

Lawyer Assistance Trust NEWS

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New York State
Lawyer Assistance Trust
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Lawyer Assistance Trust Created

Chief Judge Judith S. Kaye (right) and Chief Administrative Judge Jonathan Lippman announced the formation of the New York State Lawyer Assistance Trust, a permanent entity that will bring Statewide resources and awareness to the prevention and treatment of alcohol and substance abuse among lawyers, judges and law students.

Under the direction of a Board of Trustees appointed by the New York State Court of Appeals, the Lawyer Assistance Trust will be responsible for promoting education and early intervention, funding local lawyer assistance programs, creating special educational programs designed specifically for law students, practicing lawyers and judges, and recommending modifications to existing court rules and procedures to facilitate early detection, intervention and referral. The Chair is former New York State Bar Association President, James C. Moore, of the Rochester firm of Harter, Secrest & Emery. The Lawyer Assistance Trust is financed by the legal profession through a portion of the current biennial \$300 attorney registration fee.

Chief Judge Kaye stated, "I am delighted that Jim Moore has agreed to lead our efforts to address the significant problem of alcohol and substance abuse in the legal profession. These diseases cause enormous personal suffering to those who are afflicted, their families, their professional colleagues and their friends. They also pose obvious risks to clients and to the public's trust and confidence in the legal profession. Fortunately, the suffering can be avoided or mitigated through education and early intervention and treatment.



The Lawyer Assistance Trust will be instrumental in promoting programs to achieve these vital goals."

Chief Administrative Judge Lippman added: "Many bar associations around the State have taken the lead in developing outstanding programs to address alcohol and substance dependency. The Lawyer Assistance Trust will work to support and enhance their efforts while encouraging and supporting new initiatives."

Creation of the Lawyer Assistance Trust was the key recommendation of the Commission on Alcohol and Substance Abuse in the Legal Profession, which was formed by Chief Judge Kaye in September 1999 to find ways to assist lawyers and judges with alcohol and substance abuse problems and protect the public trust from breaches by addicted members of the profession. The Commission, chaired by former Court of Appeals Judge Joseph Bellacosa, found that the problem of alcohol and substance dependency within New York's legal community required the creation of a permanent independent Statewide entity.

The members of the Trust are listed on page 2. *

MEMBERS

The Members of the Board of Trustees of the Lawyer Assistance Trust are:

Terrance M. **Bedient**, Executive Director of the Committee for Physicians' Health of the Medical Society of the State of New York, Albany;

David D. **Brown**, Esq., Vice President and Associate General Counsel, Associate Director of Litigation and Regulatory Proceedings, Goldman Sachs, New York;

Jeremy Ann **Brown**, Certified Alcohol and Substance Abuse Counselor, South Nyack;

Patricia K. **Bucklin**, Esq., Executive Director, New York State Bar Association, Albany;

Vincent **Casolaro**, Founding Director, Inter Care, New York;

Angelo T. **Cometa**, Esq., New York;

John W. **Crowe**, Esq., Underberg & Kessler, Chair, Monroe County Bar Association Lawyers Concerned for Lawyers Committee, Rochester;

Timothy D. **Foley**, Esq., Foley, Frye & Foley, Chair, New York State Bar Association Committee on Lawyer Alcoholism and Drug Abuse, Utica;

James **Gavin**, Esq., Director, Nassau County Bar Association Lawyers Assistance Program, Garden City;

Anthony J. **Gigliotti**, Esq., Principal Counsel, Attorney Grievance Committee, Fifth Judicial District, Chair, Onondaga County Bar Foundation's Lawyers Assistance Committee, Syracuse;

Fredric C. **Goldstein**, Esq., Senior Vice-President & General Counsel, Phoenix House Foundation, New York;

W. David **Harmon**, Ph.D., Director, Counseling Center, St. John's University, Jamaica;

John W. **Keegan**, Esq., Keegan, Keegan & Strutt, White Plains;

Kathleen **Kettles-Russotti**, Esq., Wingate, Russotti & Shapiro, Association of the Bar of the City of New York's Special Committee on Alcoholism and Substance Abuse, New York;

