



NCLAP
NORTH CAROLINA
LAWYER ASSISTANCE PROGRAM

NC LAP Annual Report

August 1, 2016 - July 31, 2017



Protecting the public by
insuring the health and integrity
of the legal profession.



MESSAGE FROM THE EXECUTIVE DIRECTOR



This has been an extraordinarily busy year for the Lawyer Assistance Program (“LAP”).

On the heels of the national ABA Hazelden study, the results of which were rolled out early last year, the ABA created a National Task Force on Lawyer Well-Being (“Task Force”) comprised of the Conference of Chief Justices, the National Organization of Bar Counsel, the Association of Professional Responsibility Lawyers, the National Conference of Bar Examiners, and the Commission on Lawyer Assistance Programs. The Task Force released a comprehensive report,

[The Path to Lawyer Well-Being: Practical Recommendations for Positive Change](#), aimed at addressing the problems faced by the profession. The report includes dozens of recommendations for stakeholder groups from law schools, to regulators, to law firms. It represents the most ambitious roadmap yet related to promoting the well-being of lawyers. The hope is that implementation of the recommendations will lead to a cultural shift within the profession.

With the increasing national focus on lawyer well-being, it may not be surprising to learn that the number of CLE speaking requests we fielded this year was unprecedented. We had a banner year with LAP volunteers and staff providing 100 CLE presentations. As is always the case, the more CLE we provide the more referrals we receive. Accordingly, we saw a dramatic jump in the number of referrals in the second half of this year. We have historically opened an average of 25 new files per quarter. In the final two quarters of this year, however, we opened 47 and 58 new files respectively. Unfortunately, the cases continue to be increasingly clinically complex, putting increased pressure on our clinical staff.

Speaking of clinical staff, one of our long-standing counselors, Towanda Garner, left our program in August of 2017 to pursue additional graduate studies at Duke Divinity School. We were very sad to see her go. LAP volunteers and clients gathered together at a lunch celebration to acknowledge and celebrate her significant contributions to our program and to the lives of the lawyers with whom she has worked. She will be greatly missed. As of the writing of this report, we are actively engaged in a search for her successor.

LAP carried out several initiatives this year worth highlighting. In September of 2016, we held a law school summit in conjunction with Lee Vlahos and the NC Board of Law Examiners. Each of North Carolina’s law schools was represented and we spent an afternoon discussing character and fitness issues and how LAP works with law students and the Board of Law Examiners. Seven LAP volunteer representatives from the LAP Steering Committee also attended, each as an assigned liaison to a particular law school. The goal and hope is to forge deeper partnerships with each of the law schools in order to better address students’ mental health needs as early as possible. The discussion was robust, and everyone contributed meaningful insights and observations. Following the summit, LAP participated in several wellness days

Continued on next page....

Continued...

and provided panel speakers of LAP volunteers for several of the law schools. Given the ABA study and findings for young lawyers as well as the on-going studies of law students citing dramatic changes to their mental health while in law school, LAP is doing what it can to reach this vulnerable population. LAP volunteers are playing the primary role in facilitating and expanding these relationships.

Last summer LAP began a chronic illness support group conference call for lawyers who have been diagnosed with chronic conditions like MS. Details concerning the genesis of this support call can be found in Appendix B. We shared the information and invitation nationally with LAP directors from other states and have had consistent participation so far from a small group of lawyers from across the country.

I was invited in June to provide training to our Superior Court Judges on how to handle addicted and impaired lawyers using a judicial intervention process. A panel of judges who have worked with LAP in recent years helped explain procedures and to differentiate the role a judge may play as opposed to the role of the State Bar Office of Counsel. The session was well received. Many judges who spoke with me after the presentation reported having had no prior knowledge of these processes and were grateful for the additional tools and resources.

And finally, we conducted a new volunteer training earlier this year in Raleigh and Charlotte for 30 lawyers from across the state. LAP volunteers continue to provide hope, support and direction for lawyers who are drawn to a better way to live and practice law. As I have said repeatedly, we could not accomplish what we do without the enthusiasm of our incredible cadre of volunteers. They are quite literally a force (for good) to be reckoned with. Whether recovering from compassion fatigue, an alcohol problem, depression, childhood trauma, or any other life issue, our volunteers have found a way to live and practice that works. They are motivated to help spare others the pain they endured and to share their experience, strength and hope. The gifts they offer are free for the taking and we are so fortunate to have them as a resource. I will end this report the way I did last year: Interacting with our volunteers is unquestionably the highlight of my job, and I want to thank each and every one of them for their unique contribution to making our program one of the best, most dynamic, most enviable programs in the country.

Robynn E. Moraites

LAWYER ASSISTANCE PROGRAM OVERVIEW

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 ("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, our mission is to:

1. Protect the public from impaired lawyers and judges;
2. Assist lawyers, judges, and law students with any issues that are or may be impairing;
3. Support the on-going recovery efforts of lawyers and judges
4. Educate the legal community about the issues of substance abuse and mental health.

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 alcohol or drug problems, or mental health conditions;
- To educate the legal community on identification, assessment, referral, treatment and resources available to meet the needs of judges, lawyers, and 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 time information is shared is when an individual signs a release 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 address and offer assistance for a range of issues within the category of general life 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.

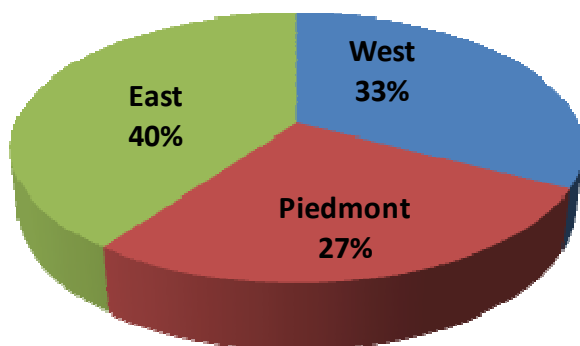
Whatever the issue is that brings an individual to LAP for assistance, we offer peer support, on-going follow-up and case management services.

THE YEAR IN REVIEW ~ STATISTICAL SNAPSHOT

NEW CASES/FILES

Now in its 38th year of operation, NC LAP remains consistently busy. NC LAP typically fields anywhere from five to ten “new inquiry or concern” calls a week in each of its Charlotte and Raleigh offices, totaling approximately 600-800 telephone calls, from impaired attorneys, judges, or law students, or concerned family members, managing partners, and colleagues. Of these calls this year, 135 resulted in newly opened files, with 27 additional files reopened, bringing the total number of opened cases to 162. We closed 78 files resulting in a combined total of 687 open cases at year’s end.

