

HIGHLIGHTS

of the American Bar Association Commission on Lawyer Assistance Programs

VOL. 13, NO. 2 ■ SUMMER 2010



Helping Law Students

BY SUSAN GROVER

Lawyer Assistance Programs (LAPs) are increasingly providing help to law students. LAP directors work with deans of students, student groups, and individuals to deliver a broad range of services. They coordinate support/discussion groups, provide training to law students, and counsel and refer individuals for treatment. This expansion of services is probably a natural result of LAPs' coming into their own, but also a function of a higher profile in student needs. Also, stigmas are beginning to drop away from mental health issues, allowing students to speak out, and savvy student services professionals and LAP directors are asking the right questions.

Challenges confronting law students are increasing and increasingly visible. The same factors that exacerbate stresses in the legal profession exacerbate stresses in the academy: the job market has tightened, competition for scarce clients is increasing, and the realm of information that a lawyer must master in order to be a "legal expert" is burgeoning. Yet, anyone who has seen *The Paper Chase* knows that stress in law school is nothing new and entails factors unique to the academic situation. The law school experience is and always has been prone to cause student depression, anxiety, and alienation. Even faculty, whose high expectations are sometimes cited as a cause of law student stress, are recognizing the problem. There is actually a movement in legal education of professors and others who want to humanize legal education. I would like here to share with you some perspectives that students have shared with me on the reasons why law school interferes with their well-being. Those reasons fall

CONTINUED ON PAGE 8

The Last to Know

ANONYMOUS

I was the last to know. Like many people with alcohol or drug problems, everyone around me knew before I did. I was great at seeing other people's problems. In my hometown, I could tell you for sure that Bill was a drunk. I could see that Bob had a drug problem. I knew beyond a shadow of a doubt that Ben was cheating on his wife. I could easily see all the ills of the world around me, except my own.

Before law school, I knew that I drank nearly every night. Yet, it did not dawn on me that it might be a problem. I also knew

that I used drugs occasionally. However, this was not a problem because I worked forty hours a week, went to school, and had great grades. How could drugs be a problem to someone who was seemingly successful? I knew that my spouse went out a lot without me. This seemed normal enough; I also went out a lot alone. What I did not realize until later was that I was an alcoholic, drugs had become a problem in my life, and my spouse was cheating on me.

Nobody wants to believe that they have a substance abuse problem. Alcoholics and

addicts are very good at putting the blinders on and going about their business as if everything is fine. I was no different. Some folks figure it out for themselves. Others are forced to understand. Some people never get it. I was in the middle category. I have been sober for around three years now and I have no doubt that had I not been forced to confront my problems, they would have gone on, unmasked. Luckily, the Alabama Lawyer Assistance Program (ALAP) helped me confront my issues.

Now, many people might ask, and have

CONTINUED ON PAGE 10

Highlights is a quarterly newsletter published by the American Bar Association Commission on Lawyer Assistance Programs (CoLAP) for the news and information exchange needs of the lawyer assistance programs community.

Editor in Chief
Hugh Grady

Publications Board
Rick Allan, Kirsten Judd, Joseph L. Lemon,
Jeanne Marie Leslie, Michael Long, and Nancy Stek

CoLAP Commission Roster, 2009–2010

Hon. Robert L. Childers, CoLAP Chair,
robert.childers@shelbycountyttn.gov
Rick B. Allan, rallan@nebar.com
Joan Bibelhausen, jbibelhausen@mmlcl.org
Hugh Grady, hugh@iowalap.org
Susan Grover*, ssgrov@wm.edu
James O. Heiting, heiting@juno.com
George Harrison Hettrick, ghettrick@hunton.com
Jayne Mahboubi, jmahboubi@ridgeviewinstitute.com
James E. Smith Jr., jsmith@smithakins.com
Janet Piper Voss, jpvoss@illinoislap.org

Liaisons

Board of Governors
Richard A. Soden, rsoden@goodwinprocter.com
Young Lawyers Division
Franchesca Hamilton-Acker, franchesca@la-law.org
Law Student
Brett E. Gallagher, gallagher.bret@neu.edu

CoLAP Advisory Committee, 2009–2010

Laura Gatrell, laura.gatrell@tscmail.state.tn.us
Terry Harrell, tharrell@courts.state.in.us
Carol M. Hoffman*, choffman@choffmanlawfirm.com
Teresa D. Jones*, teresa.jones@cityofmemphis.org
William John Kane*, wkane@njlap.org
Michael E. Larson, lawyerhelper@bmt.net
Jeanne Marie Leslie, jeanmemarie.leslie@alabar.org
Guy Quesnel*, guyquesnel@videotron.ca
Andrew J. Rothermel*, arothermel@caron.org
Judy Rushlow*, judy@la-lap.org
W. Terry Sherrill, wterrysherrill@aol.com
Gena Lewis Singleton, gsingleton@stcl.edu
Nancy Stek, nancy@njlap.org
Michael A. Stewart Sr.*, michaelstewart45@bellsouth.net
Janis Thibault, janis.thibault@calbar.ca.gov

**New members*

Staff Counsel of the ABA's CoLAP

William Hornsby

ABA Publishing

Managing Editor

Angela Gwizdala

Graphic Designer

Elmarie Calungaguin

All reprint rights are reserved. American Bar Association ISSN Pending. © 2010 American Bar Association. For reprint permission contact Manager, ABA Copyrights & Licensing, ABA Copyrights and Contracts Department, Fax: 312/988-6030, E-mail: copyright@abanet.org, Online: www.abanet.org/reprint.

