

NC LAP Annual Report

August 1, 2023 - July 31, 2024



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



Message from the Executive Director



This year marks our 44th year of operation and we have had a busy year. We opened 143 files. Trends remain consistent, year after year. The most common issues that lawyers and judges struggle with are anxiety, depression, and alcoholism. However, over the past several years, more lawyers and judges have sought help with stress before it morphs into more debilitating conditions. This is

particularly true post-Covid and with the influx of new technology: everything from the odyssey of e-courts to artificial intelligence.

Many news articles and journalists have identified a consistent post-Covid trend of people having little-to-no patience, being quick to anger (and getting angrier), across the societal spectrum, particularly in the services industries. In addition, the rollout of e-courts and rapid infiltration of artificial intelligence into day-to-day legal practice is adding layers of new and different kinds of stress.

So, it is not surprising that we have seen a steady increase in stress as a primary identified issue. This trend, along with our self-referral rate, which climbed another percentage point to 66% this year, are good indicators that our well-being messaging is effective and working.

You may have noticed a change in the color scheme of our logo and this report. That change in color coincides with the rollout of our new website. The technology has advanced so much in the past 10 years that a website that was once state-of-the-art eventually became antiquated. Much of the content is the same, but we have added new subsections on trauma and well-being.

In addition to our website, we have several avenues we utilize to promote our program and services: CLE, our electronic newsletter and affiliated podcast, *Sidebar*, our quarterly LAP column in the State Bar

Message from the Executive Director

Continued...

Journal, and of course, our volunteers. LAP staff and volunteers recorded nine new Sidebar episodes and provided 61 CLE presentations. Our new resilience training entitled, "Calm in the Midst of Chaos," has been a popular choice. That program is unique in that our volunteers speak first-hand about the resilience skills that have worked best for them in their lives and law practices.

As one of our volunteers stated in one of our CLE videos, "There's life on the other side." Our volunteers serve as living examples of the power and hope of recovery. I thank each and every one of them for the indispensable role that they play and the vital service they provide to our program.

Robynn Moraites

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 use disorder, 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, two clinicians, a field coordinator 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, non-disciplinary assistance to lawyers, judges and law students in addressing mental health issues, including problems with drugs or alcohol, and other life stresses which impair or may impair an attorney's ability to effectively practice law. NC LAP assistance is designed to promote recovery, protect the public, prevent disciplinary problems for lawyers, and strengthen the profession. 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; and
- 4. Educate the legal community about the issues of substance use disorder and mental health.

Lawyer Assistance Program Overview

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.

Lawyer Assistance Program Overview

How the Program Works

About 50% of calls to LAP are selfreferrals 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 selfreferred, 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 use disorder. Of that 40%, about 90% of those calls are concerns about alcoholism or substance use disorder. 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 Rules 1.6(c) and 8.3(c), by ethics opinion 2001 FEO 5, and by statute NCGS §84-32.1(d).

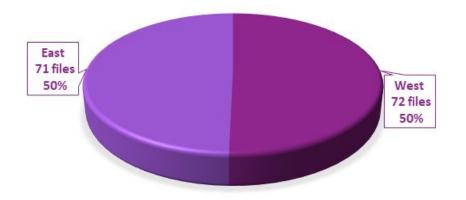
Intervention is a group process that, with respect and concern, helps an individual who may not realize he or she has a serious problem with alcohol or other drug use. The objective is to dismantle denial, stop family and friends from enabling the subject's behavior, and initiate change. For informal 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 aftercare 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

143 NEW & REOPENED FILES BY REGION



New cases/files

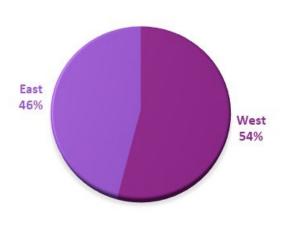
NC LAP is now in its 44th year of operation. We remain busy.

For the 2023-2024 reporting year we had 143 total files opened (110 new and 33 reopened), bringing the total number of open cases to 607. We closed 33 files resulting in a combined total of 574 open cases at year's end.

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:

- 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.
- 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.
- 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 nonlawyer friends or clients who are impaired.

