



COLORADO SPRINGS, CO

September 24 - 26, 2024

COMMISSION ON  
LAWYER ASSISTANCE PROGRAMS  
NATIONAL CONFERENCE



# A WELCOME FROM THE CHAIR

Dear Friends,

The ABA Commission on Lawyers Assistance Programs welcomes you to our annual conference. I am excited about this year's conference theme, as it is a first of its kind for us: **"Transformations: Satisfaction, Competence and Well-Being in all Stages of Life, Law and Recovery"**

Our theme allows for presenters and participants to dive in to lawyer life from beginning to end, personally and professionally. We will participate in interactive, personal, and expert talks on recovery journeys, the grieving process, career, and life transitions from student life to retirement. Topics will span mental health strategies, support for grieving clients, alcohol and other substance use disorders, well-being, legal fitness, and a look at monitoring in safety sensitive professions, diversity, equity, and inclusion in practice and treatment, and access to justice. We will view a documentary called 'Retirement on Trial' written by lawyers, for lawyers and starring lawyers and judges.

Please join us in Colorado Springs, Colorado for this premier legal event drawing attendees from across the globe, including lawyer and judicial assistance programs, professional staff and volunteers, lawyers, clinicians, judges, legal educators, law school deans, law students, treatment providers, regulators, and legal employers. The Cheyenne Mountain Resort offers fantastic amenities in a gorgeous setting.

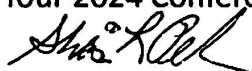
Come for the networking opportunities and panel discussions and stay for the Wednesday night dessert reception and Thursday night annual dinner featuring speaker Cynthia H., who will share her personal recovery journey through grief. We will enjoy good food and camaraderie, and honor award recipients from our COLAP community.

The Conference also features an exhibit area, showcasing a range of vendors active in areas of interest or relevance to lawyer assistance programs, supporters, and firms, including facilities from throughout North America that focus on treating substance use disorders, compulsive behaviors, mood disorders, and more.

Looking forward to making new connections, seeing old friends and colleagues, learning and resource development with all of you!

Sincerely,

Your 2024 Conference Chair, Shari



Shari R Pearlman, RCSW, JD

Assistant Director/Lawyer Counsellor

Lawyers Assistance Program of British Columbia



## **Tuesday, September 24, 2024**

2:00 PM – 5:00 PM      Registration and Light Refreshments

## **Wednesday, September 25, 2024**

7:00 AM      Registration Opens

7:00 AM – 8:00 AM      Peer Support Meetings

7:00 AM – 8:00 AM      Yoga

7:00 AM – 8:45 AM      Breakfast

9:00 AM – 10:00 AM      **Welcome & Opening Remarks**

10:00 AM – 11:15 AM      **Plenary 1: Supporting Transitions and Transformations**

Lawyers and others seeking LAP assistance are often in or facing a personal or professional transition. These can be due to life events such as parenthood, job change, or impending retirement; they can be driven by the need to enter a recovery program; they can occur as one naturally advances through a legal career; or they can be impacted by the environment of the employer. Each can trigger ethical challenges and create or exacerbate mental health challenges. The program will address connection points and strategies for different areas of transition to help LAP staff and volunteers support the many facets of transition. There will be a focus on career transition, including retirement, and organizational change to support well-being.

**Speakers:** **Joan Bibelhausen**, Executive Director, MN Lawyers Concerned for Lawyers; **Ryann Peyton**, Executive Director, Colorado Attorney Mentoring Program; **Stephen Herman**, Attorney – Filmmaker, Watson Goepel LLP

11:15 AM – 11:30 AM      **Refreshment Break**

11:30 AM – 12:45 PM      **Plenary 2: Recovery Representation in the Judicial Branch: Service to Others On and Off the Bench**

This session will explore two judges' stories of recovery and discuss the well-being "movement". Colorado's Judicial Well-Being efforts include a group called "Clarity". Clarity is a judicial-officer led support group dedicated to providing sober peer support to others in the judicial branch. Attorneys and judges struggling with substance use may feel hesitant to reach out or identify as someone who is struggling or recovering. Additionally, recognizing the symptoms of addiction could be a useful skill when engaging with clients. Colorado's Lawyer Assistance Program collaborates with Clarity to provide confidential support. Clarity helps legal professionals overcome the stigmatization that is often associated with addiction and recovery. Clarity continues to ask questions about the ethical implications about such groups, normalizing discussions of addiction and recovery in the judicial system, and creating similar support around the nation for all judges who need it. Attendees will learn symptoms of addiction, how addiction and recovery can affect those on the bench, and how to overcome the stigmatization associated with addiction and recovery.

