



NYSBA

Lawyer Assistance Program
2013 Annual Report





2013 Report

New York State Bar Association
Lawyer Assistance Program



The New York State Bar Association Lawyer Assistance Program, in conjunction with the Lawyer Assistance and Judicial Wellness Committees, provides confidential assistance to attorneys, judges, law school students and family members affected by alcoholism, drug abuse, stress, depression, or other mental health issues and educates the legal profession about the effects of substance abuse.

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FOREWORD

This Annual Report presents an overview of the work carried out in 2013 by the New York State Bar Association's Lawyer Assistance Program (LAP), Lawyer Assistance Committee (LAC) and statewide volunteers. The LAP continues its mission to provide confidential, professional and peer assistance to attorneys, judges and law students, suffering from drug or alcohol abuse, addiction, depression, and other mental health issues. By providing early assistance to impaired attorneys we are able to protect the public and maintain the integrity of the profession.

During the past year, the NYSBA LAP received a total of 143 referrals on these and other issues. Since its inception in 1990, NYSBA LAP has helped more than 5,000 judges, attorneys and law students.

2013 saw significant accomplishments by the LAP, but much remains to be done as the mission of the Lawyer Assistance Committee is an ongoing one.

Good news arrived with the proposed Judiciary budget, which included funds for Lawyer Assistance Programs in New York State. In 2013 NYSBA whole heartedly supported and adopted a Resolution supporting the Judiciary Budget request. In the spring 2013, we participated in a meeting with Chief Administrative Judge Gail A. Prudenti, who voiced unqualified support for lawyer assistance efforts statewide. The proposed judiciary budget reflects this commitment.

Patricia Spataro, LAP Director and the LAC have organized new, and continued established, regional meetings to provide guidance and support to local LAP's and strengthen the NYSBA LAP program statewide.

Use of the eLAP program has continued to expand. In an effort to reach younger attorneys who had been trained in the era of increasing digital communication, Patricia developed the eLAP Program in 2011. eLAP is an exciting online resource for all attorneys in the State of New York seeking to explore health issues related to alcoholism, drug addiction, depression, and other mental health issues. In addition, the eLAP Program (which is HIPAA compliant) allows attorneys to confidentially seek assistance, guidance, and referrals (via protected e-mail) from the LAP staff.

During 2013 the Committee devoted a significant amount of time introspectively. A series of meetings were devoted to a Committee Inventory, which provided an opportunity for our members to explore new and different ways to improve the LAC's performance of its primary purpose. The Committee Inventory culminated in exploration of several initiatives, including expanded Committee service structure, improved communications, greater use of technology and outreach to new members.

The LAC added a new meeting at our Silver Bay retreat in 2013.

Each year in May, a spring retreat is held at Silver Bay in Lake George, NY, which provides a meaningful opportunity for all members of the LAC and its many volunteers to meet, network, and rejuvenate their efforts for the coming year. At the spring retreat the LAC presents its annual Franklin P. Gavin Memorial Award to a person who has made significant contributions to the advancement of LAP endeavors. In May 2013, the award was presented to David R. Pfalzgraf, Esq. for his many outstanding contributions to Lawyer Assistance efforts. David was a founding member of the LAC. His contributions were immeasurable. In 2012, the LAC established the Raymond P. O'Keefe Memorial award, which is given in recognition of the service of deceased

members of the Committee. The 2013 award was given to Gene O'Brien (posthumously) and accepted by Nancy O'Brien in honor of her late husband. Gene had an enormous impact on the creation and growth of the NYSBA Lawyer Assistance Committee. It is with much gratitude that we honored David and Gene.

The annual Volunteer Appreciation Dinner, sponsored by the LAP, takes place the evening before the November LAC meeting in Albany. In 2013, the Capital District's Lawyers Helping Lawyers Committee co-sponsored the event and conducted a successful silent auction to raise funds for the Ray Lopez Scholarship Fund. That fund provides financial assistance and support for newly recovering attorneys to attend the LAP/LAC spring retreat. Over \$1,100. was raised this year.