TOTAL CLIENTS BY REGION

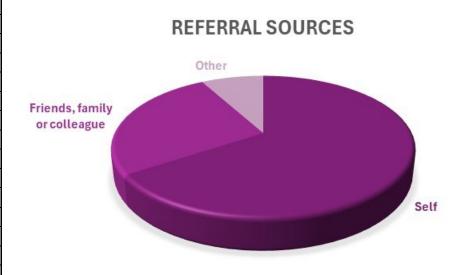


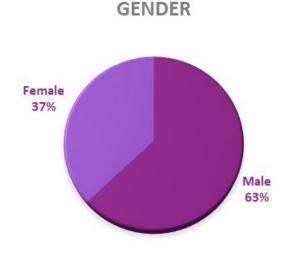
The Year in Review ~ Statistical Snapshot

Referral Sources

The rate of self-referral to LAP increased yet again this year to 66%, while 26% (down 2% from last year) of LAP referrals came from colleagues, law firms, friends, family and judges who expressed concern about a lawyer or judge. The remaining 8% of referrals came from law schools, the board of law examiners, other LAPs, therapists, physicians, state bar staff, the grievance committee or the DHC (the same as last year).

	1
Referred by	
Another LAP	4
Another Lawyer	97
Bar Staff	8
Board of Law Examiners	8
DA	1
DHC	4
Employer	3
Family	5
Firm (his or hers)	23
Friend, non-lawyer	3
Grievance	2
Investigators/SCA	1
Judge	18
Law School	6
Local Bar	2
Other	5
Physician	2
Self	377
Therapist	5
Client Grand Total	574





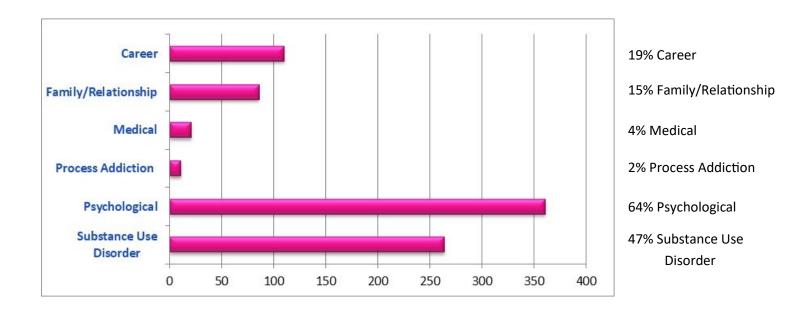
Gender

The gender breakdown for clients seeking services is: 63% men and 37% women. This statistic stays generally consistent year after year, shifting only a percentage point or two.

THE YEAR IN REVIEW ~ OVERVIEW OF ISSUES

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, 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*:

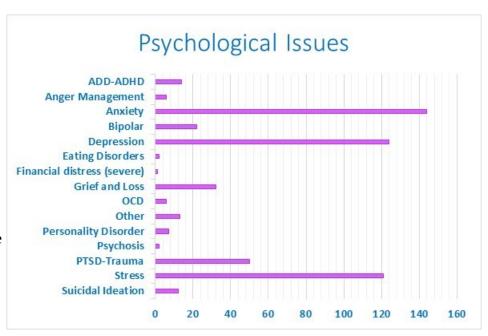


^{*} Because lawyers often have more than one issue, these percentages do not equal 100%. Instead, they show the total percent of 574 clients that are dealing with a given issue.

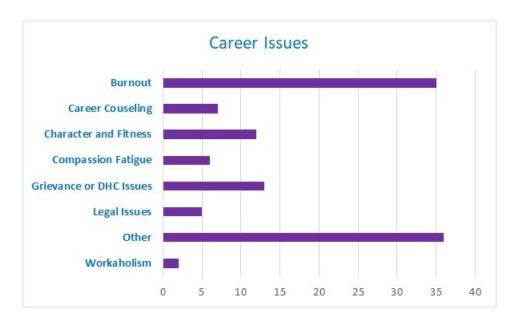
The Year in Review ~ A Closer Look at the Issues

Psychological Issues

This year we assisted 361 lawyers, judges, and law students with psychological issues. The data indicates that lawyers struggling with psychological issues are often dealing with more than one single issue. Anxiety, depression and debilitating stress are the most frequent issues. 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). The Well-Being in Law movement is trying to address the toxic culture issues by advocating for structural changes across the nation. In the meantime, behavioral changes will make the greatest impact as opposed to pharmacological interventions. Anti-depressants certainly have a place and can play a key role, but for lasting happiness and satisfaction in the profession, most lawyers will need to do additional work to move from surviving to thriving.

