



NEWS FOR SOLO & SMALL FIRM PRACTITIONERS

VISIT OUR WEBSITE

The New York State Lawyer Assistance Trust (LAT) was created by the Court of Appeals to bring statewide resources and awareness to the prevention and treatment of alcohol and substance abuse among members of the legal profession. It serves as a resource in the justice system, as a source of information and help, and it maintains a website filled with news and information: www.nylat.org. Visit our site to find the LAT's quarterly newsletters, the annual report, information on ongoing projects and events of interest, as well as the names of people to contact on a statewide or local basis for advice or help with alcohol or substance abuse concerns. **You can reach us at:**

54 State Street, Albany, NY, 12207 • (518) 285-4545 • fax (518) 432-8885
email: bfsmith@courts.state.ny.us • Barbara F. Smith, *Executive Director*

SERVICES AVAILABLE

Those in the legal profession have options available should they, or an individual attorney, judge or law student they know, need help with an alcohol or substance abuse problem. While many attorneys will not need to access the services personally, statistics indicate that the percentage of legal professionals who will need assistance at some point in their career ranges from 15-25%. Alcoholism and drug addiction are treatable illnesses.

The New York State Bar Association has had a Lawyer Assistance Program (LAP) in place for more than fourteen years. The LAP in New York City just celebrated its fifth anniversary, and the Nassau County Bar Association has a part-time Director providing assessment, evaluation and referral services. Their programs reach those affected by alcoholism, drug abuse, stress or depression and provide collateral services to immediate family members. Also, there is a network of volunteer lawyer helping lawyer committees throughout the State, who provide support and first-line assistance to many.

LAP services are free and available to all attorneys, judges and law students in New York State, whether or not the individual receiving services is a member of a bar association. Your calls to the LAPs are confidential, protected by Judiciary Law §499. Professionals will evaluate the situation and recommend referral and review treatment options with you. Referrals may be made to appropriate community resources, self-help groups, outpatient counseling, and detoxification and rehabilitation services.

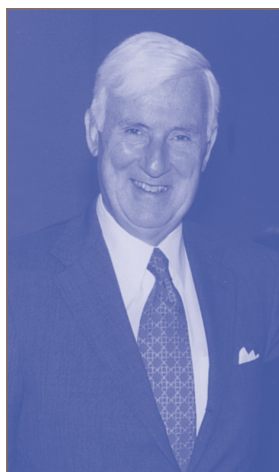
One widely-used test to help determine whether an alcohol problem exists is the "CAGE" test. If you or a colleague answers "yes" to at least two of these questions, you are at risk of having a problem with alcohol. The test includes four questions and takes only a few minutes:

- Have you ever felt you should CUT DOWN on your drinking?
- Have people ANNOYED you by criticizing your drinking?
- Have you ever felt GUILTY about your drinking?
- Have you ever had a drink first thing in the morning as an EYE OPENER to steady your nerves or get rid of a hangover?

If you recognize the problem of alcohol or drug abuse in yourself or a colleague, take advantage of the services available.

www.nylat.org

LAWYER ASSISTANCE TRUST PROJECTS IN 2004



LAT Chair James C. Moore

Diversion Rules in the News. . . In September 2004, the Appellate Division, Third Department adopted amendments to court rules governing the disciplinary process so that attorneys affected by alcohol or substance abuse, under certain circumstances, may be diverted to a court-approved monitoring program. If the attorney successfully completes the program, the charges may be dismissed. A similar rule was adopted by the Fourth Department in 2003.

The Second Department has diversion rules under consideration and a decision is expected early in 2005.

ATTORNEY REGISTRATION INSERT PROJECT By now, all attorneys registered in New York State will have received the insert in their license renewal packets coordinated by the Office of Court Administration. This insert contains information about lawyer assistance services available and provides brief questions to help determine whether you or a colleague would benefit from available services.

MODEL INITIATIVES The Trust distributed a brochure of frequently asked questions to all local and specialty bar associations describing how the organized bar could become aware of the problem of alcohol and substance abuse in the profession and how best to address the problems with limited resources.

VIDEO PROJECT The Trust developed two brief videotapes on the topic of alcohol and substance abuse in the profession, with the scripts based on interviews with attorneys. "We hope these videos raise awareness in viewers," commented Lawyer Assistance Trust Chair James C. Moore of Rochester. "Many lawyers are unaware of the prevalence of the problem of alcoholism and substance abuse in the profession or of the services available to help those in need. Through this initiative, we hope to encourage treatment for those in need. We are grateful to Chief Judge Judith S. Kaye, who delivers a brief introduction to each video." The videos are meant to be shown at CLE events or other programs where lawyers are gathered.

GRANT PROGRAM AWARDS The Trust provides financial assistance to support lawyer assistance activities around the State. Bar Associations, bar foundations and law schools may apply for funding to support services or projects for education, research, and efforts at prevention in relation to alcohol and substance dependency among members of the legal profession. Grant recipients to date include the Bar Foundation of Erie County, the Monroe County Bar Foundation, the Onondaga County Bar Foundation, the Nassau County Bar Association, the New York State Bar Association and the Association of the Bar of the City of New York.

THIS MAILING

This newsletter and calendar card are being sent to thousands of randomly selected solo and small firm practitioners throughout New York State. As you will note, the calendar card has important information about resources for lawyer assistance services throughout New York State.

www.nylat.org