



# MOLAP News

The Missouri Bar

August 2011



## Director's Notes

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*Jim Brady, LCSW*

Each July we prepare a summary of MOLAP activity for the first six months of the year. That report goes to the Executive Director of the Bar as part of our accountability. Through June 30, 53 new cases have come in, 14 of those substance abuse matters. For years substance abuse matters have been roughly a third of new cases, and that trend continues. The majority, but not all, of the substance abuse cases are alcohol matters. The mean age of the lawyers of concern in all new cases was 47, so it is experienced lawyers who are using MOLAP. So far this year six volunteer assignments have been made. I continue to appreciate the willingness of the volunteers.

Enclosed with this newsletter is a registration form for this year's MOLAP Conference in St. Louis, October 21-22, at the Frontenac Hilton. Because of our sponsorships we will again be able to offer an extremely low registration rate. Our program is currently being reviewed for CLE credit. Please join us as we explore the constructive ways MOLAP, its volunteers, and the Discipline system work together.

## Lawyer Support Groups

If you are interested in joining a Lawyer Support Group in your area, contact the appropriate person:

St. Louis  
Tom Casey  
(314) 421-0763

Kansas City  
Hugh O'Donnell  
(816) 931-5533

Mid-Missouri  
Julian Ossman  
(573) 636-4120

Southeast  
Peter Statler  
(573) 243-3482

## Upcoming Events

The National Conference for Lawyer Assistance Programs will be held this year in Tampa, Florida, from September 13-16. The Director and a Kansas City Volunteer will be attending. If others are interested, further details are available at <http://ambar.org/Colap2011> Conference. As is their custom, the International Lawyers in AA will hold their weekend retreat at the end of that Conference, beginning at noon on Friday the 16th and running through Sunday the 18th. Details are available at their website, ILAA.org.

The Missouri Bar Annual Meeting will be in Kansas City, September 22-24, 2011 at the Hyatt in mid-town. The Friends of Bill W will have a space and time on the schedule. We encourage all the volunteers in the Kansas City area to come to that meeting, even if not registered for the Conference. The Friends of Bill met twice at the recent Solo and Small Firm Conference. Attendees expressed appreciation for the opportunity.

### *Thought for the Day*

"I always wanted to be somebody. I should have been more specific."  
Comedienne Kathy Griffin

# Same Old, Same Old

By Jim Brady

Once in a while when I ask folks how things are going they will reply, "Same old, same old." They usually mean that nothing much has changed and that familiar patterns of work and family life continue on as before. As I think about how we are doing in the alcohol treatment field these days, the phrase 'same old, same old' comes to mind. We really have not made much of a dent in the frequency of problems, or in our effective treatment responses to them.

Such a negative conclusion on my part seems pessimistic. What about all the new brain science coming out confirming in a whole variety of ways the truth that addiction is a biochemical brain disease? What about the TV shows about treatment and 'rehab?' What about all the well-known athletes and Hollywood celebrities seeking treatment? Doesn't that raise awareness and broadcast the truth that treatment will help? One would hope so. But I have some other experiences.

I recently talked by phone with a lawyer who has a serious alcohol problem. He was very distressed that others might find out. I tried to inquire if he thinks about alcohol illness as a moral issue, but he was unwilling to discuss it. Rather than accept connection with other recovering people he was insistent on handling the situation by himself. I was distressed at that notion, since I don't think that's going to work at all, and will just let things get worse. I think there are many alcoholic people who are so fearful of stigma that they insist on trying to "handle it" alone, a terrible idea. In our day no one would dream of trying to "handle" cancer or diabetes alone, but that's still the standard with alcoholism.

Part of this problem is the fact that alcohol is selectively addictive. Alcohol is certainly pervasive in our culture, with lots of ads of all sorts encouraging folks to enjoy even more alcohol. Many people do use alcohol modestly, enjoy it and never have a problem with it. Other folks drink, drink more, drink even more and have disastrous problems. Who's who? But cultural ambivalence doesn't mean we should put up with problems clearly caused by excessive alcohol use.

Recently I heard about a lawyer appearing under the influence in court. This is not the first time I have heard such a tale, but this time was a bit different. The judge had court staff give a portable breath test to the lawyer of concern, which showed intoxication. The judge then had the lawyer confined until below .08 BAC. He also made a record, finding the lawyer in contempt and fining her. That's challenging! Alcohol-impaired lawyering apparently is not to be excused nor tolerated in that Court. I talked by phone with this judge and told him I was impressed. Could we make that judge a role model in challenging problem drinking?

It is politically correct now to inveigh against drunk driving, or even to say "don't drink and drive," but millions of ordinary Americans, including lawyers, drink and drive all the time. I wonder a bit about our sense of urgency throughout the Bar in dealing with the issue of addiction and recovery for lawyers. The Bar continues to pay substantial sums to clients through the Client Security Fund for financial losses due to neglect by lawyers. I'm sure much of this cost is a direct result of problem drinking. Should we have challenged non-diligent drinking lawyers sooner? The same could be said for lawyers caught up in the Discipline system. If we wait until there's a disbarment proceeding we've waited way too long! That's why an Intervention mechanism was constructed years ago. Let's not wait!

Should we not all be tired of the "same old same old?" As the famous Nike ad says, let's "Just do it."

## Meditation for Hot Weather (Reprinted from 2009 for obvious reasons!)

It's stifling. In Missouri we call it 'Air you can Wear.' The temperature is 95 and the relative humidity 87%. It's like walking in molasses. I have traveled to places near the equator where the mid-day sun seems hotter, and to other places where the humidity is even higher, but this combination takes my breath away.