At the Volunteer Appreciation Dinner in November 2013, the Capital District Lawyers Helping Lawyers Committee presented its annual Ray of Hope Award to Hon. Victoria A. Graffeo in recognition of her long standing devotion to the goals of the LAP. The event was attended by many members of the LAC, members of the judiciary, and by Judge Graffeo's colleagues and friends.

The LAC continues to make a great effort to attract new members and volunteers. We welcome new members and invite those interested in serving on the LAC to attend one or more of our regular meetings to acquire a sense of the valuable work done by the committee around the State.

LAC members keep in frequent contact with each other through monthly conference calls and regular e-mails from Patricia Spataro and myself. The LAP and LAC continue to coordinate all our efforts with the New York City Bar LAP (directed by Eileen Travis), and the Nassau County Bar LAP (directed by Peter Schweitzer).

Patricia Spataro and the LAC have continued to work closely with, and support, the Judicial Wellness Committee, which was formed in 2011. The Judicial Wellness Committee has received strong support from NYSBA leadership and leadership from Administrative Judge, Hon. Michael Coccoma, Judge John Rowley and (Ret.) Judge Sarah Krauss.

In 2013, LAC members, along with Patricia Spataro, presented numerous educational CLEs and Volunteer trainings throughout the State.

Patricia Spataro remains the heart and soul of the LAP with unflagging professionalism, enthusiasm, dedication and generosity of spirit.

Finally, it is important to point out that the LAP/LAC could not continue to carry its message of hope without the support and unsung participation of its many committee members and volunteer attorneys. These attorneys continue to meet with impaired colleagues, confidentially assist them in obtaining treatment and support them in their recovery. It is with great optimism that we meet our duty and face the challenges 2014 will bring.