Hon. Sarah **Krauss**, Judge, Criminal Court of the City of New York, New York;

Ray **López**, Director, New York State Bar Association Lawyer Assistance Program, Albany;

Eugene J. **O'Brien**, Esq., Hammill, O'Brien, Croutier, Dempsey & Pender, Smithtown;

David R. **Pfalzgraf**, Esq., Renda, Pares & Pfalzgraf, Buffalo;

Hon. Vincent J. **Reilly**, Jr., Judge, Schenectady County Family Court, Schenectady;

Eileen C. **Travis**, Director, New York City Lawyer Assistance Program, Association of the Bar of the City of New York, New York *

Executive Director Named

As of November 1, 2001, Barbara F. Smith became Executive Director of the Lawyer Assistance Trust. Prior to her current position, Ms. Smith served as Counsel to the New York State Ethics Commission for more than twelve years. Chair Moore stated: "We are delighted to have Barbara Smith join us as we start this innovative and

important program. The Search Committee was impressed by her qualifications and demeanor." *



Committees Formed

At its inaugural meeting, the Trustees agreed to create the following committees:

Strategic Planning: to recommend priorities and new objectives for the LAT; to develop long-range plans.

Grants: to recommend the types of activities and purposes for which LAT funds may be used; to recommend applications to approve; and to oversee the fulfillment of the terms of the grant agreements.

Awareness/Outreach: to make recommendations concerning communications with the legal community, including law students, law faculty and administrators, lawyers, members of the judiciary, bar association leaders and local Lawyer Assistance Program committees about the prevention and treatment of alcohol and substance dependency.

Finance: to provide advice concerning expenditures of the LAT, to make recommendations for additional funding; to investigate potential sources for private funding to support LAT programs and events.

Executive: to maintain oversight of the implementation of the goals of the LAT, to make policy decisions when necessary between meetings, and to conduct period reviews of staff. *

How Can You Tell?

Alcoholism and substance dependency are diseases of addiction; as such they are treatable, although there is no cure. Early intervention and treatment provide the best foundation for recovery.

How can you tell whether you may have a drinking problem? Answer the following 4 questions, sometimes referred to as the “C A G E”.

- (1) Have you ever felt you should Cut down on your drinking?
- (2) Have people Annoyed you by criticizing your drinking?
- (3) Have you ever felt Guilty about your drinking?
- (4) Have you ever had a drink first thing in the morning to steady your nerves or get rid of a hangover (Eyepopper)?

If you responded yes to more than one question, it is likely there is a problem.

Dependence (on alcohol or drugs) is characterized by: Craving, or the compulsion to have a substance;

Loss of control — the inability to stop once you start;

Physical dependence — including withdrawal symptoms such as nausea, shakes, memory loss, blackouts;

Tolerance — the need for increased amounts to get same effect;

Denial — refusal to acknowledge dependence; and

Rationalization — addiction as the effect, rather than the cause of the problem;

Projection — blaming the addiction on external causes.

Where do you turn? Friends, family members and colleagues can play a role in identification and treatment of an addict by becoming familiar with the symptoms of the disease. The organized bar has several alternatives for obtaining assistance. The New York

State Bar Association has a full-time Director of the Lawyer Assistance Program, Ray López. He may be reached at: 800-255-0569 available 24/7.

Eileen Travis is the Director of the Association of the Bar of the City of New York’s Lawyer Assistance Program. She may be reached at (212) 302-5787.

You need not be a bar association member to receive their Free, Confidential advice. All LAP services are confidential under Judiciary Law section 499.

Ten county bar associations have volunteer committees who can provide advice and support to lawyers suffering from alcohol and substance dependency.

