

- 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**

## Lawyers Concerned for Lawyers of Pennsylvania

**CONFIDENTIAL Helpline**

**1-888-999-1941**

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

**[www.lclpa.org](http://www.lclpa.org)**

# Everything You Ever Wanted To Know About Impaired Lawyers...\*

\*(...BUT WERE AFRAID TO ASK).



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*\*(...but were afraid to ask).*

*Presented by Brian S. Quinn, Esquire –  
Education and Outreach Coordinator, Lawyers Concerned for Lawyers of PA*

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 his role with Lawyers Concerned for Lawyers, he was a sole practitioner for 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 prior to accepting his current role as the organization's Educator. Mr. Quinn has presented Ethics programs for Bar Associations, law firms and professional organizations throughout Pennsylvania and for national CLE providers as well.

# 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

- 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 **intervention assistance**. LCL staff guided 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.

# What LCL IS and IS NOT

## LCL IS NOT

- a reporting agency or affiliated with the PA Disciplinary Board as it relates to attorney or judicial misconduct cases.
- judgmental !!

# 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.**

# 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)**

# What is Addiction?

- Primary, chronic, and progressive disease of the brain's reward, motivation, memory, and related circuitry
- Symptoms are primarily behavioral, in contrast to other chronic diseases
- Symptoms are also typically negative behavior
- Cannot be cured, but treated and managed

# Addiction is a Brain Disease

- “Hijacks” the brain
- Creates profound denial, the primary obstacle to treatment
- Not due to a psychiatric disorder
- Not due to a personality disorder
- Not a choice in the usual sense of the word
- Not a moral or ethical problem

# Addiction Characteristics

- Uncontrolled use
- Continued use despite adverse consequences
- Tolerance
- Withdrawal
- Chronicity and relapse

# ABA / Hazelden- Betty Ford Study

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

## Problematic Drinking\*

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

\* Problematic drinking defined as hazardous, possible dependence

# Be Honest, Be Objective.

**Nobody is going to know how you answered these.**

- Do you lose time from your practice because of drinking, or sometimes drink more or longer than you intended ?
- Is drinking affecting your reputation as a lawyer ?
- Do you rely on drinking to help you become less shy with colleagues, clients and friends ?
- Do you regularly crave a drink at the end of the day ?
- Have you ever made mistakes or otherwise underperformed on a client matter as a result of being drunk or hung over ?

# Be Honest, Be Objective.

**Nobody is going to know how you answered these.**

- Have friends or colleagues expressed concern or otherwise commented about your drinking ?
- Does your drinking make you care less about work responsibilities ?
- Do you ever want to drink the morning after a night of drinking ?
- Do you regularly drink alone ?
- Has drinking led to legal or ethics problems for you ?
- Have you gotten into financial problems because of drinking ?

# Be Honest, Be Objective.

## **Nobody is going to know how you answered these.**

- Have you found that you need to drink more than you once did in order to get the desired effect, or that your usual number of drinks had much less effect ?
- Do you avoid drinking with people in the legal community so that you feel freer to drink more ?
- Have you ever missed or rescheduled a meeting or court appearance because you were drunk or hung over ?
- Is drinking making your home life unhappy or causing domestic issues ?
- Has your professional ambition decreased since drinking

# Be Honest, Be Objective.

**Nobody is going to know how you answered these.**

- Does drinking take priority over exercise or other forms of self care or hobbies that you may enjoy ?
- Do you drink to escape from professional and personal worries ?
- Have you ever had a complete loss of memory (blackout) as a result of your drinking ?
- Has your physician ever expressed concern about your drinking or suggested you cut back ?
- Do you feel uncomfortable if alcohol is not available in social situations ?

Answering yes to even one or two of these might be reason enough for you to take a harder look at your drinking and to examine the role it plays in your life.



Beyond one or two, the more of these you answered affirmatively, the more important it will be to have your drinking further assessed by a professional and to otherwise take protective steps toward reducing your alcohol related risks.

# 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

# Depression Assessment

Has there been at least a 2-week period of time in which you experienced either depressed mood, or loss of interest or pleasure?

Are you:

- feeling sad, empty and/or irritable ?
- feeling a loss of interest or pleasure in activities or work you once enjoyed ?
- experiencing changes in weight and/or appetite ?
- having increased difficulty sleeping, or sleeping more than usual?
- experiencing increased restlessness ?

# Depression Assessment

Has there been at least a 2-week period of time in which you experienced either depressed mood, or loss of interest or pleasure?

Are you:

- experiencing a decrease in level of activity noticeable to others ?
- feeling more fatigued or less energetic ?
- having difficulty concentrating, remembering or making decisions ?
- feeling overwhelming guilt, hopelessness or worthlessness ?
- thinking of **suicide or death** ?

# Depression Assessment

If you answered YES to the last item, you should seek help IMMEDIATELY (regardless of your answer to any other questions). If you answered YES to even a few of these questions, you may suffer from depression. You should get a professional assessment.

LCL will help.