Advertising: For advertising opportunities in *Highlights*, please contact Advertising Business Manager, Anne Bitting at 312/988-6115.

Disclaimer: The materials contained herein represent the opinions of the authors and editors and should not be construed to be those of either the American Bar Association or Commission on Lawyer Assistance Programs unless adopted pursuant to the bylaws of the Association. Nothing contained herein is to be considered as the rendering of legal advice for specific cases, and readers are responsible for obtaining such advice from their own legal counsel. These materials and any forms and agreements herein are intended for educational and informational purposes only.



Comments from the Editor

There are many aspects of my work as a LAP director that provide me with much satisfaction. But the work that I like the best is the interaction I have with law students. In my program, I have the privilege of making presentations to the law students at our two area law schools. These include presentations at orientation, seminars, and the occasional invitation to present in an ethics class. Many other LAPs have the same opportunity and privilege.

CoLAP has been instrumental in providing LAPs with the necessary tools for entry into law schools. I was able to use those tools to increase my presence and participations. It remains a principal mission of CoLAP to reach out to and help law students in any way we can. The model Conditional Admission Rule written by CoLAP and adopted by the ABA is another invaluable asset for those graduating students who have experienced problems in the past.

This issue of *Highlights* focuses on law students. The pressures of competition and natural desire to succeed are principle factors in students abusing alcohol and drugs at this early stage in their lives. Depression, stress, and burnout are common among students. It's imperative that LAPs try and reach these students as early as possible through education and intervention when possible. The opportunity to "plant seeds" of awareness is priceless. The satisfaction of helping a student in difficulty is priceless.

—HUGH GRADY, IOWA LAWYERS ASSISTANCE PROGRAM

Chair's Column Law Student Assistance

BY HONORABLE ROBERT L. "BUTCH" CHILDERS



At the ABA Annual Meeting in 2002 then-Commission on Lawyer Assistance Programs (CoLAP) Chair John Clark appointed me as the chair of CoLAP's new Law School Outreach Committee. Later that year I met with then-ABA Executive Director Bob Stein, who had previously been dean of the University of Minnesota Law School, to get his ideas and suggestions for good people from the law schools to serve on this new committee. Bob was very helpful in suggesting the names of several deans and law professors who were interested in our efforts to assist law students who were affected by substance abuse and mental health issues. It was actually Bob Stein's work as chair of the Association of American Law Schools (AALS) Special Committee on Substance Abuse in the Law Schools that was the impetus for

the formation of the Law School Outreach Committee. I had come across a copy of the report of the AALS Special Committee and after reviewing the report it occurred to me that CoLAP should be working to address substance abuse and mental health issues of lawyers at the earliest possible stage, and after discussion among the commissioners, we decided that was in law school. Thus the creation of the Law School Outreach Committee.

Because the Law School Outreach Committee has continued to work to assist law students and to work with the law schools to assist law students, the committee has been transformed into an ongoing Law School Assistance Committee. Although there have been many commissioners, Advisory Committee members, LAP directors, and others who have done a tremendous amount of work for the committee, I would like to thank a number of people from outside the Commission who have been instrumental in the strides we have made in assisting law students. Without them we would not have been

CONTINUED ON PAGE 7

Substance Abuse as a Family Disease

Part II: The Family in Recovery

BY DOUGLAS S. QUERIN AND KATHY B. QUERIN

When an addicted family member finally enters recovery, the rest of the family often breathes a collective sigh of relief. For months or years, they have likely experienced many emotional responses to the chaos of substance abuse—anger, fear, embarrassment, frustration, disappointment, and helplessness. With the addict's sobriety, the family members sense that the nightmare is over, the painful feelings are in the past, and their loved one will rejoin the family as a fully participating member. At long last, the family can now return to normal.

Such hopeful anticipation is common, but it fails to consider that family dysfunction has become the norm during the period of substance abuse. The void created by removing the problematic substance is not automatically filled with healthy feelings and behaviors. Non-addicted spouses and partners may continue to experience lingering resentments, find it difficult to engage in conversation, and feel uneasy about reestablishing a close relationship with their newly recovered family member. Children may have found alternatives to home as a place of safety, continue to suffer from the previous absence of parental involvement, or simply have grown up and lost the opportunity to experience the presence of a parent kept unengaged by substance abuse.

Families need to recognize that recovery is a process, not an event. The family's working dynamics, previously skewed by substance abuse, will essentially need to be dismantled and reconstructed. Achieving sobriety is the first step—a courageous act to be regarded with gratitude, respect, and acceptance of the addiction as a disease. All family members who are willing to become involved must then commit to maintaining an ongoing recovery lifestyle, which requires leaving behind old, unhealthy patterns of relating to each other. Recovery requires respect for the interests and rights of other family members, willingness to explore new ways of interacting as a family unit, and communicating legitimate needs without fear of rejection or ridicule. Each family will experience its own pace of recovery.

Early Recovery

By the time the substance-abusing family member first gets into recovery, the family has often existed in a state of denial about the addiction for some years. They have unwittingly created an illusion that all is well, or at least tolerable, and that they are a functioning family, if not a particularly happy one. Family members have often expended significant energy trying to ignore the elephant in the room, when possible, and work around it when necessary.

Families need to recognize that recovery is a process, not an event.

Personal self-care is a frequent casualty of substance abuse for both the substance abuser and the family. Given the attention paid to the substance abuser, other family members often ignore their own physical, social, and emotional needs. Attending to one's self may seem to jeopardize the person's role as protector or may feel self-indulgent. Similarly, poor lifestyle practices by the substance abuser are often difficult habits to break.

