Annual Report
October 2012-2013

Protecting the public by
insuring the health and integrity
of the legal profession.
The LAP has undergone unprecedented change in the past two years. We have seen the retirement of both Don Carroll and Ed Ward as well as the loss of a key administrative staff member, Buffy Holt. All are greatly missed. We have worked to rebrand the program with a new logo and consolidated message. We have begun updating the technological infrastructure of the office to allow easier communication with stakeholders and easier data collection and compilation. But the changes we have seen are not only on the “back end” office side.

In terms of clients we serve, in addition to the increase in the sheer number of cases, we have seen more of a trend with mental health cases, more complex cases with multiple issues occurring in the same individual, and serious impairments due to the over prescription, over use, and combined use of prescribed medications. And, of course, we are seeing more cases resulting from the prolonged economic downturn.

Although alcoholism and addiction are critical, on-going problems, we are seeing more cases of bi-polar disorder, suicide attempts, and tragically more frequent occurrences of successful suicides. We are also finding many more lawyers experiencing serious career issues, unemployment, foreclosure, bankruptcy, and the attending mental health issues stemming from such extreme financial stress. It is not uncommon for us to work with a lawyer who has no permanent place to live, is severely depressed and is somehow still managing to practice law out of a car with a smart phone and a laptop. We have had to refer more lawyers to free, county-based crisis assistance than ever before in our history. Some days, the LAP office feels more like a triage unit at an ER than anything else.

These days, many, if not most, who seek our services do not have health insurance or the ability to pay for treatment services beyond what the LAP can offer. Still others are working longer than planned because they do not have the financial means to retire – leading to what we think of as older adult issues including medical problems that affect cognitive ability and some cases of dementia.

What is LAP doing to address these changing times? The answer is: we are doing the best we can. Our clinically-trained staff members are able to assess, refer, and provide brief counseling. We have free, facilitated support groups that meet around the state. More than ever before, we depend upon our volunteers to willingly provide CLE talks, an initial approach and intervention with lawyers in crisis, and on-going personal peer support to LAP clients who are struggling with a myriad of issues. To ensure our volunteers are able to respond to these changing trends, we have begun offering more in-depth volunteer training and offering training for new volunteers more frequently.

In good news, lawyers who reach out to our program and follow our suggestions become the most emotionally resilient, happiest and balanced lawyers in the state. We at LAP have been fortunate to witness countless lives transformed as well as the resulting community and fellowship that has emerged out of this shared journey of personal transformation. Amazing things are possible when one lawyer shares experience, strength and hope with another. For this reason, our outreach efforts must remain a top priority in the coming years.

Robynn E. Moraites
**History of NC LAP**

The North Carolina Lawyer Assistance Program’s (“NC LAP”) roots began in 1979 with the assemblage of a group of lawyer volunteers who were themselves recovering alcoholics who saw the need to offer assistance to other lawyers suffering from addiction and alcoholism. The group was named the Positive Action for Lawyers with Substance Abuse Issues (“PALS”) committee. In 1994, the State Bar formally recognized the PALS Committee and incorporated PALS as part of the State Bar administration and infrastructure. In 1999, further recognizing the need for additional assistance for lawyers dealing with mental health issues not related to substance abuse, the State Bar then formed the FRIENDS committee.

Today both programs have been merged into a single Lawyer Assistance Program. NC LAP currently has a staff consisting of a director, three clinicians and 2 office administration and special projects personnel.

NC LAP has a Board consisting of three State Bar Councilors, three LAP volunteers, and three clinicians or experts in the field of mental health and addiction. NC LAP also has a steering committee of volunteers from around the state who assist in the execution of special initiatives. NC LAP is also part of the ABA’s Commission on Lawyer Assistance Programs (CoLAP), a network of LAPs serving nearly all 50 states in the U.S.

**LAP Services**

- Assessment
- Referral
- Case Management
- Peer Support
- Intervention
- Facilitated Support Groups
- Educational Programs

**Mission of NC LAP**

NC LAP is a service of the North Carolina State Bar which provides free, confidential assistance to lawyers, judges, and law students in addressing substance abuse, mental health issues and other stressors which impair or may impair an attorney’s ability to effectively practice law. In sum:

1. To protect the public from impaired lawyers and judges;
2. To assist lawyers judges and law students with any issues that are or may be impairing;
3. To educate the legal community about these issues.
NC LAP GOALS AND GUIDING PRINCIPLES

NC LAP PROGRAM GOALS:

• To respond to the referral and identification of legal professionals who may be impaired and need assistance;

• To assist NC LAP clients in their personal recovery from addiction, or physical or mental health conditions;

• To educate the legal community on identification, assessment, referral, treatment and resources available to meet the needs of judges, lawyers, law students;

• To provide a network of trained volunteers who are available to respond to the needs of NC LAP clients through a peer assistance model;

• To monitor and assist clients while they work to gain admission to practice law, rehabilitate and return to the practice of law or to a better quality of life;

• To establish and maintain a cooperative and on-going working relationship with the Superior and District Courts of North Carolina and their judges, the NC State Bar Office of Counsel, the CLE Board and other administrative offices of the NC State Bar, the Board of Law Examiners and the legal community at large.