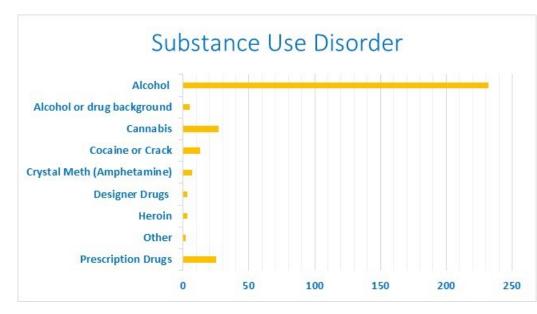


Career Issues

We assisted 110 lawyers and judges who were dealing with career issues. As stated above, a large percentage of the depression, anxiety and debilitating stress cases we see are caused by the profession itself. The specific issues related to their work in the profession are indicated in this graph.

The Year in Review ~ A Closer Look at the Issues

Alcohol & Drug Problems



We assisted 264
lawyers, judges, and law
students with alcohol or
drug problems. Alcohol
abuse and dependency
continue to be the single
largest problem lawyers
face when there is a
substance use disorder
present. Based on the ABAHazelden study, we know
there are many more
lawyers with this problem
than are involved with LAP.

Process Addictions

We assisted 11 lawyers and judges with 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, 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.

The Year in Review ~ A Closer Look at the Issues

Family Issues

We assisted 86 lawyers, judges, and law students experiencing family issues. Some lawyers have been deeply affected emotionally and psychologically by the substance use disorder 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 a 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.

Chronic Pain Cognitive Impairment (related to aging) Injuries Menopause Other

Medical Issues

We assisted 21 lawyers and judges experiencing medical issues. Sometimes lawyers face a medical issue, physical disability or injury that is problematic enough that it affects 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.

The Year in Review ~ CLE

Continuing Legal Education and Outreach

Minority Outreach Conference

We resumed our regular February timeframe for LAP's annual Minority Outreach Conference. Approximately 535 lawyers and judges registered and 450 actually attended, sharing camaraderie and insight about issues unique to minority attorneys.

Due to skyrocketing costs and logistical challenges with parking for a group of this size, in 2022 we moved the venue to the McKimmon Center in Raleigh, which offered free parking, great food at a reasonable cost, and an overall stellar customer service experience. We held the MOC again at the McKimmon Center and had another great experience there. We plan to return for 2025.

I would like to take a moment to acknowledge the financial sponsors of this event, without whom, our conference would not be nearly as successful. Their direct financial contribution allows us to charge participants only a nominal fee to help defray lunch costs.















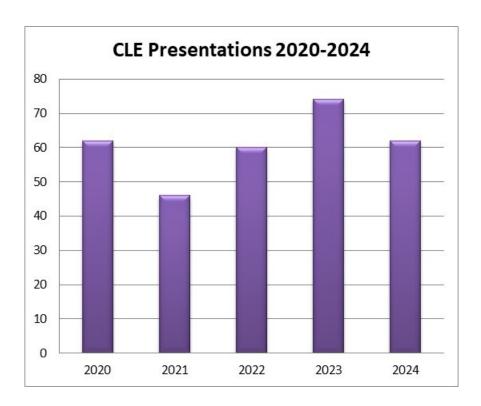
Continuing Legal Education and Outreach

Professional Well-being CLE Presentations

We presented 61 live or live webinar CLE programs this year (see Appendix A). We cannot track how many video replays are offered or when a video is used from our website unless someone alerts us that they are going to use the video-on-demand feature.

"Resilience" is still a hot buzz word in the legal profession. LAP Volunteers have years of daily practice putting resilience skills to use. They are in a unique position to share what has worked for them. We developed a new resilience CLE, "Calm in the Midst of Chaos", and at our annual conference we trained half a dozen volunteers to give this customizable presentation. We immediately put these volunteers "out on the road" and they are indispensable to our overall CLE effort.

Continuing legal education programs remain the single most effective outreach tool we have available. On average, we receive at least one referral from almost every CLE talk we give. North Carolina remains 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.