Healthy, effective communication also usually suffers with substance abuse. During early recovery, family members may find it difficult to express their feelings or constructively address normal tensions. Family interaction, previously characterized by either strained silence or heated arguments and accusations, can be challenging. The threat of relapse and a return to the chaos of the past is an ever-present and often unspoken fear that creates an uncertainty and tentativeness in how family members deal with each other.

The primary task of early recovery is for each willing family member to individually heal from the past and develop the skills to enhance his or her own well-being. Family members now need to attend to their own individual growth—to become reacquainted with themselves and their own needs. Without developing healthy self-care and communication practices in the early stages of recovery, family members will find it more difficult to address the inevitable recovery challenges they will face in the future.

Individual therapy, 12-step or other recovery support meetings, professional association programs such as the Oregon Attorney Assistance Program, and the extensive alcohol and addiction literature available are among the vital resources that family members in the early recovery process should look to for much needed information and support. These resources will aid the family in:

- learning about and accepting alcoholism and addiction as a disease;
- understanding the impact of alcoholism and addiction on the family system;
- learning to accept responsibility for one's own actions and feelings;
- developing a support network of others with similar experiences;
- learning coping skills to address life issues without alcohol or drugs; and
- learning to ask for help.

During the typical one- to two-year period of early recovery, family members must each seek the personal knowledge, healthy behaviors, and support system that will sustain them in the future stages of recovery.

Middle Recovery

During early recovery, committed family members focus their energies on their own personal growth, hopefully learning that they do not have the power to change others; it is only their own thoughts, feelings,

and behaviors they can control. They learn that recovery for the family begins with recovery for the family members. Capitalizing on these and other awarenesses, the primary tasks of the middle stages of recovery are:

- developing the ability to openly discuss past hurts and grievances;
- developing a willingness and ability to share concerns and fears about recovery;
- learning to recognize and respectfully communicate individual needs;
- developing sensitivity to the impact of one's actions on others;
- learning to respect the recovery needs of other family members;
- developing a positive vision of a life in recovery; and
- continuing to develop resources that support willing family members.

The overarching goal of middle recovery is for family members to progressively integrate healthy change into each of their lives, building a foundation for change within the entire family system. There will, of course, continue to be periodic individual and family tensions and disruptions, some related to recovery and some not. Using the new tools and skills acquired, families in recovery will be able to meet and manage life's challenges without reverting to old unhealthy behaviors and unproductive emotional responses.

Ongoing Recovery

Following the middle stage of recovery, the family will likely have established a reasonably stable environment in which ongoing recovery is the norm. Family members individually and collectively will by now hopefully view themselves as genuinely in recovery. They are creating a new legacy of sobriety and family recovery that includes new relationships, new

patterns of communication, and new skills allowing for open discussion about hurts from the past and hopes for the future. The tasks of ongoing recovery include:

- understanding and respecting the power of addiction;
- recognizing individual and family recovery as a lifelong process;
- appreciating the need to focus on one's own recovery, rather than that of others;
- having the courage and willingness to let go of resentments; and
- maintaining a consistent commitment to physical and emotional self-care.

When families commit to recovery and fully engage in the ongoing process, they are richly rewarded with an enhanced health and vitality that allows them to experience a new beginning and ultimately the successful restoration of their family.

Additional Notes about Recovery

One of the greatest challenges for families in recovery is to avoid the temptation to blame all problems on the addicted family member; the inclination is to believe that once he or she is sober, these problems will suddenly vanish. Rarely is this the case. Removing the addictive substance alone will not magically correct the dysfunctional behavior patterns of either the addict or the family. Recovery requires the commitment and involvement of each of those within the family willing to participate.

The principles of recovery apply regardless of the participation of the addict. If the substance-abusing family member refuses to abstain from using, the other family members can nevertheless move forward in their individual recovery efforts. Therapy, support groups (e.g., Al-Anon), and relevant literature are available resources and need to be accessed. To the extent possible, family members should establish explicit boundaries and rules making clear what behaviors will and will not be tolerated from the non-recovering addict. These actions should be taken not as retaliation, but instead as the family's legitimate concern for the health and well-being of its members. **H**

DOUGLAS S. QUERIN is attorney counselor for the Oregon Attorney Assistance Program.

KATHY B. QUERIN is a Portland therapist in private practice, specializing in helping couples and individuals affected by another's drug or alcohol use.

CALENDAR OF EVENTS

2010

AUG
06-08 ABA ANNUAL MEETING
COLAP BUSINESS AND COMMITTEE MEETINGS
The Palace Hotel
San Francisco, California

OCT
05-08 2010 NATIONAL CONFERENCE FOR LAWYER ASSISTANCE
PROGRAMS
Hyatt Regency Indianapolis
Indianapolis, Indiana

OCT
08-10 ILAA ANNUAL MEETING, INDIANAPOLIS, INDIANA
Hyatt Regency Indianapolis
Indianapolis, Indiana
www.ilaa.org

2011

FEB
09-15 ABA MIDYEAR MEETING
COLAP BUSINESS AND COMMITTEE MEETINGS
Atlanta, Georgia

AUG
05-08 ABA ANNUAL MEETING
COLAP BUSINESS AND COMMITTEE MEETINGS
Toronto, Ontario

**SEP/
OCT** 2011 NATIONAL CONFERENCE FOR LAWYER
ASSISTANCE PROGRAMS
Tampa, Florida

**SEP/
OCT** ILAA ANNUAL MEETING
Tampa, Florida
www.ilaa.org

LAWYERS, ANGER AND ANXIETY

Dealing with the Stresses
of the Legal Profession

Rebecca Nerison, Ph.D

Bring a lawyer is stressful—finding a job, getting new clients, billing your hours, exacting bosses, and demanding clients can all help create a relentless drain on your internal resources. Coupled with the perfectionism and competitiveness so common in lawyers, the resulting stress, anger, and anxiety can produce devastating physical and mental distress.