*Henry Kruman, Chair
Lawyer Assistance Committee*

LAP TEAM



Henry Kruman, Chair
 NYSBA Lawyer Assistance Committee



Richard Wallace, Secretary
 NYSBA Lawyer Assistance Committee



Hon. John Rowley, Co-Chair
 Judicial Wellness Committee



Hon. Sarah Krauss, Co-Chair
 Judicial Wellness Committee



Patricia Spataro, Director
 NYSBA Lawyer Assistance Program



Eileen Travis, Director
 New York City Lawyer Assistance Program

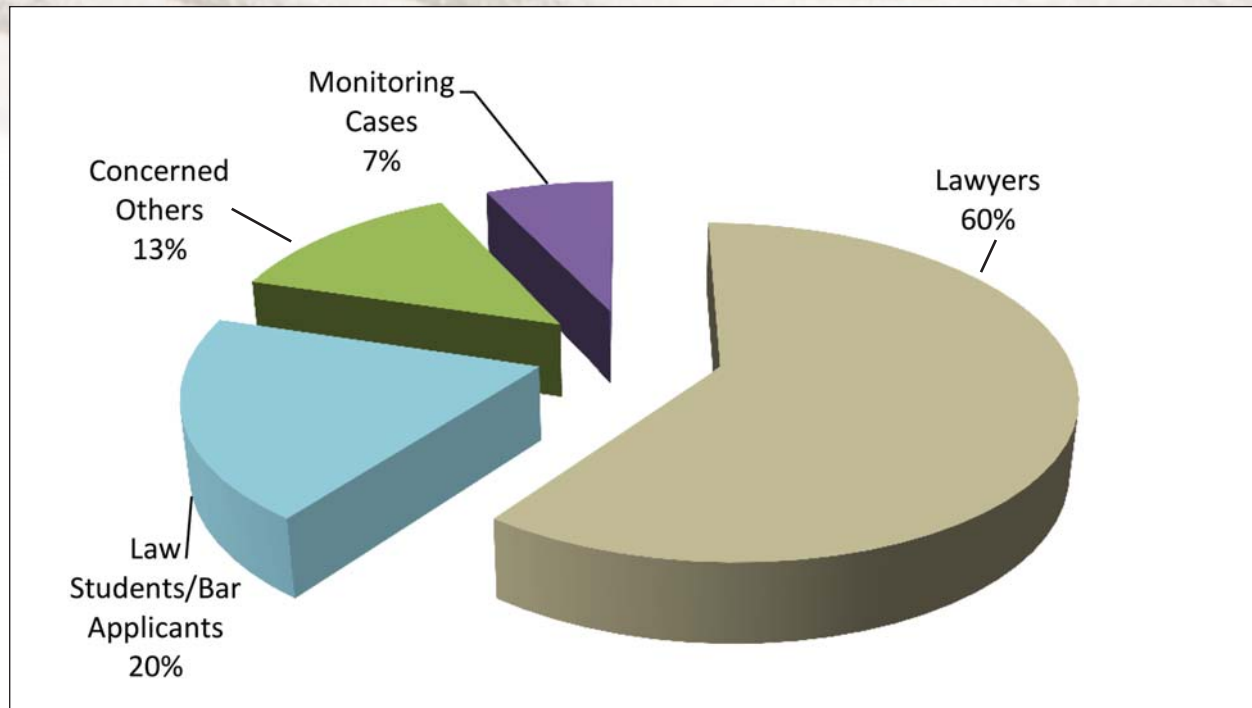


Peter Schweitzer, Director
 Nassau County Lawyer Assistance Program

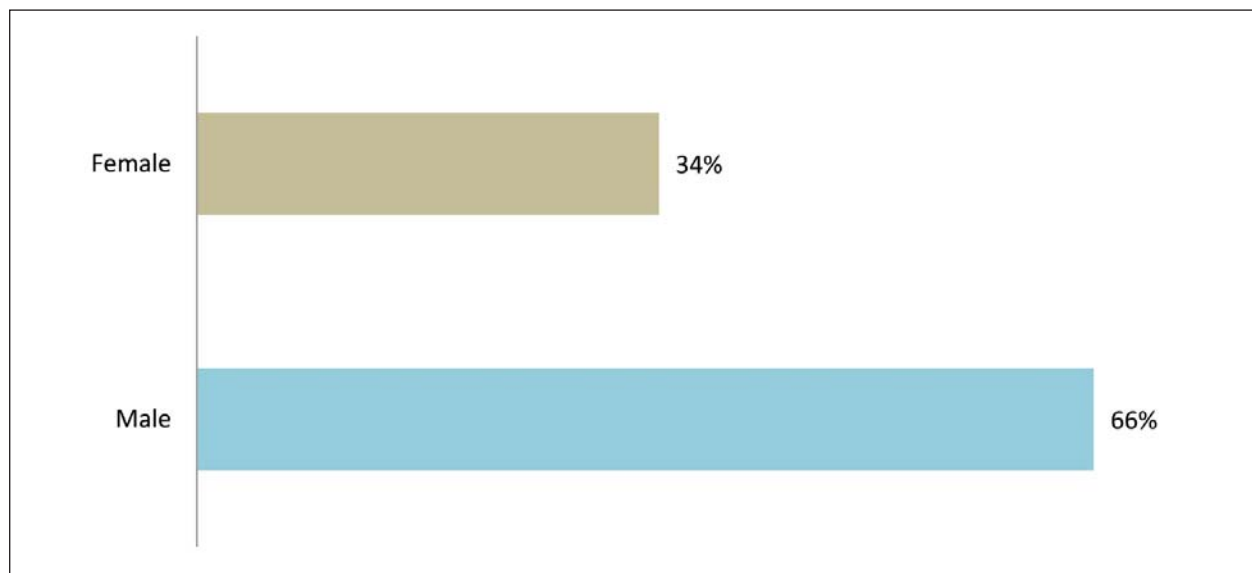
INTAKES AND MONITORING

Intakes	143
• Direct Contact	86
• Law Students/Bar Applicants	28
• Concerned Others	19
• Monitoring Cases	10
• 4 completed cases in 2013	
• 6 ongoing cases	