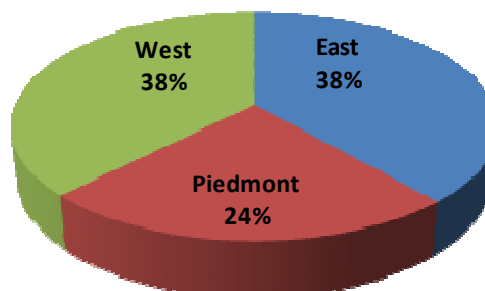
162 New and Reopened Cases by Region



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:

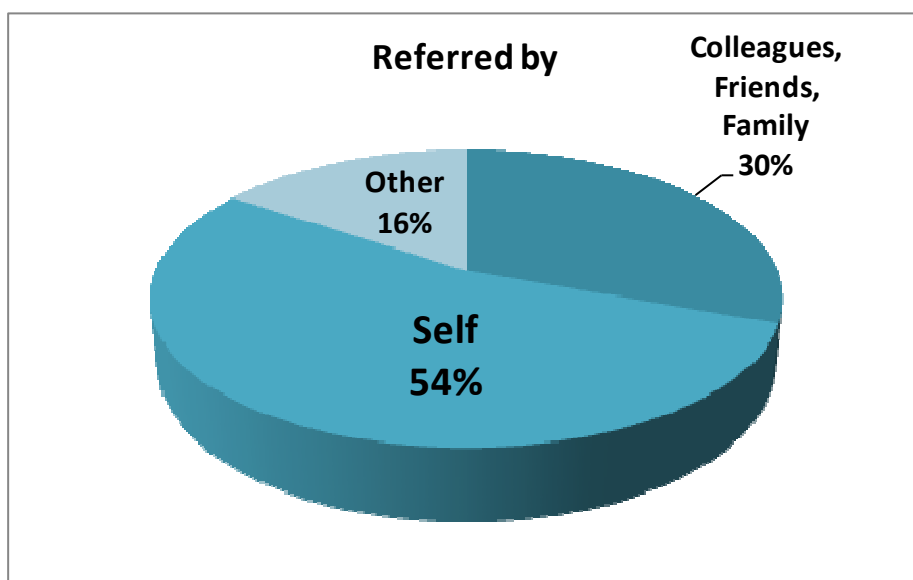
- An older lawyer may need to wind down a practice and the judge or lawyer who is concerned does not know how to approach the individual or what to say. We coach them and eventually become directly involved if needed, but we typically do not open a file. We have typically refer the call to the NCBA Transitioning Lawyer Commission (TLC) on these cases, and we 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 mental health provider.
- Lawyers sometimes call because they need treatment center recommendations for non-lawyer friends or clients who are impaired.
- Lawyers who have attended a CLE where we spoke and are seeking a recommendation for 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.

Total Cases by Region



REFERRAL SOURCES

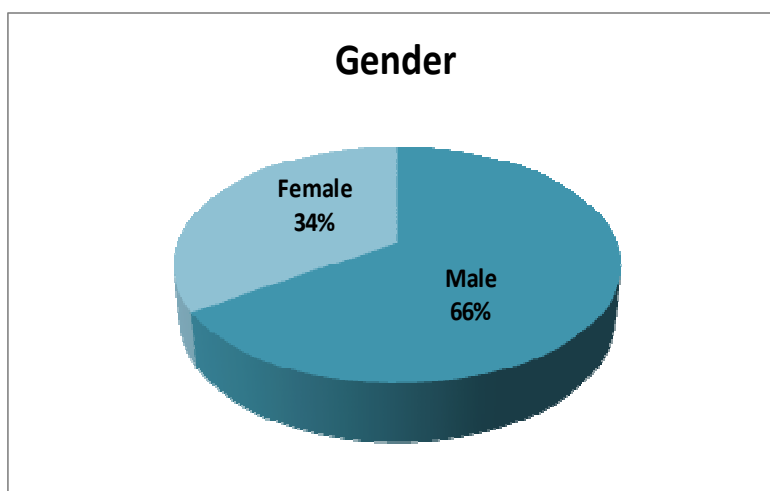
The rate of self-referral to LAP increased from 52% to 54% this year while 30% of LAP referrals came from colleagues, law firms, friends, family and judges who expressed concern about a lawyer or judge. The remaining 16% of referrals came from law schools, the board of law examiners, other LAPs, therapists, physicians, state bar staff, the grievance committee or the DHC. These percentages are holding steady and are very similar to those we saw last year.



Referred By:	Total
Another LAP	3
Another Lawyer	137
Bar Staff	34
Board of Law Examiners	14
DA	2
DHC	3
Family	22
Law Firm	26
Friend, Non-lawyer	5
Grievance	10
Judge	20
Law School	16
Other	8
Physician	5
Self	370
Therapist	12
Grand Total	687