We walk slower. We get grumpy. We give up sooner. We flee to the cool and the dark.

Some days work seems just as oppressive. It stifles with its overwhelming volume and pernicious complexity. It saps us like the heat.

Where can we flee to the cool and the dark? We'd best be going there.

My calendar declares that the solstice is past. The mechanics of the universe now shave a few minutes off the light each day. My long memory reminds me that the colors and the cool of autumn are not so far off.

I will pull the windshield scraper from under my car seat and study it for a moment. It will bring me refreshing memories of chilly months.

In the midst of our stifling work we have hopes and recollections that sustain us.

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## Intervention Committee Change

Mr. Bob Richart of Joplin, a long-time member of the Intervention Committee, has retired from practice and withdrawn from the Committee. Charles R. "Ross" Rhoades of Neosho has been appointed to the Committee by the Executive Committee of the Board of Governors. We appreciate all of Bob's efforts over many years of service and wish him well. Welcome aboard, Ross.

**When personal problems  
intrude into practice MOLAP can help**

**Missouri Lawyers Assistance  
800-688-7859**

**In Confidence**



REGISTER NOW FOR THE

SIXTEENTH ANNUAL  
MISSOURI LAWYERS ASSISTANCE CONFERENCE

*‘Careful Cooperation for Progress’*

October 21-22, 2011

Hilton St. Louis Frontenac

St. Louis, Missouri

PROGRAM AGENDA

Friday, October 21, 2011

Room Information

11:30 AM – 1:30 PM

REGISTRATION

Le Café Room

1:00 – 6:00 PM

GENERAL SESSIONS

Le Café Room

1:00 – 1:30 PM

**Welcome**

**Director’s Report**

Jim Brady, LCSW

Director, Missouri Lawyers Assistance Program

1:30 – 2:45 PM

**“Missouri’s Attorney Discipline System”**

*Mr. Alan Pratzel, Chief Disciplinary Counsel*

2:45 – 3:00 PM

***BREAK – REFRESHMENTS***

3:00 – 4:15 PM

**“The Role of Attorney Monitors in Discipline Matters”**

*Mr. Carl Schaeperkoetter,*

*Office of Chief Disciplinary Counsel*

4:15 – 5:00 PM

**MOLAP Volunteers in Lawyer Assistance Work**

*Mr. Jim Brady, Director*

*Missouri Lawyers Assistance Program*

6:30 – 8:30 PM

**DINNER** *(sponsored by The Bar Plan)*

***Award Presentations***

***Keynote:*** Tom G., St. Louis

# PROGRAM AGENDA

Saturday, October 22, 2011

Room Information

**8:00 – 8:30 AM**

**REGISTRATION**

**Le Café Room**

8:00 – 8:30 AM

*Breakfast Buffet*

**Le Café Room**

**8:45 – 11:45**

**GENERAL SESSIONS**

**Le Café Room**

8:45 – 10:00 AM

**“Dealing with the Impaired Client and/or  
Impaired Opposing Counsel”**  
*Honorable Peter Statler (retired)*

10:00 – 10:15 AM

**BREAK – REFRESHMENTS**

10:15 – 11:30 AM

**“The QPR System of Responding to  
Suicidal Ideas and Suicidal Threats”**  
*Ms. Elizabeth Makulec, Director  
KUTO (Kids Under Twenty-one), St. Louis*

**11:30 AM – 11:45 AM**

**CLOSING REMARKS AND REVIEW OF UPCOMING EVENTS.**  
Evaluations  
Announcements

**11:45 AM**

**ADJOURNMENT**

## LAWYERS ASSISTANCE CONFERENCE, 2011

Send this form with your check, made payable to The Missouri Bar, for the amount due, or pay by VISA, MasterCard, American Express or Discover (see form below) to: *MOLAP Conference Registration, The Missouri Bar, PO Box 119, Jefferson City, MO 65102-0119*, or FAX to 573/635-4417. Registrations may be received by mail, fax or online at [www.mobar.org](http://www.mobar.org).

\$49.00 — **REGISTRATION:** Includes registration, dinner Friday evening and Saturday breakfast.

\$39.00 — *Additional* guest tickets available for dinner on Friday.

\$18.00 — *Additional* guest tickets available for breakfast on Saturday.

*(If you have special needs addressed by the Americans with Disability Act or special dietary needs, please notify Michele Fritchey at 573-638-2254 at least one week prior to the start of the conference.)*

**\*\*\$109.00 HOTEL ACCOMMODATIONS:** This special rate (per night) has been arranged with the Hilton Frontnac. *Reservations are to be made directly with the hotel at 314.993.1100.* You will need to mention that you are with The Missouri Bar — **MOLAP** to get this special rate.

**\*\*\*Hotel reservation cut-off is September 30, 2011\*\*\***

**Reservations received after this date will be subject to room and rate availability.**

*(Please list names as it is to appear on name badges)*

\_\_\_\_\_  
First Name Last Name MI

Bar Number \_\_\_\_\_ Spouse/Guest Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### **Please provide payment information:**

Check Enclosed or  Paying by Credit Card

Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Name on Card: \_\_\_\_\_

Signature: \_\_\_\_\_

*(Required for Credit Card Purchases)*

**Thank You and We Look Forward to Seeing You at the Conference.**



**MISSOURI LAWYERS' ASSISTANCE PROGRAM**

A program of The Missouri Bar

326 Monroe Street

P.O. Box 119

Jefferson City, Missouri 65102-0119

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