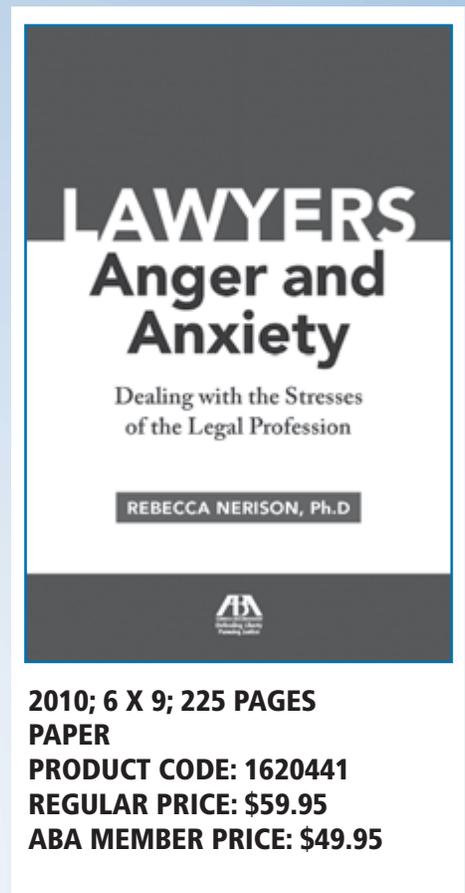
Lawyers, Anger and Anxiety first examines how anger and anxiety are related and the symptoms and costs associated with them. You'll then find specific help for the various stressful situations you'll encounter in your career:

- Life after law school
- Tolerating injustice in the system
- Surviving the billable hour
- Managing losses
- Coping with perfectionism
- Combating procrastination

You'll also find advice on seeking happiness through all the stages of your career, and discover valuable tips for staying satisfactorily employed during the most stressful of times. There's also help for those living with a stressed-out lawyer, both at home or at the office.

Lawyers, Anger and Anxiety will help you stay calm, develop healthy coping habits, eschew negative thinking, increase your social support, maintain your physical health, accept what is, and laugh more often.

**Order on our Web site at www.ababooks.org
Or call toll-free 1-800-285-2221**



**2010; 6 X 9; 225 PAGES
PAPER
PRODUCT CODE: 1620441
REGULAR PRICE: \$59.95
ABA MEMBER PRICE: \$49.95**

AMERICAN BAR ASSOCIATION

www.ababooks.org

Phone: 1-800-285-2221

Fax: 1-312-988-5568

Publication Orders

P.O. Box 10892

Chicago, IL 60610



Around the LAPs

WANT TO SHARE NEWS ABOUT YOUR LAP?

Send your submissions for the summer edition of Around the LAPs to Hugh Grady, hugh@iowalap.org, by August 13, 2010.

California

In a response to current economic and employment challenges, the California LAP was pleased to cosponsor (along with Practising Law Institute in San Francisco) a three-hour presentation on April 30, 2010, by Hindi Greenberg entitled "300 Things You Can Do with a Law Degree." This free seminar was delivered to the 75 attorneys present as well as more than 500 nationwide who logged on to a simulcast of the presentation. Hundreds more have viewed it on an archived tape. A similar workshop called "Key Strategies to Take Your Career to the Next Level" began on May 19 and ran for four consecutive Wednesday evenings in Los Angeles. These workshops augment the two hours of free one-on-one career consultation that is available to California attorneys through our program. At this time there is a tremendous demand in California for legal career transition-related information and guidance.

We also recently conducted an orientation and training session for attorneys in recovery who have been recruited to be peer counselors for participants in our Support LAP component. The peer counselors will be assigned to work with individual participants, will work in conjunction with our case management team, and they will augment the support that our participants receive from attending LAP group once a week.—RICHARD CARLTON

Kansas

The Kansas Lawyers Assistance Program (KALAP) kicked off 2010 with our first ever CLE/Volunteer Training Conference and it was a huge success. With several speakers, a panel of attorneys, and over 45 attendees, KALAP is already looking forward to the 2nd annual conference in 2011.

April and May were hectic months here at KALAP with bar applicants coming in weekly. As our relationship grows with the Kansas Board of Law Examiners, we anticipate helping many more law students each application period. We are continually working to build relationships within the Kansas law schools with the goal of becoming a part of the law school curriculum.

The Resiliency Support Group in Kansas City continues to grow with the latest attendance being the best ever, thanks to attorneys spreading the word of hope. It meets twice a month and is facilitated by a psychologist who is also an attorney.

The KALAP board has now opened a position on the board for a law student. We look forward to a student's input and insight for our organization's growth and anticipate announcing the new student board member soon.—BRYNN MROZ

Ohio

On April 24, 2010, the Ohio Lawyers Assistance Program (OLAP) held its annual seminar in Columbus. We had 75 judges, lawyers, and law students present. Topics included ethics, professionalism, substance abuse, and handling stress.

