

Alcoholism, Chemical Dependency Within Legal Community

by

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Reprinted from *Minnesota Lawyer* (December 6, 2004)

Over the past year, disciplinary matters have involved attorneys with alcohol and/or chemical dependency problems. One attorney recently pled guilty to felony driving while intoxicated (DWI). This was his fourth DWI conviction. The attorney was suspended from the practice of law for a period of six months, stayed upon the condition that he cooperate with the conditions of his five-year public probation, which included, among other things, wearing an alcohol-monitoring device for a period of one year.

In another instance, an attorney essentially abandoned several clients and failed to cooperate with the disciplinary investigation. Upon learning that the attorney suffered from chemical abuse and psychological problems that prevented him from competently representing clients, the attorney was transferred to disability inactive status. The attorney subsequently closed his office and entered inpatient treatment and aftercare.

Another lawyer was indefinitely suspended from the practice of law for violating the conditions of his lawyer discipline probation by testing positive for mood-altering drugs. The attorney had previously been publicly reprimanded and received two extensions of probation for violating the requirement that he remain abstinent from such drugs. The attorney was later reinstated to the practice of law upon a showing of six consecutive negative random urinalysis tests. The attorney was again placed on probation requiring, among other things, random urinalysis testing and aftercare.

Many attorneys who struggle with addiction cite work-related stress and increased financial pressures as factors in their alcohol or drug abuse. While the causes of addiction are myriad, economic downturns and related financial difficulties leave attorneys overwhelmed and vulnerable to chemical dependency. Recent disciplinary cases, like those cited herein, demonstrate the need to promote awareness about the importance of quality of life issues within the legal community, and to educate the profession about alcohol and chemical abuse.

Equally important is awareness within the legal community about the availability of Minnesota's lawyer assistance program and the resources available to those suffering addiction problems.

Minnesota Lawyers Concerned for Lawyers (MNLCL) offers services for lawyers, judges and law students who encounter alcohol and chemical dependency issues as well as mental health issues. These services include professional behavioral assessments, short-term counseling, and where appropriate, referral to higher levels of care, such as inpatient and outpatient programs. MNLCL also provides weekly Alcoholics

Anonymous meetings in St. Paul and Minneapolis, mental health therapy and support groups, and a life-balance therapy group for women. MNLCL provides free, confidential assistance. For more information call (651) 646-5590 or visit the MNLCL Web site at www.mnlcl.org.

Lawyers can also become involved with the Minnesota State Bar Association's (MSBA) Life and the Law Committee, which seeks to promote awareness about mental and chemical health issues within the legal community by working closely with MNLCL and through professional development education. For more information visit the MSBA Web site under bar committees at www.mnbar.org.