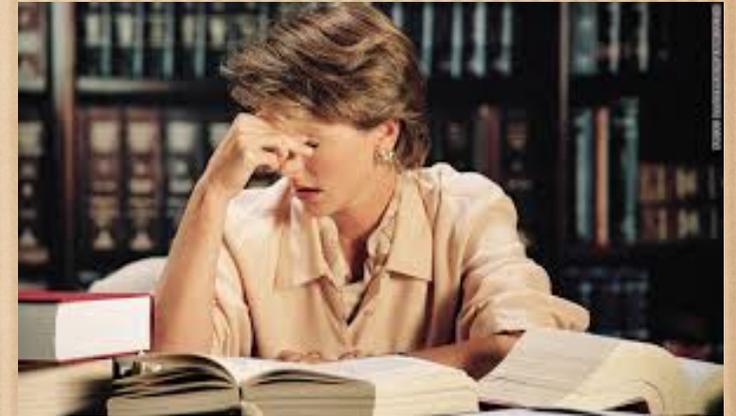
# Common Warning Signs at the Law Firm

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 Are Legal Professionals at High Risk of Mental Health & Substance Use Disorders?

- High expectations and accountability
- Lack of work-life balance
- High stress level
- High stress levels & work-weeks >50 hrs. are consistent predictors of SUD's and their severity.
- 67% of attorneys/judges work more than 40 hours/week.
- Inherent pessimism



# Why Are Legal Professionals at High Risk of Mental Health & Substance Use Disorders?

- Conflict driven and adversarial profession
- Emotional detachment
- Win-lose, often rigid thinking
- Perfectionism
- Excessive self-reliance



*These traits are great for a successful career but not so great for mental health.*

# 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.



# 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

- Is this really any of my business?
- 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.
- Let's wait and see. Maybe it will get better.
- I really don't have time for someone else's problems.
- Will he/she know I'm the one who called ?



# So What Happens When I Call ?

- A **person** answers the Helpline 24/7, 365 days/yr.
- **CONFIDENTIAL** – “My name is Anonymous A.”
- LCL’s **free** services are **unconditional** – you do not have to agree to anything to receive them.
- Remember that LCL is **NOT** a reporting agency for the PA Disciplinary Board.

# So What Happens When I Call ?

- You will be offered a **FREE** substance use or mental health evaluation, if needed.
- You will be matched with an LCL peer volunteer, if desired.
- You will be able to discuss whatever difficulties you are experiencing in a safe, judgment free environment.
- If requested, you will be referred for treatment by a health care provider that will be best suited to address your current issues.
- LCL will assist in locating private or public funding sources, if needed.

# 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.**

# Why Can Law Professionals Be Challenging to Approach?

- Highly educated; the '**paralysis of analysis**' effect (adept at rationalization and comparison)
- Excel at debate
- Accustomed to being in control
- Excessive dependence on self-reliance
- Pressure to appear invincible

# Why Can Law Professionals Be Challenging to Approach?

- Professional culture
- Identification as a lawyer
- Adversarial all the time
- Your life is your career
- Licensing problems/ malpractice



# 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**

[www.lclpa.org](http://www.lclpa.org)

**For CONFIDENTIAL help today, call:**

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

# Call the LCL/JCJ Helplines

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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

# The Good, the Bad and the Ugly

The 'bad and the ugly' kind of 'intervention':

- Disciplinary action/Disbarment
- Termination of employment
- Dire health consequences
  - Loss of relationships
    - Financial ruin
      - Arrest
      - Death

# The Good, the Bad and the Ugly

The 'good' type of intervention:

- Thoughtfully planned (call LCL)
  - Individualized (call LCL)
  - Collaborative (call LCL)
- Evokes the person's own motivation to change

This 'good' can save someone from the  
'bad' and the 'ugly.'

# Before and After Any and All Approaches...

**PLEASE CALL LCL/JCJ FOR ASSISTANCE & RESOURCES**



**Never give up hope. Help is available.**

# 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.

# How to Join the National Well-Being MOVEMENT

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

[http://lawyerwellbeing.net/wp-content/uploads/  
2017/11/Lawyer-Wellbeing-Report.pdf](http://lawyerwellbeing.net/wp-content/uploads/2017/11/Lawyer-Wellbeing-Report.pdf)

# National Task Force on Lawyer Well-Being Recommendations

## **“WELL-BEING TOOLKIT FOR LAWYERS AND LEGAL EMPLOYERS”**

Created By Anne M. Brafford For Use By The American Bar Association

[https://www.americanbar.org/content/dam/aba/administrative/lawyer\\_assistance/ls\\_colap\\_well-being\\_toolkit\\_for\\_lawyers\\_legal\\_employers.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_well-being_toolkit_for_lawyers_legal_employers.authcheckdam.pdf)

## **“Well-Being Toolkit Nutshell: 80 Tips For Lawyer Thriving”**

[https://www.americanbar.org/content/dam/aba/administrative/lawyer\\_assistance/ls\\_colap\\_Well-Being\\_Toolkit\\_Flier\\_Nutshell.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_Well-Being_Toolkit_Flier_Nutshell.authcheckdam.pdf)



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**(717)**