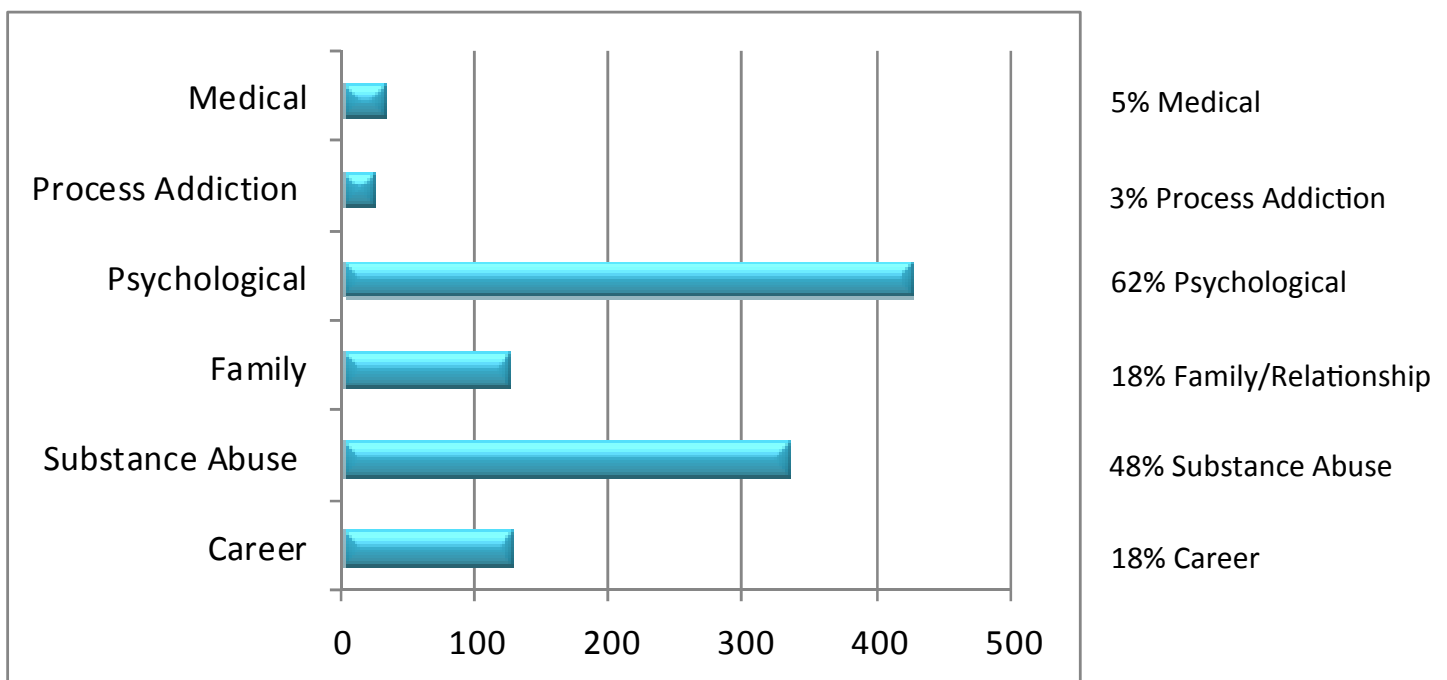
GENDER

The gender breakdown for clients seeking services this year was 66% men and 34% women, which is identical to last year.



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 use disorders. 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. And more lawyers are turning to the LAP for assistance in dealing with spouses or children that are having serious mental health issues or substance use disorders.

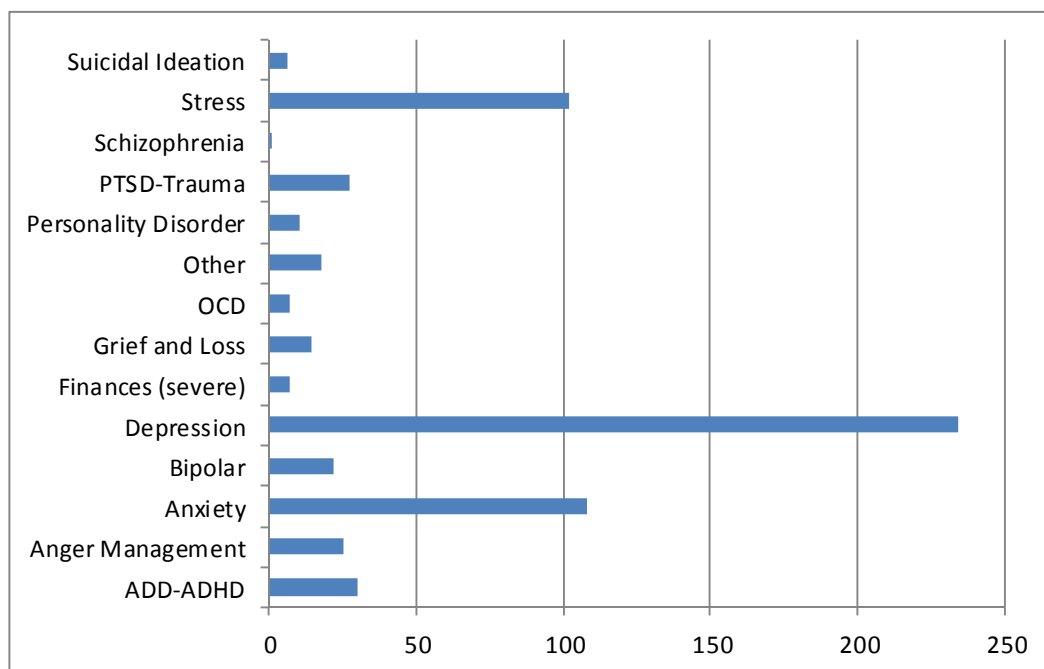
The table below shows the breakdown of the issues in real numbers and percentages:



* Because lawyers often have more than one issue, these percentages do not equal 100%. Instead, they show the total percent of 687 clients that are dealing with a given issue.

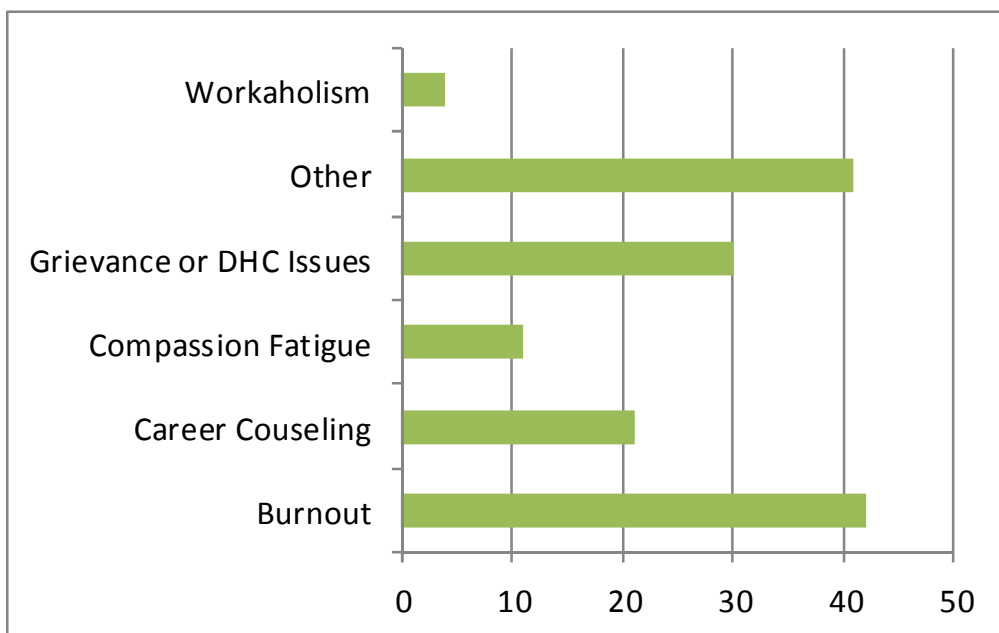
PSYCHOLOGICAL ISSUES

The data indicates that lawyers struggling with psychological issues are often dealing with more than one single issue. To illustrate, we show 426 lawyers dealing with psychological issues, yet we show a total of 614 issues identified overall in this category.