NC LAP GUIDING PRINCIPLES:

• The program recognizes that the most effective way to protect the public is to insure the mental health and emotional integrity of the legal profession;

• The program recognizes that addiction, mental health issues and physical disabilities are treatable conditions and are not moral issues;

• The program is motivated by a humanitarian concern for the legal community and the public;

• The program also recognizes that accountability is key in treating many impairments;

• Impaired lawyers and judges are ethically obligated to seek assistance and to participate in services necessary to renew their full effectiveness;

• Lawyers and judges have a moral and ethical responsibility to recognize the signs and symptoms of a colleague who may be impaired and to assist the colleague in accessing appropriate services.
How the Program Works

About 50% of calls to LAP are self-referrals from those who recognize they have a problem and ask for help. About 90% of these problems range from temporary conditions caused by grief, relationship issues, or work difficulties to ongoing struggles with anxiety and depression. About 10% of the self-referred clients are calling about alcoholism or addiction. Usually LAP clinicians do an assessment, in person wherever possible, or refer the individual to an outside professional for an assessment. LAP works with treatment programs throughout the country as well as with individual therapists, psychologists, and psychiatrists, and often makes referrals to these professionals. We can also arrange peer support with one of our trained LAP volunteers who has experienced a similar problem and successfully managed it and we invite the client to attend the local lawyer support group meeting.

For those clients who are not self-referred, about 40% of calls come from colleagues, judges, friends, and family members who are concerned about a lawyer, judge, or law student who may be showing signs of a mood disorder or a problem with substance abuse. Of that 40%, about 90% of those calls are concerns about alcoholism or substance abuse. Our clinician will offer suggestions on ways to express concern and motivate the individual to get help. Often, in the case of these referrals, the person making the referral prefers to remain anonymous and not participate further in the process. Sometimes, LAP will refer the caller to a professional interventionist or the LAP will assist in conducting either a formal or an informal intervention.

Confidentiality is the Cornerstone

All client interactions with LAP are held in strict confidence as are any referrals. The only exception is if an individual signs a release of information and asks LAP to report on his or her behalf to another organization or individual. Confidentiality is guaranteed by Rule 1.6(c).

Intervention is a group process that, with respect and concern, helps an individual who may not realize he or she has a serious problem with alcohol or other drug use. The objective is to dismantle denial, stop family and friends from enabling the subject’s behavior, and initiate change. For informal interventions without a professional interventionist, LAP uses a peer intervention model with two trained, experienced volunteers who are in recovery from the same issue. The LAP volunteers meet with the subject individual and share their experience with him or her. In the course of that meeting, they inform the individual about the services offered by LAP. Because recovery is an ongoing process, we also continue to work with individuals following treatment as part of an after-care plan.

Although we address serious mental health and addiction problems, we encourage lawyers to seek assistance for less severe issues of stress, grief, or simply feeling overwhelmed. Everyone has problems at times and the confidential help available through LAP can prevent problems from becoming more severe.

Whatever the issue is that brings an individual to LAP for assistance, we follow up with ongoing case management services.
Many of the calls that do not result in the opening of a new file include situations where a lawyer or a judge calls seeking guidance for next best steps. For example:

- An older lawyer may need to wind down a practice and the judge or lawyer who is concerned does not know how to approach the individual or what to say. We coach them and eventually become directly involved if needed, but we typically do not open a file.

- A Bar Councilor, judge or lawyer may call to ask for guidance about a certain lawyer or situation without giving us the name of the lawyer at issue. We will often coach the caller through that situation and/or provide some referral resources.

- A lawyer has a child (ranging from teen to middle aged) who has an impairment requiring treatment and needs a referral for a treatment center or local mental health provider.

- Lawyers sometimes call in and need treatment center recommendations for their own clients who appear to be impaired professionals (like doctors, nurses, pilots, etc).