On May 5, 2010, at the Ohio State Bar Association's annual meeting in Dayton, Scott R. Mote was presented the annual Eugene R. Weir Award for Ethics and Professionalism.—SCOTT R. MOTE

Pennsylvania

Lawyers Concerned for Lawyers of Pennsylvania (LCL) held its 7th Annual Volunteer Conference. One hundred and five judges and lawyers in recovery from addiction and mental illness gathered for a weekend of networking and education (7.5 CLE credits). This year's focus was on the underlying commonalities of our diverse illnesses so as to unify our volunteer base. It included talks on the science of illness and recovery, personal stories, the ADA, treatment law and health insurance update, and practical tips for the lawyer and law firm dealing with the newly recovering.

LCL is wrapping up its biannual education of the members of the minor judiciary (which is generating calls to the Helpline and is building a fledgling base of minor judges/volunteers); LCL is in full swing with its regular statewide CLE programs; and has tied into a CLE provider specializing in newly admitted lawyers in the Philadelphia area. By the time you read this, LCL's annual law school retreat for the deans of students will have been held. This is the one time each year the deans get together with staff of the Board of Law Examiners to discuss concerns, trends, and solutions regarding character and fitness issues.

The number of new Helpline cases for 2010 is 82 (January to April), a 6.5 percent increase over 2009. All of our cases involve voluntary calls to the Helpline made by either an ill judge or lawyer, or by a concerned colleague or family member. (The Pennsylvania Bar Association's Lawyers' Assistance Committee continues to manage the court ordered and voluntary sobriety monitor program.)—KENNETH J. HAGREEN

WANT TO LEARN
MORE ABOUT
THE COMMISSION
ON
LAWYER
ASSISTANCE
PROGRAMS?

VISIT
www.abanet.org/colap



Law Student Outreach Update

LAP directors often experience firsthand the difficulty encountered when trying to get a law student treatment for an addiction or mental health problem. The major obstacle is almost always a financial one. At this point of their lives most law students are borrowing, spending, and studying to survive. Earning money is something they plan to do later. At the 2009 CoLAP National Conference in Phoenix, a program to assist law students in need of treatment was initiated by our treatment program exhibitors. This program hopes to provide scholarships for law students in need of treatment but who are not able to financially afford it. Mike Stewart from Bradford Health Services offered to donate a treatment stay for one law student in need of help and went on to challenge other treatment programs to do the same. The following treatment programs already have committed to helping LAPS with their mission in reaching out to assist law students in need.

- Bradford Health Services
- Spirit Lodge and The Right Step
- Keystone Treatment Center
- Skyland Ranch
- Palmetto Addiction Recovery Center

A law student treatment scholarship can save a life for someone and help change the lives of many others. We extend our deepest gratitude to all of our exhibitors who have signed up to help with this project and look forward to hearing from the treatment centers not yet signed on. For more information about how your treatment center can get involved, contact Jeanne Marie Leslie, Alabama's LAP director, at jeannemarie.leslie@alabar.com. **H**

For Students in Recovery

The Students in Recovery Listserv has been developed by the ABA Commission on Lawyer Assistance Programs (CoLAP) to provide a confidential e-mail vehicle for law students who want to get, or stay, clean and sober while in law school. This is a chance for students to connect with and ask questions of their law student peers throughout the United States and share their experience, strength, and hope. If you wish to be added to the listserv, interested law students should contact Matthew Reel, directly at matthew@arjlap.org. Students should be prepared to talk a bit about their history and about their need and desire to communicate with other law students facing similar challenges. Mr. Reel will make the final determination to add the student to the Listserv and will provide each student with the rules and regulations regarding use of the "Students in Recovery Listserv." When a student graduates and is admitted to the bar, he/she will be removed from the Listserv. **This service is confidential.**

Chair's Column

CONTINUED FROM PAGE 2

nearly as successful as we have been with our efforts.

Dean Don Polden, who was then dean at the University of Memphis Law School, was responsible for arranging my meeting with Bob Stein while Bob was in Memphis. I later asked Dean Polden to serve as a member of the committee. Dean Judith Wegner provided invaluable assistance as facilitator of the initial meeting of the committee in February 2003. Dean Laura Rothstein and Dean Hannah Arterian provided valuable insights to the committee. Dean Leary Davis, Professor Larry Krieger, and Dr. Andrew Benjamin made important contributions, including putting together the bibliography to be included in the *Law School Toolkit* that was provided to all ABA-accredited law schools in the country. Dean Steven Smith of the California Western School of Law was most helpful

in assisting me in working with the ABA Section on Legal Education and Admissions to the Bar, which became our partner, along with the National Conference of Bar Examiners (NCBE), in drafting the Model Rule on Conditional Admission to Practice Law, which was passed in its final version by the ABA House of Delegates in August 2009. And NCBE president, Erica Moeser, became and remains a close working partner in the efforts to assist law students and bar applicants.

And finally, I want to say a special thanks to Jerome Hafter, the NCBE representative; Dean Peter Winograd, the Legal Education and Admissions to the Bar representative; and Judith Rush, the CoLAP representative, who were the drafting committee for the Model Rule. These three did a superb job of drafting a model rule that contains best practices gleaned from reviewing rules from the nineteen jurisdictions that had a conditional admission. We owe all of the above and many others whom I have not named a debt of gratitude for the many hours spent working to assist current and future law students. This work

will have a lasting, positive impact.

The current Law School Assistance Committee Chair is CoLAP Commissioner, Dean Gena Singleton. Under Dean Singleton's able leadership, the committee continues to assist the law schools to educate and offer assistance to law students affected by substance abuse, mental health, or other issues that impair a law student's performance. The committee has worked with the ABA Law Student Division to create a *Law Student Toolkit for Mental Health*, and to create programs that promote student awareness regarding mental health and substance abuse issues. The committee has created a confidential law student in recovery listserv and is also working to develop a network of law student assistance programs that can develop a relationship with the LAP within each state.

