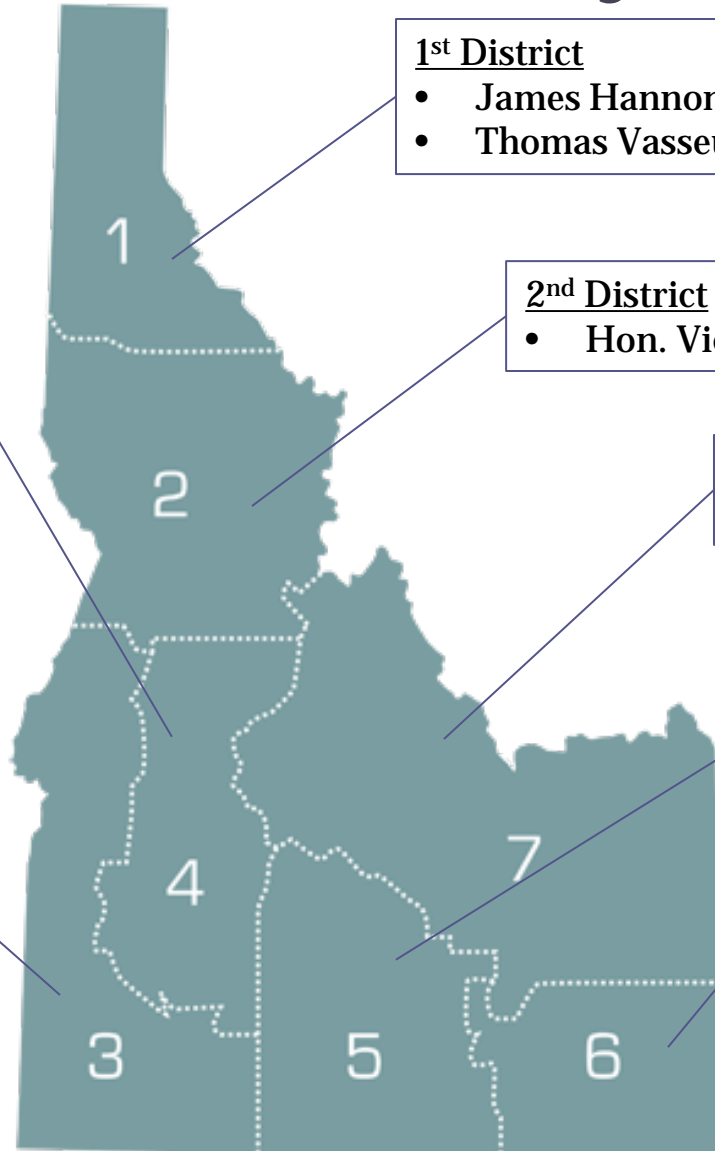
Protect the interests of clients from harm caused by impaired lawyers;

Educate the bench, bar and community to the causes of and remedies for lawyer impairment;

Develop and administer resources to assist lawyers and judges in securing treatment for addictive diseases and mental health issues, including but not limited to alcoholism and chemical dependency, by providing a system which encourages early entry of the impaired attorney, while recognizing the necessity for absolute confidentiality and trust;

Provide assistance to impaired lawyers in a manner that is separate and distinct from attorney discipline proceedings and to maintain that distinction.

Committee Members by District



1st District

- James Hannon
- Thomas Vasseur

2nd District

- Hon. Victoria Olds

7th District

- Julie Stomper

5th District

- Hon. Daniel Meehl

6th District

- Matthew Kinghorn

4th District

- Jamie Shropshire, Chair
- Kevin Borger
- Yvonne Dunbar
- Jeremiah Hudson
- Thomas Humphrey
- Dylan Lawrence
- Susan Powell Mauk
- Paul McFarlane
- Andrea Patterson
- Joseph Pirtle