***Depression remains by far the single largest issue lawyers face today with severe anxiety and debilitating stress coming in tied for second. The culture and demands of the profession itself are the greatest factors causing these issues for most of the lawyers who are struggling with them (rather than a genetic/biological cause).**

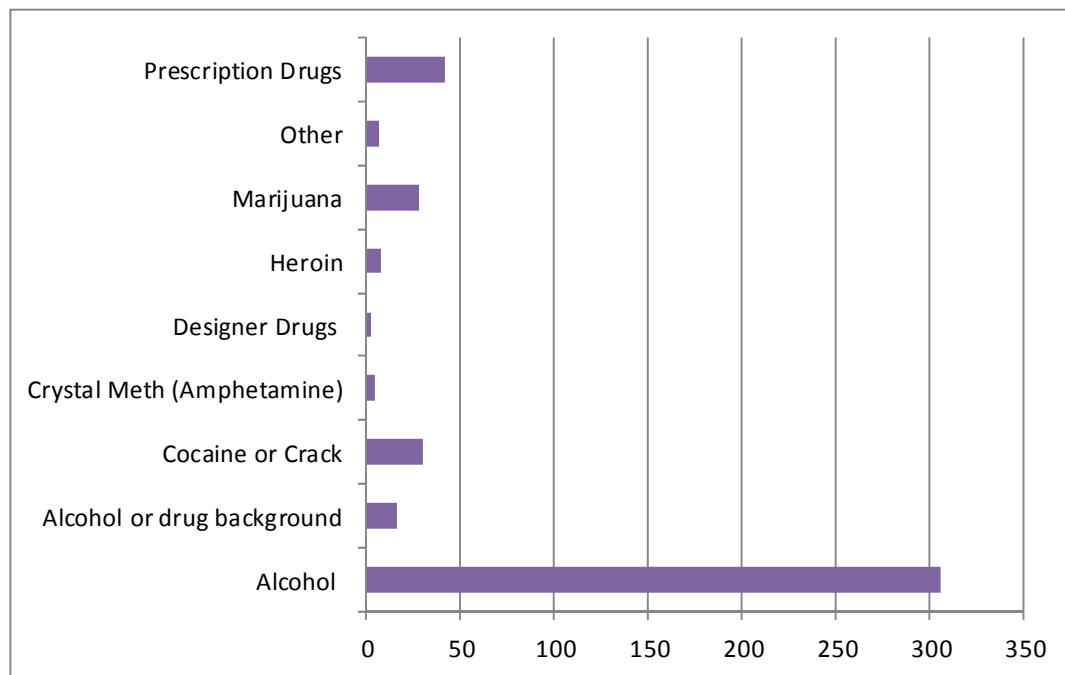
CAREER ISSUES



As stated above, a large percentage of the depression, anxiety and debilitating stress cases we see are caused by the profession itself. Sometimes a lawyer may seek out assistance based on what he or she can identify as a specific issue related to the profession as indicated in this graph.

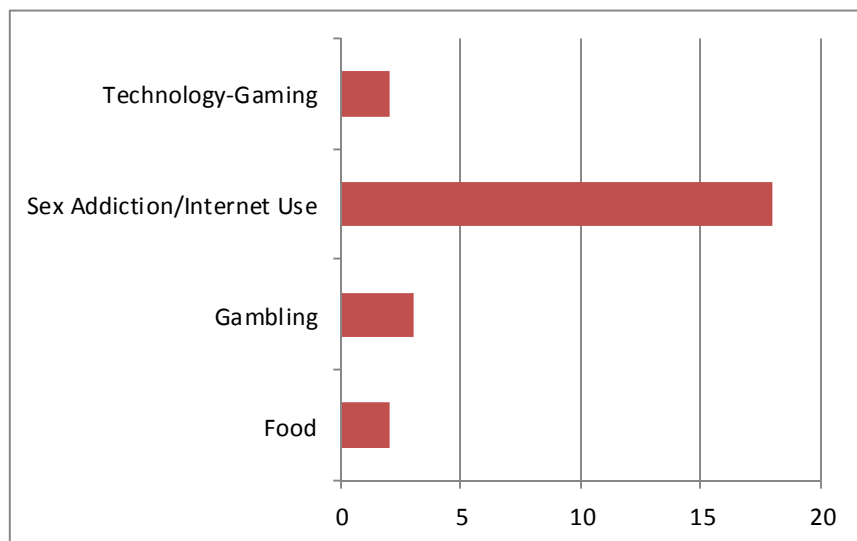
ALCOHOL AND DRUG PROBLEMS

Alcohol abuse and dependency continue to be the single largest problem lawyers face when there is a substance use disorder present. A recent NY Times article caught the attention of the whole bar, and we fielded many inquiries from firms and lawyers inquiring how



they could be more proactive in identifying and assisting colleagues who are struggling.

PROCESS ADDICTIONS



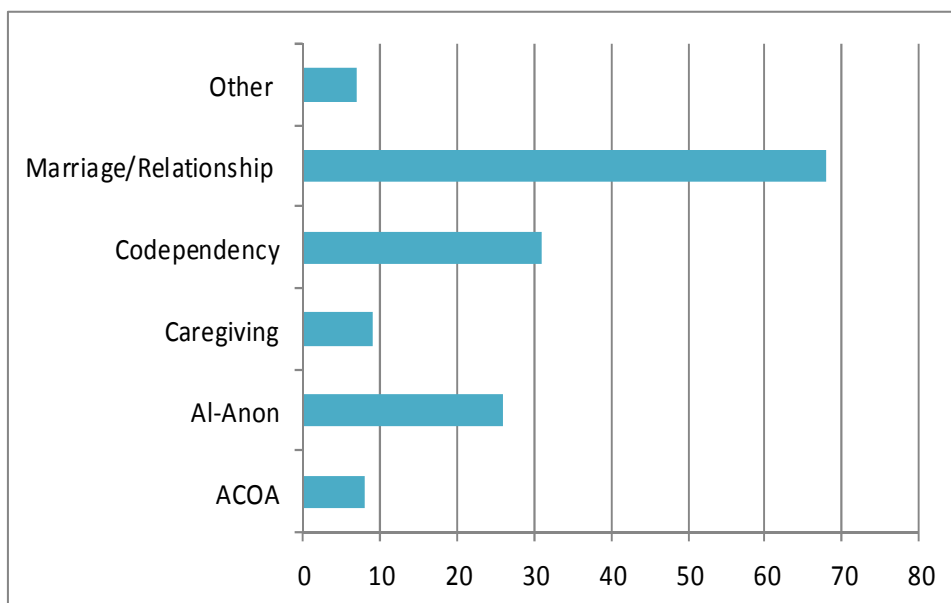
While the word addiction traditionally refers to dependency on alcohol and drugs, it also applies to compulsive behaviors, such as gambling, sex, work, eating, shopping/spending, internet usage, or other technologically driven activities such as video gaming. The suffering, losses, and devastating consequences stemming from process addictions are similar to those of substance use