The work of the Law School Assistance Committee is but one example of how much can be accomplished to improve the legal profession when a group of dedicated people work together for a common purpose. I extend my heartfelt thanks to all of you for your hard work and dedication. **H**

into three overlapping categories: students' sense of disappointment in themselves and legal education; the loss of perspective that can accompany law study; and for some students, whom I call "outsiders," a sense of disenfranchisement resulting from feeling marginalized by the legal academy mainstream.

Disappointment

Very early in law school many students become profoundly disappointed in themselves and the law school experience. Students report a range of disappointing discoveries about the study of law:

- The law does not always achieve justice.
- Lawyers (and law students and professors) seem not always to care about law's failure to achieve justice.
- The individual law student's sensibilities, talents, and proclivities may be irrelevant to the solution of legal problems.
- The context of legal problems often seems to be treated as if completely irrelevant to the manner in which the problems get solved.
- Law students often feel as though they are memorizing boring rules and principles out of context.
- Law classes can seem more an exercise in student intimidation than in intellectual exploration.

Yet, the disappointment in what law school and the law turned out to be is nothing compared to the disappointment some students express about themselves as law students.

Law schools are selective—entering students have, by definition, outperformed their fellow undergraduate students, which is what gains them admission to law school. When they get their first law school grades, they realize that the party is over. A mandatory curve turns almost everyone into a B student or worse. Students feel as though they have fallen from an elite cadre of high achievers to, at best, members of a middle class who must strive constantly to do better. Thus, one of the first things law students do is relinquish their sense of

academic superiority. They no longer are the cream of the crop.

You might think that students should be able to take this in stride, and ultimately most do, but consider just how difficult this is for them. Precisely because law students have enjoyed such success as undergraduates, they have learned to get their sense of self worth from academic success. These students have elevated academic success to a central, defining aspiration in their lives, and the grade disappointment truly rocks some foundations in the first-year class. Only the top ten percent of the class is likely to remain unshaken.

Challenges confronting law students are increasing and increasingly visible.

Ultimately, the disappointed student must reassess and decide how to live as a law student—or not. Student responses fall on a continuum, ranging from deciding to work even harder (if that is possible) to giving up (becoming cynical and just waiting for law school to end). Of course a few students drop out, but there are incentives to stay. Already in the first year, most students are encumbered by loan debt that they see as much easier to resolve from a high-paid legal position than from employment as a law school dropout. The average loan debt upon graduation these days is above \$80,000.

Loss of Perspective

The student who increases the focus on achieving grades faces increasing stress and anxiety. For one thing, the grading process is mystifying to students, so increasing the effort to "win the grade lottery" is like target-shooting while wearing a blindfold. The student who developed a strategy for mastering the undergraduate grading system now finds that strategy ineffective—evidenced by what the student considers to

be mediocre grades in the first semester. Part of the stress then comes from uncertainty and a sense of powerlessness. In addition, there is an important, often destructive, trade-off that follows on the heels of a student's decision to try harder. If a student is already working at capacity and decides to try harder, something must give. What will it be? Friends, family, church, video games, the gym, partying? As you can imagine, what gives is often something that turns out to be essential to the student's well-being.

If it has not already gone by the wayside, taking time for contemplation, for meditation, reflection, or prayer is likely to bite the dust at this juncture. A student who gives up time to meditate or pray may lose touch with the spiritual aspect of herself. Some people argue that abuse of alcohol and drugs are misguided efforts to regain a spiritual connection. Perhaps this explains reports that law students and lawyers abuse alcohol at rates far greater than their peers in other professions.

In any event, the student loses spiritual connection exactly when confronting challenges to the student's own sense of worth. From the student's perspective, faculty, law reviews, and prospective employers all seem to care only about the student's grades. Because rewards and recognition seem to hinge entirely on academic performance, measured solely by grades, students who are disappointed in their grades report feeling worthless. Those traits of intellect, humor, compassion, energy, spirituality, creativity, athletic prowess, determination, and good humor that have won the student accolades throughout life up to this moment now seem to count for nothing.

Many students also report losing perspective on WHY they came to law school. Students come for many reasons: the excitement of joining the profession, to serve humankind, or to meet the intellectual challenge. But they often encounter what they variously describe as a culture of materialism, cynicism, cut-throat competition, and heartlessness. A student who has thrived academically his whole life and has come to law school to use his gifts to benefit society begins to see himself as just one of many students jockeying for position in the class in order to obtain a plum job at a high paying corporate firm. Perspective is lost.

Marginalizing the Disenfranchised

Virtually all law students who lose the grade lottery describe suffering some ill

effects, but a subset of these students warrants special mention. When the disappointed law student happens to be an individual who already feels outside the mainstream, the damage multiplies. This is the student who is a member of a racial minority group or a person with a disability, a foreign national or an LGBT individual, or someone from an economically or educationally disadvantaged background. Students who perceive themselves to be at the fringes when they enter law school, report feeling even more marginalized when they experience grade disappointment. Notably, these folks often bring some extra strength or experience that allows them to withstand the disappointments of the first year. The net effect, though, is that outsider students may feel even less a part of the law school when they find that they are not at the top of the class. Some outsider students believe that the “insiders” (majority students and the faculty), are unaware of the experiences of these outsiders in their midst. Outsider students report that the majority erroneously assumes homogeneity, and this assumption exacerbates their sense of marginalization. Examples that have been shared with me:

- The conversation in class assumes

that everyone owns a “stock portfolio,” knows what one is, and how it works.