**Speakers:** **Hon. Kelley R. Southerland**, District Court Judge, State on Colorado, 17<sup>th</sup> Judicial District; **Kerry McCarthy**, Clinical Coordinator, Colorado Lawyer Assistance Program; **Hon. Mark MacDonnell**, Judge, State of Colorado; **Hon. Lane Thomasson**, Ouray County Court Judge, Colorado Judicial Branch

12:45 PM – 2:00 PM

**Lunch**

2:00 PM – 3:00 PM

**Plenary 3: Overview of Grief and Coping with Loss**

Attendees will learn definitions of grief and loss that will be explained more fully, misdiagnoses of mental health disorders will be compared to grief and panelists will discuss complicated grief and loss, cumulative losses, and the impact on attorneys and their families. In order for attorneys to be able to cope with loss or identify the coping in others multiple types of loss will be discussed which will include people, relationships, career, health, and intangible losses, in addition to other identified losses. Additionally, the impact of unresolved grief within relationships will be discussed, specifically looking at emotional completion within the relationships. Specific exercises will be discussed to aid Lawyers Assistance Programs and other professionals in helping their clients address different types of grief within the lifespan and how to move forward with changes due to loss.

**Speakers:** **Cynthia Henderson**, Professionals' Program Liaison, Bradford Health Services; **Dr. Maggie Banger**, Therapist, Restore Counseling

3:00 PM – 3:30 PM

**Refreshment Break**

3:45 PM – 5:00 PM

**Plenary 4: Legal Integrity- Fitness for Duty Evaluations and Managing Impairment Risk in the Practice of Law**

Following an overview of how Substance Use Disorders and Mental Health impact attorney competency under the ABA Model Rules, our expert panel will delve into the essentials of fitness for duty evaluations, exploring what is assessed for mental health, substance use disorder, and cognition. Moreover, the panel will offer strategies for managing evaluation results and determining safety to practice, ensuring a robust framework for professional integrity and client welfare. Additionally, we'll cover recommendations for recovering competency, empowering professionals to overcome challenges and maintain excellence in their legal careers. HIPAA compliant case studies will be reviewed with attendees, giving them the opportunity to identify issues of impairment and also suggest strategies for the impacted individual and employer. Presenters look to include real-time polling of attendees during the presentation.

**Speakers:** **Dr. Amy Robertson, PsyD** Professionals Program Director, All Points North; **Tom Roman**, Attorney/Treatment Consultant; **Dr. Joshua J. Rodgers**, Chief of Integrative Neuropsychiatry and Professional Services, All Points North