disorders. Process addictions follow a characteristic course with similar phases and stages. A process addiction follows a destructive process characterized by a recognizable set of signs and symptoms. It is also progressive in nature like a substance use disorder; left untreated, it will only continue to get worse over time. The highest percentage we are currently seeing involve use of sexual internet websites.

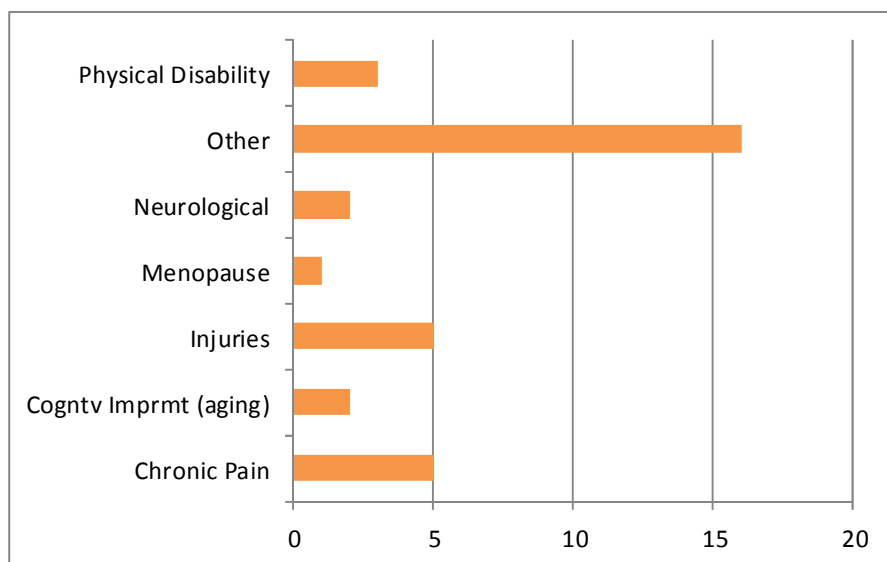
FAMILY ISSUES

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

having problems with alcohol or drugs (Al-Anon). The stress of having to be a primary caregiver for a disabled or chronically ill parent or spouse can also take toll. A majority of our clients experience some form of marriage or relationship difficulty, but we only track those who have this issue as a primary issue.



MEDICAL ISSUES



Sometimes lawyers face a medical issue, physical disability or injury that is problematic enough it is affecting the lawyer's ability to practice. Often the issue warrants assistance with coping and management strategies as well as support for the on-going emotional strife of dealing with a medical issue.

CONTINUING LEGAL EDUCATION AND OUTREACH

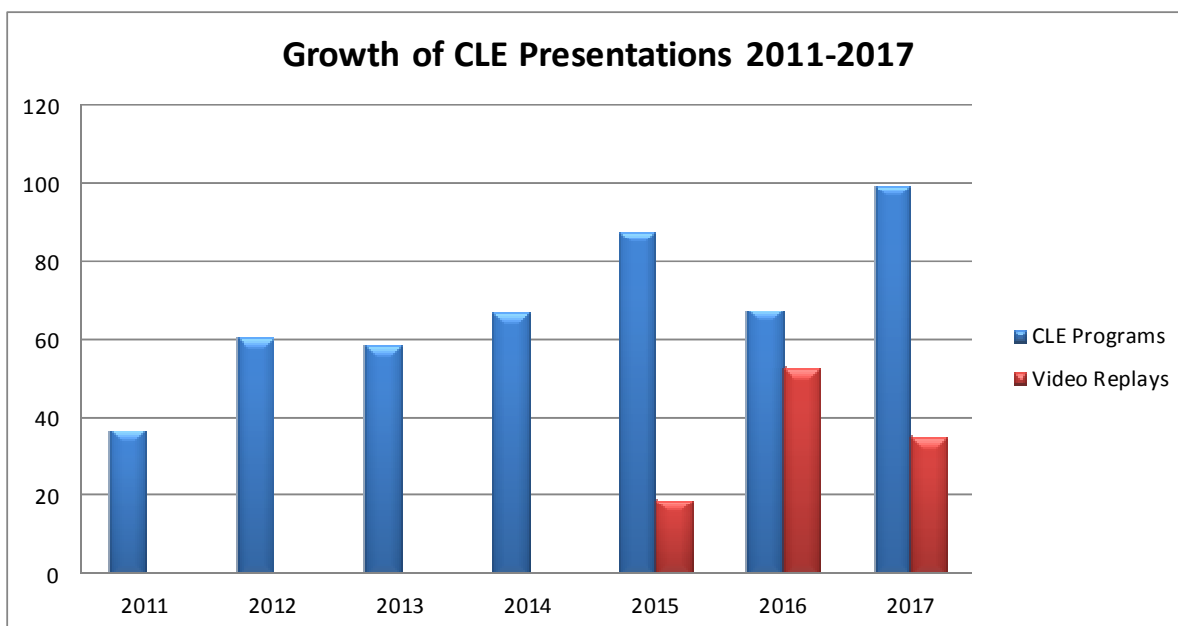
Continuing legal education programs remain the single most effective outreach tool we have available. We receive at least one referral from almost every CLE talk we give. North Carolina is a leader in its CLE requirements and many states around the country are only beginning to add mental health topics as either an approved ethics hour or a mandatory stand alone hour.