- Lawyers who have attended a CLE where we spoke and are seeking a recommendation of a good therapist in his or her local area, but where it is clear there is not a need for full LAP involvement or case management.
REFERRAL SOURCES

The rate of self-referral to LAP remains steady at 47%. Approximately 42% of LAP referrals come from colleagues, law firms, friends, family and judges, who have expressed concern about a lawyer or judge. The remaining 11% of referrals come from law schools, the board of law examiners, other LAPs, therapists, physicians, or from the grievance process.

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<td>Family</td>
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<td>Firm (his or hers)</td>
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<td><strong>Grand Total</strong></td>
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GENDER

The gender breakdown for clients seeking services in 2013 was 67% men and 33% women.
ISSUES

Many clients exhibit problems in more than one category, so there is overlap in documenting the issues. We continue to see psychological problems more often than other issues and these frequently coexist with substance abuse issues. Some issues, like codependency, appear across the spectrum and could fit within multiple categories. For simplicity we have grouped codependency with family issues, although it certainly will affect a lawyer’s happiness and satisfaction in his or her career and could also be categorized as a psychological issue that often leads to anxiety and depression. Although lawyers rarely come to us with only career related issues, many describe their job-related concerns that exist along with depression, anxiety and problem drinking. The term “process addiction” refers to compulsive behaviors such as problem gambling, eating disorders, compulsive spending or sexual addiction including overuse of internet for sexual reasons.

Of the 146 files that were opened in 2013, here is the breakdown of the issues:
A CLOSER LOOK AT THE ISSUES

We have begun to track subcategories of issues in each of these broad categories and will have a more detailed breakdown in our report next year. The subcategories are as follows:

PSYCHOLOGICAL ISSUES

In the psychological category, we are seeing more complex issues and individuals with multiple issues that compound each other. We have cases of depression, anxiety, bi-polar, attention deficit disorder, obsessive compulsive disorder, and personality disorders. Depression is the single largest issue facing lawyers today, with anxiety following as a close second.

CAREER ISSUES

Many of the career issues that lawyers report are co-occurring with psychological issues or substance abuse issues. Sometimes career issues cause psychological or substance abuse issues and sometimes pre-existing psychological or substance abuse issues can cause career issues. It is important to discern and treat the core cause while also addressing the co-occurring symptoms.

Now that there is established research on compassion fatigue in the legal profession, we have begun tracking compassion fatigue, which can mirror depression in many respects. We are seeing a fair number of cases of compassion fatigue and secondary trauma, especially in lawyers who are working in practice areas involving criminal law, domestic and family law, personal injury and workers compensation. Many NC judges also report suffering from compassion fatigue and secondary trauma.
In terms of alcoholism and substance abuse, alcoholism still remains the single largest problem lawyers are dealing with. We also have seen a surge in the abuse of prescription drugs, whether prescribed and being used in a manner not as prescribed or those same drugs being used without a prescription.

We are seeing a rise in the number of referrals from the Board of Law Examiners for applicants who have a history of alcohol or drug use, and for whom the Board needs a comprehensive assessment and recommendation regarding possible treatment.

We have a fair number of lawyers who are struggling with some form of process addiction and often times it is co-occurring with a substance abuse issue or psychological issue. The highest percentage we are currently seeing involve use of sexual internet websites while at work.
FAMILY ISSUES

Some lawyers have been deeply affected emotionally and psychologically by the substance abuse of a parent or a grandparent. The syndrome and symptoms associated with such a scenario is “ACOA” which stands for Adult Child of an Alcoholic. We have lawyers who also seek our assistance because they have a spouse, partner or child who is a substance abuser (Al-Anon). The single largest issue we are seeing for both male and female lawyers is codependency. Sometimes codependency can be caused by a person’s exposure to someone else’s substance abuse, in an ACOA or Al-Anon context, but not always. When left untreated, codependency can cause severe problems for lawyers in their home and work lives.

MEDICAL ISSUES

Sometimes lawyers are coping with a medical issue or a physical disability or injury. Often we see calls in this category regarding lawyers who may be demonstrating signs of dementia. Sometimes a lawyer may survive a serious illness and have difficulty re-entering practice due to some of the emotional after-effects.
The Year in Review ~ CLE

Continuing Legal Education and Outreach

The best intervention always begins with education. In addition to our 4 quarterly articles appearing in the State Bar Journal, the LAP continues to provide CLE presentations for law firms, local and specialty bar associations, district bars, government agencies and legal organizations to satisfy the substance abuse/mental health CLE requirement. In addition to the standard CLE we provide, LAP had two additional and somewhat unique outreach efforts this year.