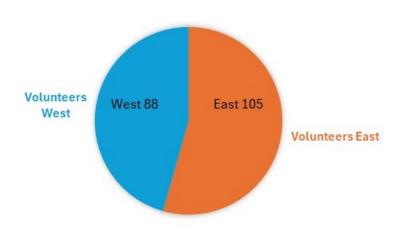
Volunteers

LAP's Trained Volunteers Make a Difference

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:

- Speak at CLE, both stories and specific topics
- 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
- Be a guest on our Sidebar podcast
- Serve on leadership committees and boards that undertake specific initiatives to support the program

VOLUNTEERS BY REGION

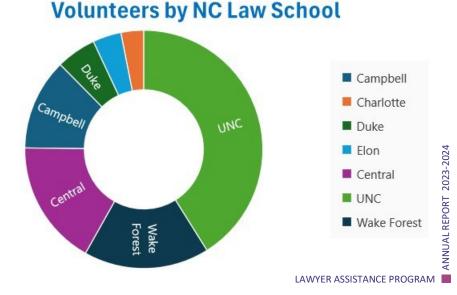


- Meet lawyers for coffee or lunch to mentor and introduce them to others
- Monitor lawyers who are on recovery contracts that require monitoring
- Secure speakers and workshop leaders for retreats

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 continually 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 **193** 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	
Campbell	16
Charlotte	4
Duke	7
Elon	5
Central	22
UNC	53
Wake Forest	22
Total	129

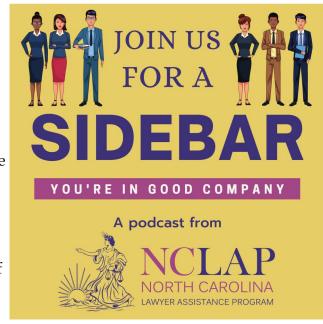


Volunteers

LAP Volunteer Involvement

Although the Steering Committee has been dormant due to Covid, we have relied on our active volunteer network as much as ever.

In 2021, we launched <u>Sidebar</u>, a podcast, to accompany our <u>quarterly Sidebar e-newsletter</u>. From the beginning, we had a national and international audience. We currently show over 3,200 downloads/ unique listens. This represents 700 more than last year. A law school professor let us know that she has integrated our podcast as required listening for many of the class assignments.



Our volunteers have been submitting stories and articles to be used as a basis for a podcast interview. Their stories are honest, self-reflective, insightful, and inspire hope. We have released about <u>42 episodes</u> so far, having added 9 episodes this year. Topics include <u>imposter syndrome</u>, <u>compassion fatigue</u>, the <u>fight or flight</u> response, <u>stigma and anonymity</u>, being a <u>parent of an alcoholic</u>, <u>depression</u>, <u>suicide</u>, <u>alcoholism</u>, and regular <u>mindfulness-based tools</u> with Laura Mahr. One can listen to the podcast directly from the LAP website or on <u>Apple</u>, <u>Spotify</u>, or anywhere you listen to your podcasts. You can subscribe to the podcast directly on your player of choice to be alerted when new episodes drop.

Lawyers and judges are inundated with email and reading material; it is easy for LAP's outreach messaging to get lost in the shuffle. We are excited about the podcast as a compelling way to reach a broader audience, to destigmatize and reinforce recovery seeking behavior.

Administration

Training

• We held the 43rd Annual Conference on Nov. 3-5, 2023 at the Hotel Ballast in Wilmington. Our 44th Annual Conference will be held on Nov. 1-3, 2024 at the Crowne Plaza Resort in Asheville.

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
Winston-Salem Wilmington

LAP Board 2023-2024

Warren Savage, Chair Shelli Buckner Tim Carroll Crawford Cleveland, Vice Chair Anthony Flanagan Bill Ingraham Takiya Lewis Craig Lynch Mike McGuire



Eben Rawls rotated off the LAP Board having served two full terms, and Craig Lynch was appointed to fill his Bar Councilor seat vacancy. Shelli Buckner was reappointed to a second term as a LAP volunteer. Tim Carroll was reappointed to a second term in the "clinician/special knowledge" category. Warren Savage was re-appointed chair and Crawford Cleveland was re-appointed as vice chair.

LAP Board Meetings Scheduled For 2023-2024

LAP Board meetings were held in-person with a hybrid option for those unable to travel on January 18, April 18, and July 17, 2024 as part of the quarterly Bar Council meetings.

