

# Lawyers Helping Lawyers

by Susan Pauley

Lawyers often see themselves as helpers, guardians, and caretakers. Lawyers usually process the world through analytical and logical thinking. Lawyers learn to separate their professional actions from their personal feelings, and many times, from their personal values in order to do their job in a highly competitive environment. Lawyers pride themselves on their skills at solving the problems that come their way and on their ability to do this themselves.

What happens when a lawyer or judge is confronted with a situation that

- is totally irrational and non-responsive to logic?
- continues to repeat itself in spite of adverse and embarrassing consequences?
- demands stepping into the world of feelings and personal exposure?
- requires admitting to a need for help from others?
- forces him or her to relinquish control of the outcome (“winning” as they usually know it)?

This occurs when a respected colleague, a productive partner, a cherished friend—or the face we see in the mirror—lives in the spiral of alcohol and drug abuse or addiction. Addiction is an illness that is primary, chronic, progressive and, in many cases, fatal—fatal not only to bodies, but also to careers. Most of us can have a drink and move on. But approximately 10 percent of us cannot. Further, available studies report an incidence of abuse or addiction in lawyers of 12 to 20 percent.

What can be done when this “messy business” exhibits symptoms in the office, local courtroom, or home? The first step is to acknowledge that help is needed, and then to contact Lawyers Helping Lawyers—a resource for all Virginia attorneys. Lawyers Helping Lawyers is a statewide, voluntary, confidential, peer assistance program administered by The Virginia Bar Association and endorsed by the Virginia State Bar. Its goal is to provide assistance to lawyers and judges who are experiencing or may experience professional impairment as a result of substance abuse or addiction. Services began in 1985 after a joint VBA/VSB committee recommendation. LHL lives within the VBA in order to maintain distance from the disciplinary system, and to enhance trust in its confidential approach.

The program director and a network of volunteer attorneys carry out services. Approximately 80 percent of the volunteer lawyers are in recovery from alcoholism and addiction. The other volunteers say they want to help the profession in a unique manner. As one volunteer said, “This is the one program in the Bar that actually saves lives.”

The program provides:

- **Educational Programs** to increase awareness of symptoms and resources.
- **Assessment and Consultation** to determine what may be happening and what steps to take.
- **Intervention** to break through the denial that characterizes this illness and begins the recovery process.
- **Referral** to appropriate treatment providers.
- **Peer Support** to enhance ongoing recovery and assist with related issues.
- **Monitoring** through structured contracts in order to allow opportunities to keep a job or license.
- **Financial Assistance** through loans to help cover the cost of needed treatment.

These and other services are provided *confidentially and free of charge* due to the financial support of the VBA, VSB, VTLA, VADA, insurance providers and donations. Remember that the lawyer with addiction problems usually does not have the ability to recognize and acknowledge the problem. This is due to the psychological impact of denial, which can be tremendous. Recognizing signs of possible impairment and reaching out to a group that exists to provide opportunities for help and recovery will put forces into motion that can save a career, a family, and a life. If you are concerned about someone or if you are interested in becoming a volunteer, contact Lawyers Helping Lawyers at 804-644-3212 or 1-800-838-8358.



**Susan Pauley** has been the program director for the Lawyers Helping Lawyers program since October of 1995. Prior to that she worked as Substance Abuse Division Director for New River Valley Community Services Board; Executive Director of Bethany Hall, a residential program in Roanoke for women with addictions; Outreach Counselor for Omni House, the outpatient substance abuse services program of Roanoke Valley Community

Services Board; and Placement Coordinator and Mental Health Tech with Roanoke Valley Psychiatric Center. She worked in the field of addictions treatment and program management for 22 years. Pauley has a bachelor's degree in Business Administration from Roanoke College, and an associate degree in Mental Health Technology.

## Signs of Lawyer Impairment

### Attendance:

- Arriving late/leaving early
- Returns late or fails to return from lunch
- Fails to keep scheduled appointments
- Fails to appear at depositions or court hearings
- Frequent days off and unexplained absences

### Job Performance:

- Pattern of missed deadlines
- Neglects processing of mail or timely return of calls
- Decline in productivity
- Decline in overall quality of work
- Overreacts to criticism; shifts blame to others
- Deteriorating relationships with colleagues and staff
- Decline in performance throughout the day
- Client complaints about performance/accessibility/communication
- Co-mingles or borrows clients' trust funds
- Smelling of alcohol or appearing under the influence in office and during court appearances

### Personal Behavior:

- Deterioration/neglect of personal appearance, health, hygiene
- Loss of control at social gatherings, even where professional decorum is expected
- Distorts truth; is dishonest
- Manages finances poorly; fails to make tax filings and payments on time
- Arrested for DUI, drunkenness in public, possession of illegal drug
- Withdrawal from friends and associates
- Pattern of family crises; marital infidelity
- Pattern of unpredictable emotional reactions or mood swings

## Five Lawyers Join VSB Staff

The Virginia State Bar has added five lawyers to the Office of Bar Counsel: Paul D. Georgiadis, Seth M. Guggenheim, Mary Cathryn Hart, Charlotte Peoples Hodges, and Claude Worrell, II.