3rd District

- Ronald Christian
- Hon. Gregory Culet
- Hon. Robert Jackson
- Carter Winters

All records of the LAP Program are held in strict confidence. **The LAP does not maintain permanent records relating to the names of the participants or the nature of their participation.** Each person who is the subject of any form of inquiry under these Rules is assigned a number, which shall thereafter be used in any subsequent action taken by the LAP Committee, the LAP Program or the Program Coordinator. **The Idaho Rule of Professional Conduct 8.3(c) and Idaho Bar Commission Rule 1205(a) provide further guarantees of confidentiality for all communications made to LAP** by lawyers, judges and law students who may request treatment referrals or consultation assistance from LAP, for themselves

Please note, however, certain LAP Committee members may be required to comply with federal and/or Idaho statutes mandating that certain crimes, such as child abuse, be reported to legal authorities.

Statistics

From 2016 Hazelton/Betty Ford survey published in the February issue of the Journal of Addiction Medicine

A look at the extent of the problem...

- 12,825 lawyers and judges surveyed
- 21-36% respondents qualified as experiencing problematic drinking behaviors as opposed to 7% in the general population and 15% of physicians
- 28% have experienced mild, moderate or severe depression
- 61% have reported experiencing anxiety
- 11.5% reported suicidal thoughts

How many get help...

- Of those, 37% received mental health services or treatment
- Only 7% received alcohol or drug treatment

Why?

Lawyers don't seek help because they fear someone will find out and it will discredit them and possibly affect their license.

Idaho Formal Disciplinary Case

Last 10 years, 133 attorneys have been disciplined (*The Advocate* – August 2016)

- 32% of cases involving depression or anxiety
- 21% of cases involving substance abuse

These health problems are a product of long-term dysfunctional patterns of behavior.

- Work overload/sleep and time deprivation
- Adversarial nature of the profession
- Unhealthy relationships
- Substance abuse

Lawyers and judges often fail to seek professional help for these problems.

What can the LAP do?

- We can help before the problem affects your license if you contact us early
- Frequently someone experiencing anxiety or depression will be frozen by those feelings and be unable to do anything
- We can “triage” what is going on and get help for the attorney and help the attorney decide what the next step should be

What can the LAP do?

- We can provide a resource or just someone to talk to for the attorney; the attorney who is handling matters for an attorney who is in treatment; the family or the fellow attorneys or staff of the office of the affected attorney
- We can help contact opposing counsel and clients if necessary
- Southworth and Associates, the counseling office with which the Bar contracts can provide an intervention, monitor recovery, recommend counseling services and treatment centers

Idaho Lawyer Assistance Program Website

Lawyer Assistance Program - Idaho State Bar - Google Chrome

isb.idaho.gov/member_services/lap.html

Apps Bookmarks Idaho State Bar FastCLE Login | Freestone CLE Login | MyFreestone Idaho State Bar Idaho State Bar (@ida Welcome! | LinkedIn LISTSERV 16.0 - LISTSU Hootsuite NMT Other bookmarks

ISB Idaho State Bar Search Website

For Attorneys For the Public Admissions CLE About Us

Idaho Lawyers Assistance Program

The mission of the Idaho Lawyers Assistance Program (LAP) is to provide support for lawyers who are experiencing problems associated with substance abuse and/or mental health issues in a safe manner, preserving the reputation and trust of the attorney. ***All information is 100% confidential and will not be reported to the Idaho State Bar.***

The program also focuses on educating legal professionals and their family and friends about the causes, effects and treatment of alcohol and drug dependency, depression, and other mental health problems. Judges and attorneys volunteer their time to assist lawyers who suffer with these issues through the appropriate resources.

Reach the 24-Hour Hotline by dialing 866-460-9014. When calling this 24/7 confidential phone line, you will receive...