INTAKE SOURCES



INTAKES BY GENDER



PRESENTING ISSUES

Alcohol

Depression

Anxiety

Drug Abuse

Stress

Prescription Drug Abuse

Cognitive Impairment

Bi-polar

ADHD

Co-dependency

PTSD

Suicide Risk

Marital

Ethics/LPM



HELP

CLE PROGRAMS

- “Doing Nothing is Not an Option” NYC
- “Introductory Lessons on Ethics and Civility” various locations
- “Doing Nothing is Not an Option” Steuben County
- “Starting Your own Law Practice” NYC (co-sponsor with LPM)
- “Doing Nothing is Not an Option” Lyons
- “Doing Nothing is Not an Option” Lake George
- “Don’t Get Burned by Burnout” Albany
- “Protecting Your Practice – Risk Management for Lawyers 2013” various locations
- “Doing Nothing is Not an Option” Broome County

PRESENTATIONS AND MEETINGS

- NYSBA Executive Committee
- Meetings with Albany Law School students
- Onondaga County Lawyers Concerned for Lawyers
- NYSBA Elder Law Section
- LAP Regional Meetings
 - Western New York

PROGRAM OUTREACH

- LAP brochure
- LAP Webpage
- eLAP
- Distribution of LAP brochures to potential NYSBA members in cooperation with the NYSBA Membership department
- Distribution of LAP posters
- Distribution of LAP flyer at all NYSBA MCLE programs
- American Bar Association Commission on Lawyer Assistance Programs (CoLAP)
- New York City Bar Association Lawyer Assistance Program
- Nassau County Bar Association Lawyer Assistance Program
- Local and county bar associations’ Lawyers Helping Lawyers committees
- Statewide and nationwide Lawyer Assistance Programs
- New York State judiciary and law schools
- Treatment programs – inpatient, outpatient and mental health
- Communication through blast email messages
- LAP volunteers

eLAP

A comprehensive electronic Lawyer Assistance Program (eLAP) was redesigned and launched in May. eLAP is an online resource, which provides a variety of free resources to support the emotional well-being of members of the legal profession. On average, 780 visitors accessed eLAP each month throughout 2013. On average 100 visitors remained on the website for 15 minutes or longer while a some visited for over an hour and 1,450 individuals added the website to their favorites. The top 10 topics researched (in order of popularity).

- General Addictions
- Depression
- Anxiety Disorders
- Alcohol and Substance Abuse
- Personality Disorders
- Bipolar Disorders
- Suicide
- ADHD: Attention Hyperactivity Disorder
- Schizophrenia
- Anger Management

LAP ADVERTISEMENTS

Five new LAP ads were designed for distribution in local bar association publications and county court-houses throughout the state.

LAP FUNDING RESOLUTION

The Lawyer Assistance Committee, in conjunction with the LAP, drafted and presented a resolution to the NYSBA Executive Committee supporting statewide funding of LAP through the Office of Court Administration. The resolution was adopted by the NYSBA Executive Committee at its November meeting.

CONFIDENTIAL E-MAIL

Confidentiality is the hallmark of a successful Lawyer Assistance Program. With that in mind, a confidential Hushmail account was established to insure confidential communications between the LAP and members of the legal community.

LAP ANNUAL SPRING RETREAT

Silver Bay (Lake George), NY was the setting for the Twenty-Third Annual LAP Spring Retreat, which was co-sponsored by the NYSBA Lawyer Assistance Program and Lawyer Assistance Committee. During the 2013 Retreat, David R. Pfalzgraf, Esq. received the Franklin P. Gavin Memorial Award for his support of lawyer assistance efforts. The Raymond P. O'Keefe Memorial Award was presented posthumously to Eugene O'Brien, Esq. and was presented to Gene's wife, Nancy O'Brien.

