



A Star is Born

The Making of the Lawyers and Judges Assistance Theme Issue

In July of 2004, my cousin Jack, who is a recently retired attorney in Austin, Texas, sent me a copy of the then most recent *Texas Bar Journal*. It was a theme issue, dedicated to the Texas Lawyers Assistance Program. I shared the issue with my predecessor, who contacted the Texas Bar to request enough copies for each member of the State Bar Lawyers and Judges Assistance Committee. The Texas Bar graciously complied and, when the committee saw the Texas theme issue, they were inspired to form a publications subcommittee, of which I was a member. In the ensuing months, the subcommittee appealed to the State Bar Publications and Website Advisory Committee for an issue of the *Michigan Bar Journal* devoted to assistance for lawyers and judges...and the rest, as they say, is history.

The articles presented in this issue have been selected to provide the reader with as comprehensive an idea as possible about the nature and scope of what the State Bar Lawyers and Judges Assistance Program has to offer—not just for those who have had issues with addiction or depression, but in support of all attorneys; we want to show off our baby!

My experiences working with the extremely professional and competent publications staff who have tended the development of this issue with great care have been nothing short of a delight. It is an absolute honor and a great privilege to work with the men and women who seek our services, the Lawyers and Judges Assistance Committee, and countless other volunteers, as well as the general membership of the Bar whom I meet in my travels around the state. Many thanks to everyone who has helped to birth this issue, and thanks, especially, to cousin Jack! Together, we can watch this baby grow. ■

Martha D. Burkett is the program administrator for the State Bar of Michigan Lawyers and Judges Assistance Program. Her article, "The Burden of Stigma: Barrier to Treatment, Bane of Recovery," appears later in this issue.



LJAP Offers Assistance on a Broad Range of Concerns

Beyond completing an arduous formal education, finding employment, building knowledge and experience, and forming and maintaining key professional working relationships, lawyers often pay a personal, human price for doing what they do for a living. The State Bar Lawyers and Judges Assistance Program (LJAP) provides tools that can mean the difference between whether that price is insurmountable or simply challenging. One of the nation's oldest assistance programs for lawyers and judges, LJAP employs a total wellness approach in assisting individuals facing issues related to depression, gambling, substance use disorders, stress, marriage and family, career transition, life stage adjustment, and other general wellness concerns. Since 1979, the program has been a confidential source of guidance and support to attorneys, judges, and law students throughout the state of Michigan.

Through LJAP's confidential toll-free phone line, lawyers or those concerned about them can receive information about ways to address substance abuse and other mental health issues impacting a lawyer's ability to ethically practice law—including referral information about treatment providers at all levels of care and the opportunity to schedule an in-person conversation that may lead to assessment and treatment recommendations.

Maintaining a staff of three clinicians and an administrative assistant, LJAP provides education and support for members, their families, law schools, and employers. With the goal of tailoring a response to the specific needs and circumstances of the individual, the staff can in some instances assist in circumventing trouble and in others provide guidance that will enable program participants to take steps toward health, while minimizing harm to other individuals, their families, and the community.

Highly skilled professionals, experienced in dealing with substance use and mental health disorders as well as general wellness issues, are working to ensure that Bar members and students are supported and the public is protected. The LJAP clinical staff—Martha Burkett, Linda Harms, and Carrie Pearce—is devoted to helping individuals get back on track before they begin to experience formal consequences related to difficulties that they face. When formal consequences have come to fruition, LJAP is also ready to provide assistance through its Attorney Monitoring Program.

MCR 9.114(B) allows a lawyer who has been investigated for professional misconduct relative to a mental health or substance use disorder to enter into “contractual probation,” which is an agreement with the attorney in question that is implemented by the Attorney Grievance Commission and facilitated by LJAP. Under MCR 9.114(B), a lawyer may consent to a period of probation not to exceed two years. Every attorney referred by the Attorney Grievance Commission to LJAP has an opportunity to address what may be the underlying cause of misconduct. For many, the probationary/monitoring experience results in lasting and positive transformation.

Similarly, law students sometimes incur legal infractions that may be related to substance use or mental health disorders. Some students are referred to LJAP as a result of reporting these infractions to their law schools. Others may be referred once they have begun the bar application process and learned that those offenses will impact their character and fitness evaluation. Because law students are the future of the legal profession, LJAP has sought to extend its preventative education to this population. As a result of focusing these efforts, LJAP is on the orientation schedules of most of Michigan's law schools. By continuing to develop and deliver preventative educational programming for students, LJAP seeks to support the students' strengths and to help them eliminate any budding difficulties before their paths to licensure or their future careers as lawyers are impeded.

LJAP is a service for State Bar members that is supported by member dues. For more information about LJAP and its services, visit our website at <http://www.michbar.org/generalinfo/ljap/> or call our confidential helpline at (800) 996-5522. ■

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