- The professor welcomes everyone back from spring break by saying that he hopes they all had a chance to work on their tans—even though three students in the class are black.
- Students in the class make statements that assume that everyone is Christian, white, affluent, and so on.
- The professor assumes that no one in the class has relatives who have been incarcerated.
- A faculty member assumes that no one in the class has been raped (one in four college-aged women has been raped or has been a victim of attempted rape).

When the conversation goes forward as if these people were not present, it further alienates this subgroup of people who already feel marginalized upon their arrival at law school. Between grade disappointment, professors hiding the ball, fellow students deliberately psyching out classmates, and

the keen competition for grades, students may find law school an alienating experience indeed. For the already marginalized student, that alienation is likely to be worsened by a sense of invisibility or disrespect.

LAPs can be helpful to students who experience the disappointment, distortion, and marginalization described above. Because they are independent of the law school, LAP personnel can be aware of the distortions in perception that law schools spawn—distortions that can easily afflict law school personnel as well as students. LAPs can bring a perspective of realism to the student—helping the student see that it is only within the very narrow confines of the law school that the student is “failing”—that in the larger scheme of things, the student is a thriving success. With a perspective from outside the institution, LAP personnel can serve as sounding boards for students who feel marginalized within the institution and can offer real-world encouragement to students within the rarified atmosphere of legal education. **H**

SUSAN GROVER is an associate professor of law at the College of William and Mary in Williamsburg, Virginia.

JOIN US IN INDIANAPOLIS!

ABA 2010 National Conference for Lawyer Assistance Programs

October 5–8, 2010
Hyatt Regency Indianapolis
Indianapolis, Indiana

Call today to reserve your room: 800-233-1234 (refer to CoLAP)
Rate: \$170.00/night for single or double occupancy

For more information, contact **Janice Jones** at the ABA,
312/988-5787 or janicejones@staff.abanet.org.

ILAA Annual Conference
October 8–10, 2010
For more information, visit www.ILAA.org.

asked, how can the bar interfering in your personal life be a good thing? In many instances, this skepticism may be well founded. However, in the realm of substance abuse, it is the bar's duty to intervene. Obviously, it has a duty to protect the public from lawyers with substance abuse issues that may affect the quality of legal services provided in this state. Likewise, the bar also has the duty to ensure that its members get help if it is needed. ALAP delivers this help.

Instances of substance abuse arise in our profession more so than any other. Life itself is stressful. Law school is taxing. Being a lawyer is demanding. For me, the problems were present prior to law school. I began drinking in high school. Soon thereafter, I began smoking pot. It wasn't long until I tried other substances. When I was twenty-one, I thought it was all about having fun. Life was one big party. I even joked that I was an epicurean. This philosophy, similarly to hedonism, teaches simply to seek pleasure and avoid pain. I lived by this mantra for nearly ten years.

Inevitably, this lifestyle led to the occasional encounter with law enforcement. I was arrested twice before the age of twenty-two. The common denominator in these two incidents was alcohol. Luckily, neither instance landed me in prison. Unfortunately, though, neither incident provided the sufficient evidence needed for the recognition of my problems. In my mind, both arrests were simply the result of "having just a little fun." After two arrests, I still did not think I had a problem. I did settle down a bit. I quit using drugs for a while. I reigned in my drinking and partying. I had failed out of college, so I got a job. I got married and had a child. We bought cars, a house, and insurance. I paid my taxes. Life was going on and I thought I had grown up. On the surface, everything was fine.

Then I found out that my spouse had been having an affair. A divorce quickly followed and my family was gone. I decided that my life needed a change. I enrolled in college again and began taking classes with the goal of going to law school. I paid my own way, still working full time. College was different this time around. Focused and with a goal in mind, I excelled in school. I

had a 4.0 average for one hundred hours of classes. However, I believed that because I was doing so well, I deserved to be rewarded appropriately. The only way I knew how to reward myself was by partying and being in college again provided many opportunities to do just that. After re-enrolling, I was soon going out again. Hitting bars, parties, and any and every other occasion that provided the opportunity to get my head spun. Cooking chili tonight? I'll need a twelve pack for that. Walking the dog? Better get stoned first. Every chance I had, I was getting drunk. But that's okay. I was

Alcoholics and addicts are very good at putting the blinders on and going about their business as if everything is fine.

a straight A student. I worked full time. I deserved it. Again, I believed that it was all in the name of fun.

Little did I know that there were deeper issues at play. I did not realize, at this point, what I was doing to myself. Okay, maybe I realized it, but I nevertheless forced myself not to believe that it was anything with which to concern myself. I refused to see what everyone around me saw. I declined to believe that I had a problem. I turned off the little voice in my head that told me my life was in shambles. I rebuffed friends and family who showed concern. I went on like this for a few years.