MINORITY OUTREACH CONFERENCE

The Minority Outreach Conference continues with great success. This year it was held in Chapel Hill on February 17, 2017. 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. We reached registration capacity of 400 African American attorneys within 12 hours of opening registration and had 200 on the waitlist. We are moving to the Durham Convention Center in 2018 to allow up to 800 minority attorneys to attend. It was a wonderful event and has resulted in more African American attorneys utilizing LAP services.

SUBSTANCE ABUSE AND MENTAL HEALTH CLE PRESENTATIONS

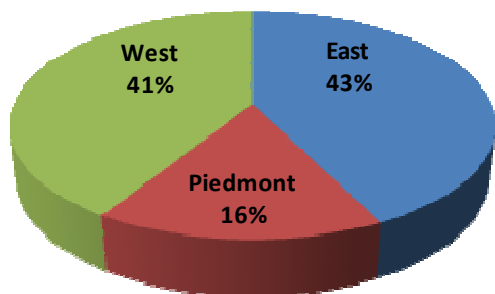
We had a banner year for CLE Presentations. LAP, with the considerable efforts of its dedicated volunteers, presented at least 100 CLE programs this year (see Appendix A) with additional video replays. The graph below indicates the CLE presentations that were requested through our office directly and does not include any presentations made by our volunteers that may have not been reported to us. We are making an effort to track video replays as well but may not have captured all that occurred across the state this year.



LAP'S TRAINED VOLUNTEERS MAKE A DIFFERENCE

As I stated in the opening message for this year's annual report, our LAP volunteers are the core foundation of NC LAP. We could not accomplish a fraction of what we accomplish without their dedication and hard work on our behalf. They do any number of the following activities:

Volunteers by Region



- Speak at CLE
- Visit lawyers who have been referred to LAP to explain the assistance the program can offer
- Attend local discussion/support groups
- Write articles for the Sidebar or the quarterly State Bar Journal or solicit articles from others for publication
- Serve on leadership committees and boards that undertake specific initiatives to support the program
- Meet lawyers for coffee or lunch to

mentor lawyers new to the program and introduce them to others

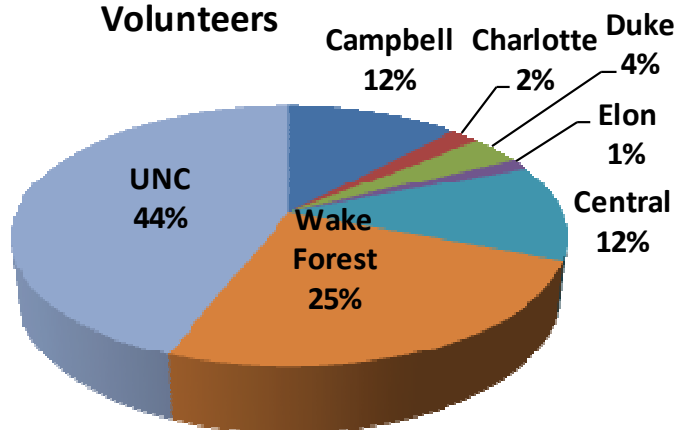
- Monitor lawyers who are on recovery contracts that require monitoring
- Secure speakers and workshop leaders for retreats

LAP has volunteer opportunities for attorneys and judges 1) who themselves are in recovery from alcohol or drug problems, depression, anxiety or other mental health issues, or 2) who have experienced a family member or friend who has suffered from these ailments and who learned how to effectively deal with that situation. We are trying to build our volunteer base on the family side.

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 **214** active volunteers and our volunteer base is represented by the following NC law schools (some of our volunteers did not attend law school in NC).

NC Law School	Total Volunteers
Campbell	17
Charlotte	3
Duke	5
Elon	2
Central	17
Wake Forest	36
UNC	63

Volunteers



LAP STEERING COMMITTEE

The LAP Steering Committee is a volunteer leadership committee. It was formed in 2012 when the former PALS and FRIENDS subcommittees combined into one committee. LAP Steering Committee members are all active LAP volunteers from across the state and are appointed by the LAP Director. The Steering Committee is composed of 2 volunteers (a member and an alternate) from each of the LAP meetings across the state as well as 2 members at large from each region (West, Piedmont and East).



The LAP Steering Committee selects projects and initiatives that it deems important to the function or direction of the LAP. The LAP Steering Committee has continued with these selected major initiatives this year:

- Ongoing operation of SIDEBAR, an electronic quarterly newsletter as an outreach tool. Subscriptions now total over 1,900 across the state,



SIDEBAR ■

- In continuation of the law school initiative, each law school was assigned a primary volunteer liaison as a key point of contact for students and staff and the liaisons attended a law school summit September 2016 at which all law schools were represented to discuss bar admissions and character and fitness issues and how LAP is involved,
- Continuation of a 12-step study retreat weekend (not paid for by LAP, but self-supporting through paid registrations of participants) that was revived in 2013 and held this year at the Caraway Conference Center in Sophia, NC, again to rave reviews. The retreat was expanded this year to include a special track for codependency, depression, trauma and an Al-Anon family side focus. That went so well that the committee is going to offer it again next year.



The LAP Steering Committee continues to innovate and consider new ideas and directions. We look forward to its continued visionary process and success.

TRAINING

- The 37th Annual LAP Meeting and Workshop was held November 4-6, 2016 at the DoubleTree by Hilton Riverfront, in New Bern, North Carolina. Approximately 150 lawyer volunteers attended the event to receive on-going training. Justice Robin Hudson was in attendance and presented the Chief Justice's LAP Service Award.
- The 38th Annual LAP Meeting and Workshop will be held on November 3-5, 2017 at the DoubleTree by Hilton Biltmore, in Asheville, NC.

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 clinical coordinator in the area for more information as to time and location):

Asheville	Greensboro
Charlotte	Greenville
Durham-Chapel Hill	Raleigh
Fayetteville/Sandhills	Boone
Hickory	Wilmington
Morehead City	Winston-Salem

LAP BOARD 2016-2017

Darrin Jordan, Chair
 John Bowman, Vice Chair
 Reid Acree
 Lanée Borsman
 Chris Budnick
 Ted Edwards
 Paul Nagy
 Connie Mele
 Eben Rawls



NCLAP
 NORTH CAROLINA
 LAWYER ASSISTANCE PROGRAM

LAP BOARD MEETINGS SCHEDULED FOR 2016-2017

LAP Board meetings are usually scheduled for lunchtime on Wednesday or Thursday of the week the Bar Council meets except in October, when instead, the LAP Board meets at the Annual LAP Meeting and Conference held the first weekend in November.