Minority Outreach Conference

One of the highlights of 2013 was the very successful Minority Outreach Conference held in Chapel Hill on February 15, 2013. In its third year, the conference’s goal is to reach out to minority members of the bar. Historically, LAP has been underutilized by African American attorneys. The conference provides an opportunity to explore themes related to practice unique to African American attorneys and to dispel myths about the LAP and how it works. We reached registration capacity with 250 African American attorneys in attendance and an additional 60 on a wait list.

The conference this year brought together African American leaders within the profession to “examine the role of race in legal practice with an examination of normal, human responses to the anxiety and stress inherent in the practice of law today.” Former Chief Justice Henry Frye delivered the keynote address and also participated in a Roundtable Discussion with highly-distinguished leaders and members of the North Carolina Bar, including the Honorable Wanda Bryant, NC State Bar Vice-President, Ron Gibson, former Bar Councilor, Victor Boone, Mecklenburg Bar

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* Areas with the greatest number of participants: Raleigh, Durham, Charlotte and Winston-Salem
SUBSTANCE ABUSE AND MENTAL HEALTH CLE PRESENTATIONS

Although we can tailor any program to specific needs or audiences, our most popular educational programs are:

- Getting Lost in Our Own Lives (focus is on preventive work-life balance and inherent stress of the profession)
- Compassion Fatigue: The Effects of Extended Exposure to Trauma and Drama in the Courtroom
- Mentally Preparing for Life’s Transitions – the Psychology of Change (focused on the emotional impact of preparing for retirement)
- Addiction Basics and the Lawyer Assistance Program

President, Rob Harrington, UNC Vice Chancellor for Student Affairs, Winston Crisp and Professor Fred Williams.

Recognizing the impact that chronic, prolonged stress has on the lives of attorneys, two dynamic speakers, Dr. James Smith and Dr. Michael Hall, addressed this emerging issue and ways of dealing with it. The event concluded with uplifting personal stories from recovering African American attorneys who are today providing a beacon of hope to others. We were thrilled that our program was met with a standing ovation at the end of the day.

UNC SCHOOL OF GOVERNMENT

The UNC School of Government Indigent Defense Services Division asked Robynn Moraites to record an on-line CLE for perpetual use via the UNC website. It is free for anyone to access at http://www.sog.unc.edu/node/2629. It may be viewed free of charge by anyone and if a lawyer is seeking CLE credit, the UNC School of Government charges a nominal fee.

The LAP presented at least 59 CLE programs this year (see Appendix A). Occasionally our volunteers are asked directly to speak at a CLE in addition to the requests that formally come through our office, and we do not necessarily receive that information for statistical reporting purposes. We invariably receive at least one call or referral following every CLE we give and CLE remains our best outreach tool.

In addition, we often receive requests for video presentations using our LAP History DVD or our Lawyer Risk and Resiliency DVD. These DVDs qualify for CLE credit and we can send you a copy if you are interested in showing either of these DVDs as a CLE offering.
**Volunteers**

**LAP’s Trained Volunteers Make a Difference**

Volunteers are the foundation of NC LAP. Our trained volunteers provide peer support to lawyers in need and they serve on informal intervention teams to help those lawyers and judges who may not realize they have a problem. LAP volunteers also serve as CLE speakers who help educate the legal profession about substance abuse and mental health problems.

![](Volunteers by Region.png)

Our volunteers give their time and assistance because they recognize and believe their participation is valuable and beneficial for the legal profession and because they find it personally rewarding to help others. LAP has volunteer opportunities for attorneys and judges 1) who themselves are in recovery from alcoholism or other substance abuse issues, depression, anxiety or other mental health problems, or 2) who have experienced a family member or friend who has suffered from alcoholism or other substance abuse issues, depression, anxiety or other mental health problems and who had to learn how to effectively deal with that situation.

LAP volunteers are not volunteers in the usual sense. All LAP volunteers receive formal and informal training from LAP staff. Volunteers are individually selected to be paired with clients based upon the facts and circumstances of their experience and that of the lawyer who is of concern.

We currently have 234 LAP Volunteers. As described, the LAP network of volunteers and lawyer support groups provide a major part of the assistance given by the LAP to lawyers around the state. Without the extended volunteer network, it would be impossible for the LAP to be as effective as it has been during the past year.

On an interesting note, our current volunteer base is represented by the following NC law schools (some of our volunteers did not attend law school in NC).