Guggenheim and Worrell serve as assistant bar counsel in Alexandria; Georgiadis and Hodges serve as assistant bar counsel in Richmond; and Hart serves as assistant ethics counsel in Richmond.

Guggenheim, who received his law degree from the Washington College of Law at American University, previously served as assistant corporation counsel in the Office of the Corporation Counsel in Washington, D.C.

Worrell, formerly an assistant commonwealth's attorney in Charlottesville, earned his law degree from the Washington & Lee University School of Law.

Georgiadis, a graduate of the T.C. Williams Schools of Law at the University of Richmond, previously served as risk manager for the state bars of Virginia, Arizona, Hawaii and New Mexico.

Before joining the VSB staff, Hodges was in private practice in Richmond. She received her law degree from the University of Maryland at Baltimore School of Law.

Hart previously was the managing attorney for the Department of Rights for Virginians with Disabilities. She received her law degree from the T.C. Williams School of Law.

According to Bar Counsel Barbara Williams, the Office of Bar Counsel lost three experienced trial attorneys in fiscal year 2000.

"Three of the new assistant bar counsel filled those vacancies; the fourth assistant bar counsel filled a new position created in response to the increased volume of bar complaints and trials," Williams said. "A new position was also created on the ethics staff for a second full-time attorney who will concentrate her efforts on fielding ethics inquiries and overseeing unauthorized practice of law cases."

The Office of Bar Counsel now has nine trial attorneys—two full-time and two part-time ethics counsel, Williams said.

## 2001 VSB Annual Meeting June 13-17

See upcoming issues of the *Virginia Lawyer* and *Virginia Lawyer Register* for information on the VSB 63rd Annual Meeting.

## Mathews Re-elected to ABA House of Delegates

Former VSB President Roderick B. Mathews has been re-elected as the American Bar Association state delegate for Virginia. His new term will begin at the adjournment of the 2001 annual meeting.

The ABA House of Delegates, which was established in 1936, is the policy-making body of the ABA, the largest voluntary professional association in the world. Action taken by the House of Delegates on specific issues becomes official ABA policy.

Mathews, who served the 1987–1988 term as VSB president, practices with Hazel & Thomas, P.C., in its Richmond office. He was one of the four ABA representatives on the 12-member Joint National Commission on Healthcare Alternate Dispute Resolution. He is a member of the VSB/VBA Joint Committee on ADR and chairs the ABA Dispute Resolution Section's Healthcare Committee. A former chair of the VBA/YLD, he is a member of the Virginia State Bar's Fee Dispute Resolution Panel for the Thirteenth Judicial Circuit.

Mathews is a certified mediator under the Rules of the Supreme Court of Virginia and is a member of the American Arbitration Association's Commercial Arbitration Panel. He is a volunteer mediator and arbitrator for the Dispute Resolution Section of the Central Virginia Better Business Bureau.

### The Virginia State Bar acknowledges the following lawyers for their recent participation in the VSB Speakers Bureau.

**Catherine Croft:** Benton Middle School, Manassas

**Jack Ferrebee:** Kiwanis Club of Virginia Beach

**Phyllis Katz:** Kiwanis Club of Midlothian

**Ternon Lee:** Jamestown High School, Williamsburg

**Carol Daugherty Rasnic:** Bruton High School, Williamsburg

**John Wall:** Benton Middle School, Manassas

**Edward Whitlock:** Arthur Ashe, Jr. Elementary, Richmond

If you know a group in your community that could benefit from this valuable resource, please contact Jennifer Sparger at 804-775-0586, or e-mail [sparger@vsb.org](mailto:sparger@vsb.org).

## Lewis F. Powell, Jr. Pro Bono Award Winners Announced

The Virginia Beach Bar Association and The Community Tax Law Project (CTLP) are slated to receive the 2001 Lewis F. Powell, Jr. Pro Bono Award in May. The Honorable Ronald H. Marks, chief judge of the Virginia Beach J&DR District Court and Nina E. Olson, CTLP's outgoing executive director, will receive special recognition for their roles in promoting the public service efforts of this year's honorees.

The Virginia Beach Bar Association and Judge Marks worked with the local Friends of the Juvenile Court to found the Concerned Lawyers Advocating Spousal Safety (CLASS) program in 1994. Bar association members volunteer to represent victims of domestic violence in protective order hearings. With Judge Marks's full participation and endorsement, the bar association lobbied and secured legislation that granted members status as court-appointed pro bono attorneys for this limited purpose. Combining efforts to enhance pro bono through judicial, local bar, and major regional law firm involvement, CLASS closely follows the judicial "circuit-based" option recognized by Bar Council in its 1999 *Resolution to Enhance Pro Bono Publico Service in Virginia*.

Ms. Olson was recently named National Taxpayer Advocate. She is the outgoing director of the Community Tax Law Project, and former chair of the Access Committee. (See story on page 40.)

The award will be presented to the recipients during the VSB Pro Bono Conference at the University of Richmond School of Law on Thursday evening, May 17, 2001. The CLE portion of the conference will be held the following day, Friday May 18 at the same location.

*Editor's note: This award was announced at press time for the magazine. See the next issue and the bar Web site at [www.vsb.org](http://www.vsb.org) for more details on the award recipients.*

### Newly-Revised Pamphlets

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