

When Is It Time to Seek Help?

By Jeffrey Zapor

When facing a colleague, friend, or loved one who appears to have substance abuse issues, questions of what to do abound. We see people we care about acting in inexplicable ways and often don't know how to help.

This can be true of experts, too. Thomas McLellan, who was deputy director of the Office of National Drug Control Policy in the Obama administration, lost a son to an overdose. McLellan “was an expert in addiction, surrounded by experts in addiction, and he had no idea what to do when the disease wormed its way into his own family.”¹ Facing an addict can be downright scary and paralyzing.

There are significant challenges in trying to help those in active addiction. They often deny having a problem and justify or explain away their behavior. Offering help can feel awkward, as it may seem like an infringement on their right to privacy or autonomy. Because of the challenges inherent in working with people with addiction, it becomes imperative to seek help early from appropriately credentialed clinicians who use best practices in their work.

A person active in addiction will undoubtedly have problems with health, wellness, and, for those in the legal community, an impaired ability to practice law. An example of this can be found in *Florida Bar v Valentine-Miller*.² The respondent, Valentine-Miller, admitted to numerous violations stemming from her substance-use problems. The referee found that she met certain mitigating criteria and that a three-year suspension of her law license was appropriate. The Florida Supreme Court overturned the referee's decision, ruling that the appropriate sanction was disbarment.

Valentine-Miller admitted to neglecting cases, not communicating with clients, not accounting for trust funds, and misappropriating client money. Her files were in such disarray that an auditor could not determine an exact amount that she owed. She acknowledged that she developed a drinking problem in 2001, and began abusing painkillers at some point around that same time. The case turned on the mitigating factor of “selfish or dishonest motives.” The referee found that Valentine-Miller did not have such motives, but the Supreme Court determined otherwise. Because she stole funds, the presumptive punishment was disbarment, and in the opinion of the Florida Supreme Court, she did not present sufficient evidence to overcome that presumption.

Valentine-Miller admitted having a drinking and drug problem after her life had spiraled out of control. What if someone could have intervened sooner? Would the outcome have been any different?

The right time to seek help is before it's too late. After losing his son, McLellan started the Treatment Research Institute, a nonprofit organization designed to evaluate treatment centers in an attempt to create a system that genuinely helps people recover. The institute found that while many treatment centers weren't helpful, one sys-

tem that did work was the monitoring model used by doctors, pilots, and lawyers' assistance programs. As McLellan said, “acute care, monitoring, and consequences. It works so well.”³

If you are confronting someone suffering from addiction issues, trust your instincts and rely on the experts—specifically, the clinicians at the Lawyers and Judges Assistance Program (LJAP). Staff members are trained to work with addicted people, and LJAP uses the monitoring model, the system shown to yield the best outcomes for clients. LJAP accepts anonymous calls, and a clinician can provide guidance specific to an individual's situation. Getting help sooner rather than later could save relationships, a law license, or even a life. ■

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ENDNOTES

1. Dokoupil, *How to Fix Rehab: Expert Who Lost Son to Addiction Has a Plan* (April 7, 2014) <<http://www.nbcnews.com/storyline/americas-heroin-epidemic/how-fix-rehab-expert-who-lost-son-addiction-has-plan-n67946>> (accessed July 10, 2017).
2. *Florida Bar v Valentine-Miller*, 974 So 2d 333 (Fla., 2008).
3. Dokoupil, *How to Fix Rehab*.

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