

# Colorado Bar Association President's Message to Members

## *Bumps in the Road*<sup>1</sup>

by Elizabeth A. Starrs



During the summer and fall of 2006, I participated in a traditional ritual for the CBA: the President and a member of our staff (Chuck Turner, Greg Martin, or Dana Collier Smith) traveled around the state visiting most of the local bar associations. Shortly before each visit, Mary Dilworth, the CBA's Director of Marketing, sent an e-mail survey to all local bar members, asking the same five questions:

1. What are the most significant problems/concerns you are facing as an attorney?
2. What are the most significant problems/concerns our legal system and profession are currently facing?
3. What would help you most in your law practice?
4. What CBA membership benefits do you currently use?
5. What are some things you would like the CBA to do or offer that we currently do not?

The results of these surveys certainly were not scientific, but we obtained some useful data to help us assess whether we are in touch with our members' professional lives and concerns. I am happy to report that it does, indeed, seem that we are. Interestingly, when comparing the responses, we discovered that many of the answers from attorneys in different parts of the state, in different areas of practice, and at different stages of their practice are strikingly similar. The responses convey one unmistakable fact: we are all experiencing more stress in our lives and our practices than we have in the past.

### **The Profession's Toll**

Increasing demands from clients and courts alike; lack of reliable staff; unprofessional attorneys on the other side of a transaction or lawsuit; the escalating costs of handling even the simplest matters for clients; budget cuts in the judicial system, which make a more expensive process even slower than before; the increasingly fast pace of life in the law—dealing with all of this (and more) takes its toll on lawyers. One thing this suggests to me is that we are more vulnerable to stress-related problems, physical and mental. When people are under too much stress, they may easily start to slide down the slippery slope toward greater and more serious problems. Lawyers are as vulnerable to personal and professional troubles as anyone else.

Many people who are under a lot of stress engage in self-destructive behaviors that, if allowed to go unchecked, continue long after the acute issues have subsided. The problems are self-perpetuating and take on lives of their own.

We know that everyone, in all walks of life, experiences stress, but the fallout has a comparatively more significant effect on attorneys.<sup>2</sup> Some argue that "most attorneys believe,

consciously or unconsciously, that stress and money are directly linked."<sup>3</sup> That probably is true, but regardless of the underlying causes, many intelligent, educated people, such as lawyers, thrive on stress. However, unmanaged stress can lead to depression, declining interest in what you used to enjoy,<sup>4</sup> feeling sad or blue, having trouble concentrating, sleep disturbances, and other problems.

Lawyers suffer the highest rate of clinical depression of all professions.<sup>5</sup> Nearly half of all lawyers will have an alcohol, drug, or mental health disorder at some point in their lives; and suicide is one of the leading causes of premature death in lawyers.<sup>6</sup> The professional, personal, financial, career, and health-related issues that inevitably surface in these circumstances can be particularly difficult for attorneys, who, ironically, are charged with solving the problems of others.

### **Attorney Assistance Programs**

The Colorado Supreme Court has recognized that stress is a problem for attorneys in our state. In response, the Court has sponsored and implemented the Colorado Attorney Assistance Program (CAAP). CAAP is administered through Mines & Associates, a national psychology firm. This program is a voluntary and confidential program. It is funded through attorney registration fees and costs nothing to those who seek help. CAAP provides confidential assessment, referral, and solution-focused therapy to lawyers. The primary goal of CAAP is to help the attorney deal with personal problems. For more information, call CAAP at (303) 832-1068 (Denver metro) or (800) 973-7138 (toll-free); or e-mail CAAP at [info@minesandassociates.com](mailto:info@minesandassociates.com). CAAP's website is <http://www.minesandassociates.com>.

Colorado Lawyers Helping Lawyers (CLHL) is another attorney assistance program in Colorado. It is an independent, nonprofit lawyer assistance program that is approved by the Colorado Supreme Court, supported by peers, and run by volunteers. CLHL provides confidential support and/or referrals—at no cost to program participants<sup>7</sup>—for mental health issues and substance abuse or other destructive behaviors. Recovery and relapse prevention remain CLHL's ultimate goals.