Appendix A—CLE

2023		
August		
8/4/2023	NC Association of Municipal Attorneys	Wilmington, NC
8/25/2023	NC Child Support Conference	Cary, NC
8/25/2023	Davidson County Bar	Mocksville, NC
September		
9/7/2023	Chief Justices Commission on Professionalism	Southern Pines, NC
9/8/2023	Judicial District Bar 10	Raleigh, NC
9/15/2023	NC Court of Appeals & UNC School of Government	Raleigh, NC
9/19/2023	Duke Energy	Live Webinar
9/19/2023	UNC School of Law	Chapel Hill, NC
9/20/2023	Clerks of Superior Court	Beaufort , NC
9/20/2023	Cabarrus County Bar Association	Concord, NC
9/29/2023	Judicial District Bar 20	Lumberton, NC
9/29/2023	Buncombe County Judicial Bar	Asheville, NC
October		
10/5/2023	Industrial Commission	Raleigh, NC
10/10/2023	Office of the Capital Defender	Durham, NC
10/12/2023	Wake County Bar Association	Raleigh, NC
10/17/2023	NC Association of Court Management	Asheville, NC
10/20/2023	Mecklenburg County Bar Association	Charlotte, NC
10/20/2023	NC GAL Conference	Live Webinar
10/23/2023	UNC Systems Office- University Council	Boone, NC
10/25/2023	Mecklenburg County Bar Association	Charlotte, NC
10/27/2023	Investors Title	Chapel Hill, NC
10/27/2023	Florida Elder Law Group	Asheville, NC
November		
11/2/2023	Legal Aid of NC - Statewide Conference	Chapel Hill, NC
11/9/2023	TALRA Group	Raleigh, NC
11/9/2023	Wake County Clerks	Raleigh, NC
December		-
12/1/2023	NC Bar Association Professionalism Committee	Live Webinar
12/5/2023	Moore & Van Allen	Charlotte, NC
12/6/2023	NC Bar Association	Cary, NC
12/8/2023	NC Advocates for Justice	Raleigh, NC

Appendix A—CLE (continued)

2024		
January		
1/8/2024	Forsyth County Bar Association	Winston Salem, NC
1/10/2024	CEPC Wellness Event	Charlotte, NC
1/11/2024	Tryon Title Agency LLC	Charlotte, NC
1/26/2024	The Mediation Center	Asheville, NC
ebruary		
2/2/2024	District 18 Judicial Bar	Pittsboro, NC
2/9/2024	NC Bar Association Business Law Section	Winston Salem, NC
2/16/2024	Mecklenburg County Bar Juvenile Law Conference	Charlotte, NC
2/21/2024	Association of Corporate Counsel	Cary, NC
2/22/2024	Mecklenburg County Bar Association	Charlotte, NC
2/22/2024	Greensboro Bar Association	Greensboro, NC
2/22/2024	Greensboro Bar Association	Greensboro, NC
2/22/2024	NC Bar Association	Cary, NC
March		
3/1/2024	NC Advocates for Justice	Raleigh, NC
3/6/2024	UNC School of Government	Chapel Hill, NC
3/6/2024	Old Republic Title	Raleigh, NC
3/12/2024	Campbell Law School	Live Webinar
3/14/2024	NC Bar Association Juvenile Justice Children's Rights Section	Live Webinar
3/15/2024	Durham District Bar Meeting	Durham, NC
3/22/2024	Duke Law School	Chapel Hill, NC
pril		
4/4/2024/	Tennessee Bar Association Women in Profession	Live Webinar
4/18/2024	NC Advocates for Justice - Disability Advocacy	Live Webinar
4/19/2024	33rd Judicial Bar	Lexington, NC
4/25/2024	NCAJ /Office of Capital Defenders Death Penalty Seminar	Durham, NC
1ay		
5/3/2024	Carolina Patent Trademark	Charlotte, NC
5/10/2024	Cabarrus Judicial District Bar	Concord, NC
5/15/2024	Mecklenburg Bar Association	Live Webinar
5/17/2024	NC Bar Association Minorities in the Profession	Cary, NC
5/29/2024	UNC School of Government	Chapel Hill, NC
une		
6/7/2024	Black Entertainment & Sports Lawyers	Live Webinar
6/12/2024	Tryon Title	Morehead City, NC
6/13/2024	Paramount	Live Webinar
6/14/2024	Forsyth Judicial District Bar	Winston Salem, NC
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