5:00 PM

**Dinner on your own**

6:00 PM – 7:00 PM

**Documentary: *Retirement on Trial***

7:30 PM – 9:00 PM

**Dessert Reception**



9:00 PM – 10:00 PM      Peer Support Meetings

**Thursday, September 26, 2024**

7:00 AM	Registration Opens
7:00 AM – 8:00 AM	Peer Support Meetings
7:00 AM – 8:00 AM	Mindful Morning presented by <i>Mindfulness In Law Society (MILS)</i>
7:00 AM – 8:45 AM	Breakfast
9:00 AM – 10:15 AM	<p><b>Plenary 5: TRANSITIONS IN EARLY RECOVERY: Honoring Recovery in our Clients and Ourselves</b></p> <p>Success of Lawyer Assistance Program Directors, Staff members, and Volunteers requires extensive work with individuals who have untreated or sometimes newly-treated mental health issues. Historically, most of our clients suffered with substance use disorders (alcohol or other drugs), but more and more we assist individuals suffering with process disorders. Process disorders may include gambling disorder, food addiction, sex addiction, Internet addiction, social media addiction, video game addiction, shopping addiction, and other behaviors that are marked by poor impulse control. Just like other drugs of choice, these disorders are deadly. The support we provide to clients dealing with any of these disorders is intense and sometimes leaves LAP staff and volunteers wondering if they're doing enough or doing the right things to help those who are struggling to find their way in early recovery. The disease of addiction – whatever our drug of choice -- overrides our natural impulses and removes from us the ability to live as our authentic selves.</p> <p>This session will provide LAP staff and volunteers with the tools needed to assist clients navigating this crisis of confidence in early recovery and how we can assist them in rediscovering and honoring their true purpose and embracing their individual path back to authenticity. This presentation offers a pragmatic approach to facilitate transitioning our clients through the early days and months of recovery and back on their path of authenticity. This session will contain clinical applications that can be used by clinical staff but also modified to be used in the peer-driven modality that is at the heart of lawyer assistance</p> <p><b>Speakers: Jennifer Angier</b>, Vice President Addiction Services and Patient Centered Care, Meadows Behavioral Healthcare; <b>Yvette Hourigan</b>, JD, CEAP, APSS, Director, Kentucky Lawyer Assistance Program; <b>Buddy Stockwell</b> Executive Director, Tennessee Lawyers Assistance Programs</p>
10:15 AM – 10:30 AM	<b>Refreshment Break</b>
10:30 AM – 11:30 AM	<p><b>Plenary 6: Identifying and Addressing Challenges for the Queer Community in Behavioral Health Treatment: An Exploration of Healthcare Disparities and the Impact of Implicit and Explicit Biases</b></p> <p>This program will explore the numerous challenges for legal professionals of the LGBTQIA+ community seeking behavioral health treatment including being accurately assessed and treated for mental illness, substance use and co-occurring disorders. Attendees will learn how to support clients, co-</p>

workers, and other members of the LGBTIA+ community, how these challenges show up in representation and provide resources for how to best address the challenges presented. Research shows that the queer community is statistically more likely to be diagnosed with and need treatment for mental health and substance use disorders. Both systemic and individual biases will be identified and discussed as challenges for accessing and benefiting from the necessary treatment. Additionally, this program will explore the intersection of legal decisions and the impact that those decisions have had on the queer community and the prevalence of mood and anxiety disorders. Finally, this presentation will define both explicit and implicit biases and provide resources for individuals to work on identifying and confronting their own implicit biases.

**Speakers:** **Dara Gasior**, Vice President of Training, Pyramid Healthcare; **Mark Flaherty**, Senior Counsel and Founder, Flaherty & O'Hara PC

11:30 PM – 1:15 PM

**Lunch**

12:00 PM – 1:00 PM

**Documentary: *Retirement on Trial***

1:15 PM – 2:15 PM

**Plenary 7: Through the Prismed Looking Glass: What LAPs May Find There**

In more recent years, the legal profession has engaged in a well-being campaign in an effort to ameliorate the high rates of substance use and mental health issues that we face. Well-documented studies of lawyers, law students and judges tend to reinforce the need for relief from chronic stress and, at times, serious conflict between our professional and personal lives. How legal professionals of color fare in this context, despite legitimate DEI efforts or empty rhetoric, remains relatively unknown. Attendees will hear about current research efforts as well as the on-going "pursuit of inclusion" from this diverse panel of presenters.

**Speakers:** **Raul Ayala**, Deputy Federal Public Defender, Office of the Federal Public Defender Central District of California; **Matt Thiese**, Professor, Rocky Mountain Center for Occupational and Environmental Health - University of Utah and Weber State University; **Thomasina Real Bird**, Partner, Patterson Earnhart Real Bird & Wilson LLP; **Hon. Shauna Graves-Robertson**, Judge, Salt Lake County Justice Court

2:15 PM – 2:30 PM

**Refreshment Break**

2:30 PM – 3:45 PM

**Breakouts**

**Breakout 1: Psychological Flexibility for Managing Stress & Empathic Strain**

The practice of law is inherently stressful. Some of the stressors for practicing lawyers are rooted in exposure to secondary trauma and research indicates that lawyers and judges experience secondary trauma at rates higher than other helping professions. This session explores supportive practices for professional helpers. Supporting professionals who have experienced secondary trauma is necessary in the LAP field, increases professional competence for lawyers in practice, and can take a toll on the provider. As helpers in the LAP field (whether you are an attorney, support staff, or clinician) we are not immune to empathic strain, burnout, and stress. Exposure to grief, uncertainty, fear, anger, and overwhelm of clients,

family, friends, and colleagues can weigh on us all. Psychological flexibility is an empirical construct defined as “the ability to contact the present moment more fully as a conscious human being, and to change or persist in behavior when doing so serves valued ends” (Hayes, 2024). The goal of this session is to explore the concept of psychological flexibility for lawyers and for LAP staff in order to leverage its core processes to support ourselves and clients during difficult moments. Discover or reconnect with the six core processes of Acceptance and Commitment Therapy (ACT) and learn how this approach is a natural fit for supporting members of the legal community. References: Hayes, S. C. (2024). The six core processes of ACT. Association for Contextual Behavioral Science.