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<thead>
<tr>
<th>NC Law School</th>
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<td>UNC Chapel Hill</td>
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<td>Wake Forest University</td>
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<td>Campbell University</td>
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<tr>
<td>NC Central University</td>
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<td>Duke University</td>
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<td>Charlotte Law School</td>
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![](Volunteers by NC Law School.png)
LAP Steering Committee

With the consolidation of the PALS and FRIENDS programs into one unified LAP program, we invited some of our most active and dedicated volunteers from each of those programs to join the newly-formed LAP Steering Committee. We selected volunteers from each of the PALS and FRIENDS support groups around the state as well as two members at large from each geographic region. The goal was broad and diverse representation. The LAP Steering Committee is a leadership committee dedicated to tackling specific initiatives deemed important by that committee to the continued success of the LAP. This year, the LAP Steering Committee is chaired by Tom Pitman, with Tom Holt serving as Vice Chair and Roberta Sperry serving as Chair Elect.

The LAP Steering Committee selected three major initiatives to begin this year:

- Creation of an electronic quarterly newsletter and blog as an outreach tool,

- A law school initiative, with the goal being to establish formal programs in every law school for consistent annual outreach to all NC law students, and

- Resumption of a 12-step study retreat weekend (not paid for by LAP, but self-supporting through paid registrations of participants) that used to occur but had not been held in recent years.

The LAP Steering Committee has gotten off to a great start and we look forward to its continued visionary process and success.
**Administration**

**Training**

- The 33rd Annual PALS Meeting and Workshop was held November 2-4, 2012 at the Holiday Inn Sun-Spree Resort, Wrightsville Beach, North Carolina. Approximately 150 lawyer volunteers attended the event to receive on-going training. Chief Justice Sarah Parker was in attendance and presented the Chief Justice’s LAP Service Award.

- The 34th Annual LAP Meeting and Workshop will be held on November 1-3, 2013 at the Crowne Plaza Resort in Asheville, North Carolina. This will be the first conference to combine the PALS and FRIENDS conferences into one event.

- The 2012 ABA Annual CoLAP Conference was held in Grand Rapids, Michigan, October 8-11, 2012.

**Local Volunteer Meetings**

The LAP continues the development of local volunteer meetings to provide greater continuity and support in meeting the needs of lawyers new in recovery and allowing volunteers the chance to grow in their own recoveries. Local volunteer support meetings are held in the following areas (contact the representative in the area for more information as to time and location):

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<th>Area</th>
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<td>Fayetteville/Sandhills</td>
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**Staff**

Ed Ward retired as Clinical Director on July 31, 2013. A retirement celebration lunch was held to honor his 14 years of dedicated service to the lawyers of this state. Over 100 lawyers and judges attended the event at the Cardinal Club in Raleigh. At the time of this report, finalist candidates are being interviewed to replace Mr. Ward in covering the Eastern Region.

Due to unexpected medical reasons, Buffy Holt, who was the office administrator for the Charlotte office for 7 years, resigned her position. Katherine “Susie” Taylor, who previously worked as the Associate Executive Director at the Mecklenburg County Bar and as a paralegal has replaced Buffy as the new LAP Special Projects Manager and CLE Coordinator. There were no other changes in the LAP Staff: Robynn Moraites, Executive Director; Towanda Garner, Piedmont Clinical Coordinator; Cathy Killian, Western Clinical Coordinator, and Joan Renken, Raleigh Office Administrator.
LAP Board

David W. Long, Chair
Kathy Klotzberger, Vice Chair
Christopher Budnick
Jerry Jernigan
Darrin Jordan
Dr. Joseph Jordan
Mardie McCreary
Dr. Nena Lekwauwua
Robert “Bert” Nunley

LAP Board Meetings Scheduled For 2013

LAP Board meetings are usually scheduled for lunchtime on Wednesday of the week the Bar Council meets except in October, when the LAP Board meets at the Annual LAP Meeting and Conference held the first weekend in November. The upcoming schedule is as follows:

2014

January 21-24 - NC State Bar Headquarters, Raleigh
April 22-25 - NC State Bar Headquarters, Raleigh
July 22-25 - Doubletree by Hilton, New Bern
November 7-9 – Holiday Inn SunSpree Resort, Wrightsville Beach

2015

January 20-23 - NC State Bar Headquarters, Raleigh
April 14-17 - NC State Bar Headquarters, Raleigh
July - TBA
November 6-8 – Probably Asheville

2016

January 19-22 - NC State Bar Headquarters, Raleigh
April 19-22 - NC State Bar Headquarters, Raleigh
July - TBA
November 4-6 – Probably Wrightsville Beach
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## Appendix A — CLE

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