Brooklyn [Kings County] Bar Association: Lawyers Helping Lawyers Committee Sarah Krauss (718)643-3174

Erie County Bar Association: Lawyers Helping Lawyers Committee Katherine S. Bifaro (716) 852-8687

Monroe County Bar Association: Lawyers Concerned for Lawyers Committee John Crowe (716) 258-2820

Nassau County Bar Association: Lawyer Assistance Program Committee James Gavin (516) 739-8182

NY County Lawyers Association: Committee on Substance Abuse Robert Turnier (212) 642-5210

Oneida County Bar Association: Lawyer Assistance Committee Tim Foley (315) 733-7549

Onondaga County Bar Association: Lawyer to Lawyer Committee Kenneth Ackerman (315) 474-7571 or Noreen Shea (315) 476-3101

Schenectady County Bar Association: LAP Vincent Reilly (518) 388-4305

Suffolk County Bar Association: Committee on Alcohol and Substance Abuse Co-Chairs Richard Ried (631) 286-3560 Joseph Bisch (631) 439-4200

Westchester County Bar Association: Committee on Alcohol and Substance Abuse John Keegan (914) 949-7227 *

Upcoming Events

May 2-3, 2002 Disciplinary Counsel Conference Syracuse, New York

LAT will provide information concerning alcohol and substance abuse in the legal profession as well as discussing the activities of the Trust.

May 3, LAT Trustees Meeting One Commerce Plaza Albany, NY

Meeting of the Board of Trustees of the Lawyer Assistance Trust. 10:00 am - 2:30 pm. For more information, contact Barbara F. Smith at (518) 487-5574

May 3-5, NYSBA Spring Retreat Lawyer Assistance Committee Lake George, NY (Silver Bay)

Weekend of presentations, CLE focusing on stress management and law office life. Cost \$75. 3 CLE credits in practice management. For more information call Ray López, NYSBA LAP Director at (800) 255-0569 or via e-mail lap@nysba.org.

May 20 Workshop 6:00-8:30pm
The committee on Alcohol and Substance Abuse at the Association of the Bar of the City of New York presents: "Depression, Burnout and Addiction: How to Spot it, How to Help" This free workshop is open to all members of the legal community. For more information and to register, contact: Eileen Travis NYC LAP Director (212) 302-5787

August 9-11, Erie County Bar Lawyers Helping Lawyers 12 Step weekend Gene O'Brien speaker. Cost \$75. Call Chuck Beinhauer at (716) 885-3046 or cbeinhauer@rpplawyers.com

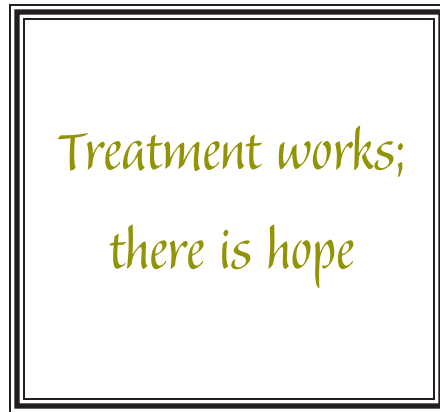


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Volunteering

The Lawyer Assistance Programs at the State and local level utilize the support of a network of hundreds of volunteers committed to helping lawyers in need. There are many opportunities and different ways to volunteer your time, experience, strength and hope, ranging from one-on-one interactions with impaired attorneys to making presentations to increase awareness of alcoholism and substance dependency among lawyers. If you are interested, call Ray López, NYSBA Lawyer Assistance Program Director, at 800-255-0569 or Eileen Travis, ABCNY Lawyer Assistance Program Director, at (212) 302-5787. You might also reach out to the County programs described on page 3. Each of the programs has been functioning for several years, has utilized volunteers frequently, and is pleased to enlist new support. *

Interested in starting a Lawyer Assistance Program in your area? Please call Barbara Smith at (518) 487-5574 for further information. *



In the Next Issue

Look for :

- ✓ Information about the Lawyer Assistance Trust's new office space, including a new phone number;
- ✓ Information about the new website for the Trust;
- ✓ Dates for events of interest to lawyer assistance programs;
- ✓ Updates on LAT Committee activity;
- ✓ Information on the proposed grant program. *



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ADDRESS CORRECTION REQUESTED