APPENDIX A—CLE

8/4/2016	NCBA PNA	Cary
8/25/2016	NC Dept of Health and Human Services	Sunset Beach
8/25/2016	NC Dept of Health and Human Services	Sunset Beach
8/26/2016	Catawba County Bar Association	Newton
9/1/2016	Elon University School of Law	Greensboro
9/8/2016	Wake Women Attorneys	Raleigh
9/9/2016	Blackacre Title	Wilmington
9/13/2016	Duke Energy	Charlotte
9/15/2016	School of Government	Raleigh
9/16/2016	District Bar Meeting (District 11A)	Sanford
9/16/2016	Campbell Law School	Raleigh
9/23/2016	Investors Title	Chapel Hill
9/27/2016	NC State Bar	Raleigh
9/28/2016	Mecklenburg County Bar	Charlotte
10/6/2016	28th Judicial Bar	Asheville
10/6/2016	2016 National CoLAP Conference	Vancouver, Canada
10/6/2016	2016 National CoLAP Conference	Vancouver, Canada
10/12/2016	Womble Carlyle (webcast)	Greensboro
10/13/2016	NCBA 2016 Annual Review	Cary
10/14/2016	Wake County Criminal Defense Atty Org	Raleigh
10/15/2016	NC Advocates for Justice	Asheville
10/20/2016	Lawyers Mutual	Asheville
10/21/2016	Lawyers Mutual	Greensboro
10/21/2016	Moore & Van Allen	Charlotte
10/21/2016	NCBA	Cary
10/21/2016	Rowan County Bar Association	Salisbury
10/21/2016	NC Courts Commission	Raleigh
10/24/2016	Campbell Law School	Raleigh
10/26/2016	NC Equal Access to Justice Committee	Greensboro
11/2/2016	UNC School of Government	Chapel Hill
11/3/2016	First Citizens Bank & Neuse Financial Services	Swansboro
11/3/2016	NCBA Family Law Section - Lawyers Mutual	Cary
11/3/2016	Robeson County Bar Association	Lumberton
11/9/2016	Attorneys Title	Wilmington
11/16/2016	Wake County Bar Assoc (Lawyers' Support Committee)	Raleigh
11/17/2016	Lawyers Mutual	Clemmons
11/17/2016	NCAJ PNA	Raleigh
11/18/2016	Judicial District 19A	Concord
11/18/2016	Lawyers Mutual	Concord
12/1/2016	Mecklenburg County Bar	Charlotte
12/6/2016	NCBA PNA	Concord
12/7/2016	NCBA PNA	Cary
12/8/2016	Mecklenburg County Bar	Charlotte
12/13/2016	Attorneys Title	Hendersonville
12/16/2016	Mecklenburg County Public Defender's Office	Charlotte

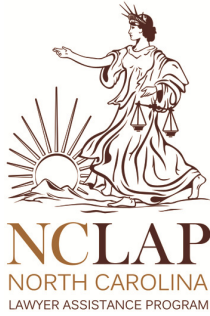
APPENDIX A—CLE (CONTINUED)

1/6/2017	Campbell University	Raleigh
1/9/2017	Moore County Bar	Vass (video)
1/12/2017	NCAOC	Raleigh
1/13/2017	Lawyers Mutual	Cary
1/13/2017	Henderson County Bar Association	Hendersonville
1/19/2017	Mecklenburg County Bar	Charlotte
1/26/2017	Lawyers Mutual	New Bern
1/27/2017	Lawyers Mutual	Greenville
1/27/2017	NC Association of Defense Attorneys (NCADA)	Durham
1/27/2017	Alamance County Bar - district 15A	Burlington
2/3/2017	Mecklenburg County Bar Juvenile Law Section	Charlotte
2/3/2017	Columbus County Bar Association	Whiteville
2/3/2017	NCBA	Greensboro
2/3/2017	High Point Bar Association	High Point
2/10/2017	Lawyers Mutual	Wrightsville Beach
2/10/2017	Brunswick County Bar Association - JD 13B	Charleston SC
2/14/2017	Chicago Title	Charlotte
2/15/2017	Chicago Title	Greensboro
2/15/2017	Robinson, Bradshaw & Hinson	Charlotte
2/16/2017	Chicago Title	Asheville
2/16/2017	UNC Law - Festival of Legal Learning	Chapel Hill
2/17/2017	NCBA (2017 Hot Topics in Commercial Property)	Cary
2/17/2017	NC Advocates for Justice	N/A - Live Webinar
2/21/2017	Chicago Title	Wilmington
2/22/2017	Chicago Title	Greenville
2/23/2017	Chicago Title	Raleigh
2/24/2017	NC Advocates for Justice	Raleigh
2/24/2017	Robinson, Bradshaw & Hinson	Charlotte
2/24/2017	NCBA Elder and Special Needs Law Section	Pinehurst
2/24/2017	Watauga County Bar Association	Boone
2/28/2017	NC Advocates for Justice	Webinar
3/10/2017	NC State Bar - Specialization Retreat	Greensboro
3/24/2017	District Bar Meeting (District 19B)	Asheboro
3/31/2017	District Bar Meeting (District 16A)	Raeford
4/3/2017	Campbell University	Raleigh
4/6/2017	NCBA	Cary
4/20/2017	Greensboro Bar Association	Greensboro
4/21/2017	Middle District Bankruptcy Seminar	Aberdeen
4/21/2017	Elon University School of Law	Greensboro
4/22/2017	Cumberland County Paralegal Association	Fayetteville
4/26/2017	Mecklenburg County Bar	Charlotte
4/28/2017	Rowan County Bar Association	Salisbury
5/3/2017	NC Guardianship Association Annual Conference	Carolina Beach
5/4/2017	NC Guardianship Association Annual Conference	Carolina Beach
5/4/2017	NC Advocates for Justice	Raleigh

APPENDIX A—CLE (CONTINUED)

5/12/2017	UNC School of Government	Charlotte
5/17/2017	UNC School of Government	Charlotte
5/19/2017	District Bar Meeting (District 20B)	Monroe
5/23/2017	NCBA (PNA)	Cary
5/30/2017	ABA Young Lawyers Division	Webinar
6/2/2017	Eastern Bankruptcy Institute	Myrtle Beach
6/19/2017	NC Advocates for Justice	Sunset Beach
6/21/2017	SOG - NC Superior Court Judges Conference	Cherokee
6/28/2017	ABA - webinar	Webinar
6/29/2017	Wilkes County Bar	Wilkesboro