[https://contextualscience.org/the\\_six\\_core\\_processes\\_of\\_act](https://contextualscience.org/the_six_core_processes_of_act)

**Speakers:** Elizabeth Lembo, Clinical Coordinator, Colorado Lawyer Assistance Program; Sarah Myers, Esq., LMFT, LAC, Colorado Lawyer Assistance Program; Kerry McCarthy, Clinical Coordinator, Colorado Lawyer Assistance Program

#### **Breakout 2: National Trends: ADA Accommodations and Supporting Law Students with Disabilities**

Attendees at his panel will learn about how we define disability and provide reasonable accommodations in higher education. We will discuss national trends and provide a brief overview of the law school accommodations process. Attendees will learn about the challenges facing law students with disabilities as well as the support law schools and LAPs can offer.

**Speakers:** Lynn LeMoine, Dean of Students, Mitchell Hamline School of Law; Amber Rux, Assistant Director of Student Affairs, Sturm College of Law; Christina Loftus, Clinical Professional, Texas Lawyers’ Assistance Program; Chase Anderson, Case Manager, Minnesota Lawyers Concerned for Lawyers; Ryann Peyton, Executive Director, Colorado Attorney Mentoring Program

3:45 PM – 4:00 PM

4:00 PM – 5:15 PM

#### **Break**

#### **Plenary 8: Assessing and Monitoring Professionals Working in Safety Sensitive Professions**

Attorneys, physicians, and pilots are professionals who have demanding careers and vulnerability to impairment related to burnout, addiction, depression as well as medical conditions that negatively impact cognition. In an effort to protect the public from potential harm, professionals in safety sensitive positions require a unique approach to health assessment, treatment and monitoring of any illness that left untreated, could lead to impairment and public harm. In this program, Dr. Gundersen will first share the history of how monitoring programs were first established in the United States as well as internationally. She will review guiding principles of successful monitoring programs and provide rationale for common practices among these assistance programs and how they can be implicated for legal professionals. Finally, Dr. Gundersen will outline some of the challenges



these programs face and review clinical vignettes to illustrate the process by which professionals are assisted.

**Speakers: Dr. Doris C Gundersen, MD**, Medical Director, Colorado Physician Health Program, Assistant Clinical Professor, Department of Psychiatry, University of Colorado; **Sarah Myers, Esq., LMFT, LAC**, Colorado Lawyer Assistance Program

7:00 PM – 9:00 PM

**Annual Conference Dinner & Awards Ceremony**

**Speaker: Cynthia Hendersen**, Professionals' Program Liaison, Bradford Health Services

9:00 PM – 10:00 PM

Peer Support Meetings

**Continuing Legal Education (CLE)**

The ABA will seek 10.50 hours of CLE credit in 60-minute states, and 12.60 hours of CLE credit for this program in 50-minute states.\* Specialty CLE Credit Includes: 2.50 hours of Ethics and Professionalism, 3.5 hours of Mental Illness Awareness, 2.25 hours in Substance Use Disorder Prevention, 2.25 hours in Elimination Of Bias/Diversity And Inclusion, and 1.25 hours of Wellness in 60 minute states and 3.00 hours of Ethics and Professionalism, 4.2 hours of Mental Illness Awareness, 2.7 hours in Substance Use Disorder Prevention, 2.7 hours in Elimination Of Bias/Diversity And Inclusion, and 1.50 hours of Wellness 50-minute states. Credit hours are estimated and are subject to each state's approval and credit rounding rules. Please visit [www.americanbar.org/mcle](http://www.americanbar.org/mcle) for general information on CLE at the ABA.

**Scholarships**

A limited number of registrations are available to those who are unable to attend the program due to financial hardship. Contact Tashiana Williams at [Tashiana.Williams@americanbar.org](mailto:Tashiana.Williams@americanbar.org) to request a registration scholarship. Decisions are based upon individual circumstances. Request for a scholarship must be received no later than September 13, 2024.