When I enrolled in law school, my past raised some concern that I may not be fit to practice law even if I made it through law school and passed the bar. The school I wanted to attend asked me to speak with ALAP prior to enrolling. I took their advice and went in for a meeting. During

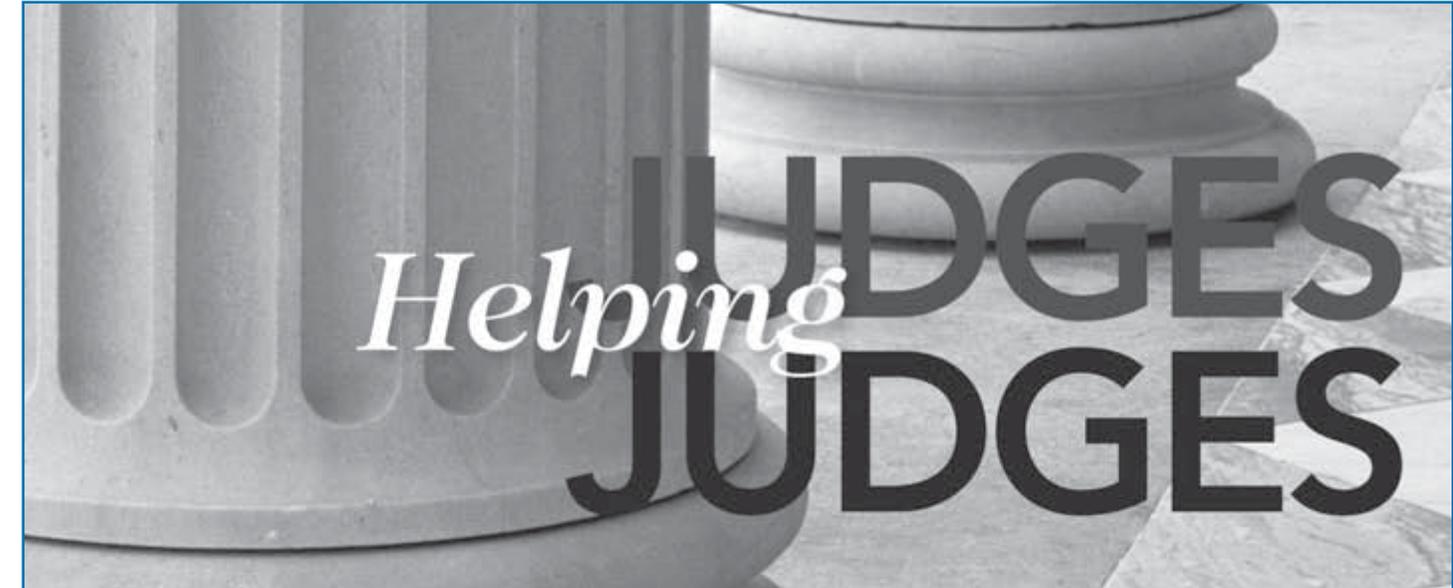
the meeting, I relayed all the information I have given you here today. I did not lie, although I am sure I underplayed, embellished, and hid the ball a bit. ALAP advised me that should I stay out of trouble, I would not be categorically excluded from sitting for the bar simply because of a few past youthful indiscretions. I was relieved. To celebrate, I got drunk.

Soon, I entered law school. To my distorted mind, a new place with new people meant new parties! Law school life started out the same way as undergrad. Everyone went out to blow off steam and I was right there with them. Soon though, I found myself in the back of a police car again. I knew, this time, that my life was over. I would be kicked out of school, excluded from my chosen profession, and humiliated back home. Death seemed like an appealing alternative. I had hit rock bottom.

Before dropping out of school to spare myself the humiliation of being kicked out, a friend convinced me to go talk to the folks at ALAP one more time. I took this sage advice and set up a meeting. There, an adviser informed me of my options and talked me back from the ledge. Life was not over, only the lifestyle that I had been living. I was told that if I still wanted to be a lawyer, I had to get sober. I signed a contract and began down a straighter path. I stopped drinking and using. I began going to AA meetings and making some real changes in how I lived. I started meeting and talking with older lawyers who had been down the same path as me.

Life soon became more manageable. This was not because of some magical pill or providence. Life changed because of the work I was putting into my sobriety. It was not and is not easy. I began doing better in school and in life. I finished school in the top 20 percent of my class. I excelled in advocacy competitions. I have been published. Awards have come and others were just beyond reach. Sobriety paved the way for these achievements.

For me, this transformation would not have been possible had it not been for ALAP. As I said before, some people get sober on their own. But others need help, and I needed help. ALAP and other Lawyer Assistance Programs are not the boogiemaster waiting for you in the dark shadows of the night. They are there to help. They are there to help those with substance abuse problems and help them see what everyone else already does. That is what they did for me. For that, I am grateful. **H**



Helping JUDGES JUDGES

“Judges can help other judges most effectively with the support of trained Judicial Assistance peer volunteer judges who understand the issues and are genuinely concerned about helping their judicial colleagues.”

The Judicial Assistance Initiative: RESOURCES & EDUCATION

Hon. Sarah Krauss, Chair

Nancy Stek, Vice-Chair

Hon. William Dressel, Education Subcommittee Chair

Hon. Robert L. Childers
ABA CoLAP Chair



This publication can now be purchased for download in electronic (PDF) format through the ABA Web Store at www.ababooks.org.

Product code: 3190038PDF

ISBN: 978-1-60422-731-8

Page count: 241

Pricing: \$49.95



HIGHLIGHTS

VOL. 13, NO. 2 ■ SUMMER 2010

Commission on Lawyer Assistance Programs

American Bar Association
321 North Clark Street
Chicago, IL 60654-7598
www.abanet.org/colap

HIGHLIGHTS

VOL. 13, NO. 2 ■ SUMMER 2010

IN THIS ISSUE

1 Helping Law Students
SUSAN GROVER

1 The Last to Know
ANONYMOUS

2 Comments from the Editor
HUGH GRADY

2 Chair's Column
HONORABLE ROBERT L. "BUTCH" CHILDERS

3 Substance Abuse as a Family Disease
Part II: The Family in Recovery
DOUGLAS S. QUERIN AND KATHY B. QUERIN

4 Calendar of Events

6 Around the LAPs

7 Law Student Outreach Update