APPENDIX B—CHRONIC ILLNESS GROUP INVITATION



NCLAP.org

Robynn E. Moraites

Executive Director
312 Rensselaer Ave, Suite 100
Charlotte, NC 28203
704.892.5699
robynn@nclap.org

Board Members

Darrin Jordan, Chair
Lanée Borsman, Vice-Chair
Reid Acree
John A. Bowman
Chris Budnick
Barbara Christy
Dr. Joseph P. Jordan
Dr. Nena Lekwauwa
Robert E. Nunley

*A program of the
North Carolina State Bar*

June 15, 2016

To whom it may concern,

For unknown reasons more people, including more lawyers, find themselves at a relatively young age diagnosed and living with chronic illnesses such as MS, Early Onset Alzheimer's Disease, Early Onset Parkinson's Disease, or other vague and unspecified auto-immune neurodegenerative conditions (there are a surprising number of these). These diseases are all neurodegenerative – once damage has occurred to the neurons they cannot be repaired.

Maybe one day medicine and science will find a way to reverse the damage, but no such cures or treatments exist today. A diagnosis, however, does not signal immediate or total disability. These illnesses are chronic in nature – not acute. The symptoms and neuron damage evolve very slowly over many years or decades. And neuron damage may begin with motor function and take years or decades to begin to affect cognitive function. As a result, a lawyer may be able to competently practice law for years or decades after a diagnosis but will often need to make accommodations in the lawyer's practice. For example, a trial lawyer may no longer be able to handle courtroom work due to processing speed limitations. Similarly, a lawyer with fatigue may not be able to practice at a pace previously maintained. Yet, when making accommodations, the lawyer is compelled to keep the accommodations secret and may have a "cover story," which others will not misconstrue as an inability to practice law. For some of these conditions there are medicines to help manage and mask symptoms, which can make daily functioning easier, but also reinforces and rewards continuing secrecy about the existence of the condition.

Neuropsychologists confirm that individuals who have the highest level of intellectual functioning immediately notice any change or deficit in that functioning, no matter how small, and the change feels huge. So while a person may still test in the above average to far superior range across a broad spectrum of intellectual and neuropsychological testing measures, for the sufferer, the diminishment in capacity is blatantly apparent and incredibly frustrating – but may be invisible to his or her peers. Continued professional recognition and awards for superior performance in the legal profession compounds the growing sense of isolation and desire for secrecy for the sufferer and may cause internal conflicting feelings of fraudulence.

The stigma associated with depression, anxiety or alcohol or drug problems (for which there are proven successful treatments) pales in comparison to the stigma associated with a neurodegenerative diagnosis for which there is no cure for a member of a profession rooted entirely in one's ability to think. It is for this reason lawyers keep a diagnosis a closely guarded secret, all the while carrying a private awareness of the subtle arrival of new symptoms that are usually invisible to anyone but the sufferer. It becomes an incredibly isolating experience. As one author notes:

One of the hardest things about being chronically ill is that most people find what you're going through incomprehensible—if they believe you are going through it [at all]. In your loneliness, your preoccupation with an enduring new reality, you want to be understood in a way that you can't be.

Continued on next page....

APPENDIX B—CHRONIC ILLNESS GROUP INVITATION

It is for this reason we are starting a support group for lawyers who have been diagnosed with these types of chronic neurodegenerative conditions. The NC Lawyer Assistance Program has been in operation since the 1970's. As a result we have a cadre of active volunteers who understand the unique benefit of peer-driven support. The impetus for starting a group like this came from a "chance" encounter between one of our LAP volunteers and a lawyer from another state who were attending a national awards ceremony. They were assigned to the same dinner table by chance. Our volunteer wrote to me about the experience and has granted permission for me to use excerpts here:

As the discussion went on we learned we both had MS. In describing our impairments we both mentioned that they were primarily the "invisible" sensory symptoms that were most frustrating – numbness of limbs and face, mild enunciation problems. As we gained each other's confidence, I told him about my cognitive impairment and how I can no longer do courtroom work...how I prefer to have my new associate with me in all client meetings...how I sometimes spend a lot of my day looking for misplaced things and not being able to focus (and quite frankly wanting to cry from the frustration). My colleague began sharing his lack of stamina and need to pace himself, particularly the need to limit himself to more administrative tasks on "off days." For me, it was the first time I had ever met another lawyer who confirmed what was going on with me – impairment due to a chronic illness (in my case mild cognitive impairment, not normal aging) which prevents me from performing to my own expectations and requires me to take much longer to do tasks. The opportunity to bear my secret and receive understanding from a fellow sufferer in confidence was extremely affirming. I trust we will stay in touch and know my life was enriched through sharing my experience with someone who understood me.

The support group meeting will be a monthly conference call to start. In order to preserve the utmost anonymity and confidentiality, lawyers or judges who are interested in attending need not provide any identifying information on the call (such as one's true name or location). To be eligible to attend the call, however, a lawyer must contact Robynn Moraites, director of the NC Lawyer Assistance Program, to provide some background information to determine whether this group would be a good fit. All lawyers who wish to participate must agree to sign a confidentiality agreement and agree to never repeat anything discussed on the call. It is only in this way that participants will feel safe enough to share honestly. The purpose of the group will be:

1. to allow lawyers and judges to connect with others who are experiencing similar circumstances. Breaking isolation goes a very long way in helping one to accept a condition and to deal with it in a positive way.
2. to explore utilizing certain "tools of recovery" that cross over from LAP's traditional focus and apply them in a supportive environment with others who are "walking a similar path."
3. to provide peer-to-peer support, encouragement, or guidance about whether, when or how to a) disclose information to friends, family, or law partners, or b) shift a practice focus or incrementally scale back a practice, or c) apply for disability. None of these are easy decisions and in LAP's experience, it is crucial to have supportive peers who have been down the same road who can share their experience, strength and hope. Of course, life will present many other topics for discussion, but these are some that come to mind easily as those that lend themselves to hearing shared experience when the time comes.

If you are interested in learning more, please make a confidential call to Robynn Moraites. You need not provide your name or any identifying information to ask whatever questions you may have. She can be reached at (704) 892-5699.

Sincerely,

Robynn Moraites