Among CLHL's benefits are confidential peer support groups, voluntary monitoring and case management, and referrals for evaluation and treatment. Because CLHL is a Supreme Court-approved lawyer assistance program pursuant to the Colorado Rules of Professional Conduct (C.R.P.C.), CLHL is not subject to the mandatory reporting requirements of C.R.P.C. 8.3. Anyone can call CLHL at any time. CLHL's Denver metro phone number is (303) 832-2233. Its nationwide toll-

free number is (800) 432-0977. CLHL can be reached by e-mail at confidential@clhl.org or by U.S. mail at P.O. Box 423, Denver, CO 80201.

## Admission of Need

The image I have of a drug addict is someone lighting up a pipe to smoke crack in the stairwell of an abandoned building. The stereotypical alcoholic is on skid row drinking Mad Dog in a brown paper bag. Clinical depression conjures up a picture of a person who cannot get out of bed.

To be sure, the people in these examples are likely to be drug addicts, alcoholics, and/or clinically depressed. However, many of those experiencing challenges with substance abuse or depression do not look like this. They look "normal," act "normal," and in almost every way, seem "normal." The direction they are heading, though, is off-track and can lead to serious professional and personal problems.

One of the biggest challenges for lawyers is that we can be unwilling to own up to our own troubles, and colleagues, friends, or family are not prepared or willing to directly confront us about them. The person in need and others around him or her do not have the courage to acknowledge that a problem exists and, in the meantime, clients can be harmed and, ultimately, lawyers' licenses can be lost. This is totally unnecessary and preventable. Information can be found on CLHL's website—<http://www.clh.org>—to help you recognize a problem in yourself or a colleague and then begin to take action to resolve it.

## Change is Difficult

Denial is often the first strategy people use when facing change, even if that change will enhance their quality of life.

Many people (especially lawyers) wait until a problem threatens their career or relationships before acting on it.

Don't wait. If an issue in your life is beginning to disturb you, or if you know someone confronting difficulties, an important and confidential first step in turning a problem into an opportunity for positive change could be contacting CAAP or CLHL. Do it today.

## Notes

1. Taken from the title of Myer J. (Michael) Cohen's article, "Bumps In The Road." *GPSolo*, Vol. 18, No. 5 (July–Aug. 2001). *GPSolo*, The American Bar Association's General Practice, Sole & Small Firm Division's bimonthly magazine, has published three issues on this topic, all of which are worth reading: "Bumps In The Road," *GPSolo*, Vol. 18, No. 5 (July–Aug. 2001), "Bumps In The Road II," *GPSolo*, Vol. 21, No. 7 (Oct.–Nov. 2004), and "Bumps In The Road III," *GPSolo*, Vol. 23, No. 7 (Oct.–Nov. 2006).

2. Carroll, *A Lawyer's Guide to Healing* (Hazelton Publishing and Education Service, 2006) at 5.

3. Cole, "Extricating Yourself From The Stress Trap," *The Florida Bar News* (April 2004), available at <http://www.attorneysmasterclass.com/article.php?search=Extricating%20Yourself%20From%20The%20Stress%20Trap>.

4. A very interesting article on rejuvenating a purpose-driven career is Keith, "Finding Meaning in Your Work as a Lawyer," *Hawaii Bar Journal* (July 2006) at 114.

5. Rose, "Stopping the Free Fall into Chaos," *GPSolo*, Vol. 23, No. 7 (Oct.–Nov. 2006) at 4.

6. *Id.*

7. Currently, this is funded by the CBA and by CNA Insurance Company, which is the CBA-sponsored malpractice carrier. ■

# Six

**OF THE GREATEST**

*A Tribute to  
Outstanding Lawyers  
in Colorado History*

The CBA Awards Committee has announced the names of six outstanding attorneys in Colorado history who will be profiled in the July 2007 issue of *The Colorado Lawyer*. The authors of these "Six of the Greatest" profiles invite readers to send them stories, anecdotes, information, or photos to include in their tribute to these individuals. Contact information for each author is listed below.

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