NYSBA LAWYER ASSISTANCE COMMITTEE (LAC) AND VOLUNTEERS

LAC members are actively involved with intakes, monitoring and trainings and often serve as speakers for CLE programs throughout the state. In addition to its annual meetings, the committee participates in monthly conference calls and maintains ongoing communication through the Committee listserv. This year a fourth LAC meeting was held in Silver Bay during the LAP Annual Spring Retreat. In 2013 the LAC presented three awards – The Franklin P. Gavin Memorial Award, the Raymond P. O’Keefe Memorial Award and a special recognition award to NYSBA past president, Seymour James.

NYSBA JUDICIAL WELLNESS COMMITTEE (JWC)

In 2013, the Committee held three meetings and participated in a number of judicial roundtable/wellness presentations throughout the state, including the Civil Court Judges Association in Montauk and the Town/Village Justice Association in Lake Placid.

SEVENTH ANNUAL LAP VOLUNTEER RECOGNITION DINNER

On November 1, 2013 a dinner was held to honor Lawyer Assistance Program volunteers. The dinner is an annual event established to recognize the extraordinary commitment of LAP dedicated volunteers. During the evening the Capital District Lawyers Helping Lawyers Committee bestowed the Ray of Hope Award upon Hon. Victoria Graffeo, Associate Judge of the New York Court of Appeals. This recognition is given every year to a person who has been influential in assisting the committee with its mission to help lawyers, judges, and law students who struggle with addiction and mental health concerns.

NYSBA EMPLOYEE ASSISTANCE SERVICES

The LAP provides confidential services to State Bar Association members and staff both in person and through eLAP. The LAP Director serves as NYSBA’s EAP Coordinator and Wellness trainer and distributes wellness information to the staff at the NYSBA Wellness Fair and via e-mail.

MEDIA/PUBLIC RELATIONS

- Regular submission of articles to NYSBA State Bar News
- Submitted article to the Suffolk County newsletter
- Submission of articles to NYSBA Staff Matters
- Development of CLE materials

COMMUNICATION

- LAC monthly conference calls
- LAC and Judicial Wellness listserves
- NYLAT Trustees
- Interaction with local lawyer assistance committees

SUMMARY

The year started off with a very successful Annual Meeting. The Lawyer Assistance Program co-sponsored a CLE program with Law Practice Management and Attorney Professionalism. The CLE gave us an opportunity to promote LAP services to law firms. The program was very well received. The LAC had a great turn out for a very productive meeting.

The year continued with a significant update to our LAP resource website. The site can now be easily accessed without a code and without registering. There are also new features that allow us to post our own articles to keep the site fresh and current. In conjunction with the new and improved website we've set up a confidential email address so individuals can contact LAP easily while maintaining their privacy.

We sponsored six CLE programs throughout the year and continue to hear how important our message is. The legal community is grateful that someone is able to bring the critical issues of alcoholism, drug abuse, and depression among attorneys out in the open.

The pressing issue of funds for statewide LAPs continues to be high on the list of priorities. We've made some headway in getting our message to Judge Prudenti and she is interested in supporting our efforts.

Since there is great change in the lawyer assistance field these days we are organizing a retreat to bring together all the past Lawyer Assistance Committee Chairs. The goal of this retreat is to plan the best way to continue providing effective, meaningful assistance to the legal community of New York State.

As we quickly close in on 25 years of providing service to lawyers, judges and law students we must be vigilant to ensure we are meeting our mission to help professionals struggling with an impairment that can threaten their lives and their law practice.



*Patricia Spataro, Director
Lawyer Assistance Program*

A handwritten signature in black ink that reads "Patricia Spataro". The script is fluid and cursive.



**NEW YORK STATE BAR ASSOCIATION
LAWYER ASSISTANCE PROGRAM**

One Elk Street
Albany, New York 12207
1.800.255.0569 / 518.487.5685
lap@nysba.org