- Guidance for lawyers in need of assistance or referral sources
- Information relating to alcohol/drug education, mental health treatment, interventions, monitoring, and/or family support
- Guidance for re-entering the workplace
- Assistance in finding lawyers who volunteer time as a temporary replacement for those lawyers entering a treatment program
- Recommendations for appropriate treatment centers

Substance Abuse and Mental Health Issues in the Legal Profession

Alcoholism, drug addiction, and mental health problems are treatable illnesses that affect a great number of professionals, including lawyers and judges. Reports now estimate that while 10% of the general population has problems with alcohol abuse, 15-18% of the legal profession battles the same problem. Since many lawyers and judges tend to be overachievers who carry an enormous workload, the inclination to "escape" through the use of drugs and alcohol is prevalent in the legal community. These daily pressures can lead to inordinate amounts of stress and mental illness. Recent national reports have shown that a majority of disciplinary problems involve chemical dependency or emotional stress. The effects can be devastating - both to the individual and to those around them. Fortunately, there is help.

You are not alone - if you are concerned about ...

- Your own use of alcohol or other drugs
- The use of alcohol or drugs by a partner or associate
- A fellow attorney or judge who you see is affected by the use of alcohol or other drugs
- You or a fellow attorney's inability to handle matters due to depression or other forms of mental illness

... Contact the LAP for assistance.

Who to Call

For assistance or to make a referral, please contact:

Southworth Associates
5530 W. Emerald
Boise, ID 83706

John Southworth, CADC, NCAC, ICAADC, CIP - Program Coordinator
Lisa Reeser, Assistant
(208) 891-4726

Succession Planning Website

Succession Planning - Idaho State Bar - Google Chrome

isb.idaho.gov/member_services/succession_planning/succession_planning.html

Apps Bookmarks Idaho State Bar FastCLE Login | Freestone Client Login | MyFreestone™ Idaho State Bar Idaho State Bar (@idaho) Welcome! | LinkedIn LISTSERV 16.0 - LISTSERV Hootsuite NMT Other bookmarks

ISB Idaho State Bar Search Website

For Attorneys For the Public Admissions CLE About Us

Planning Ahead: Succession Planning Guide

Resources

Senior Lawyers Transition Task Force Members

Acknowledgments & Disclaimer

Transitioning from the Practice of Law: Succession Planning

The following information and resources provided by the Senior Lawyers Transition Task Force was compiled to help you fulfill your ethical obligations to protect your clients' interests in the event of your death, disability, impairment or incapacity. Although it is hard to think about events that could render you unable to continue practicing law, freak accidents, unexpected illness and untimely death do occur. Following the suggestions made available via these resources will help to protect your clients' interests and will help to make your practice a valuable asset to your estate. In addition, it will simplify the closure of your office - a step your family and colleagues will very much appreciate.

We sincerely hope these resources will be of assistance to you.

Succession Planning Guide

To view the adapted Succession Planning Guide in its entirety, click below.

Planning Ahead: A Guide to Protecting Your Clients' Interests in the Event of Your Disability or Death

Resources

The Duty to Plan Ahead

- Terminology and Forms
- Implementing Your Plan
- Access to the Trust Account
- Client Notification
- Other Steps That Pay Off
- Death of a Sole Practitioner: Special Considerations
- Start Now

What If? Answers to Frequently Asked Questions

- FAQ's

Checklists

- Checklist for Lawyers Planning to Protect Clients' Interests in the Event of the Lawyer's Death, Disability, Impairment or Incapacity
- Checklist for Closing Another Attorney's Office
- Checklist for Closing Your Own Office
- Checklist for Closing Your Trust Accounts

Sample Forms

- Agreement - Full Form (Agreement to Close Law Practice)
- Agreement - Short Form (Consent to Close Office)
- Limited Power of Attorney
- Specimen Signature of Attorney-In-Fact

- *Signs and Symptoms*
- *LAP Committee and Southworth & Associates*
- *Treatment and Monitoring*
- *Success Moving Forward – Professionally & Personally*



Success Moving Forward – Professionally & Personally