



# 2014

## A n n u a l R e p o r t

Massachusetts Lawyer Assistance Program

Serving members of the Massachusetts Bar since 1978

Depression and Anxiety • Stress and Burnout • Alcohol and Drug Abuse • Law Practice Management • Law Student Stress  
Gambling • Career Concerns • Eating Disorders • Balancing Work and Family • Marital and Family Problems

# PRESIDENT'S MESSAGE

Dear Friends,

Since its founding over 36 years ago, LCL has evolved and grown to provide an impressive breadth of services. While every day LCL fulfills its core mission of helping Massachusetts' attorneys, judges, law students and their families with mental health, substance abuse, and practice management issues, the need for LCL's services remains constant, particularly in the fast paced digital world we all now inhabit.

As the practice of law evolves and changes, LCL continuously endeavors to hone its ability to provide relevant and meaningful ways to assist Massachusetts' attorneys meet the challenges and demands of the modern-day practice of law. In that regard, our peer volunteer support groups are as well attended as ever and vital to assisting attorneys struggling with drug, alcohol and other addictions find the road to recovery. Our experienced and skilled professional clinical staff provides superb service and guidance to attorneys struggling with depression, stress, anxiety, addictions, and other mental health issues, including issues associated with advancing age and retirement, and offer a variety of clinician led support groups. Finally, the high demand for our Law Office Management Assistance Program, LOMAP, continues unabated as more and more new and not-so-new attorneys turn to solo practice. Without doubt, LCL offers one of the most comprehensive lawyer assistance programs in the country; offering a wealth of services for every bar dues dollar spent; and ultimately helping to improve the overall quality of the Massachusetts bar.

This year saw some transitions in the LCL Board of Directors and Officers. First, Christine A. Marx, Associate Dean for Student Affairs, Boston University (retired), left the board after nine years of service as a board member and Vice President. Chris was a tireless supporter of LCL who generously volunteered her time for many LCL board initiatives and committees and served as a critical link to the law school community. Jack Cinquegrana, Senior Partner and Litigation Department Co-Chair at Choate, who provided his wise counsel and insight, also left the board this year. Thank you to Chris and Jack for your service to LCL. Second, we welcomed two new board members: Tim Casey, Massachusetts Assistant Attorney General; and, Laura Ferrari, Dean of Students, Suffolk Law. Also, the Honorable Robert A. Antonioni (MA Senate ret.) moved into the position of Vice-President. I am grateful and fortunate to be able to work with LCL's dedicated officers and board members, who selflessly and generously donate their time to LCL. It is an honor to work with you all.

Finally, the heart of LCL is its dedicated and expert staff led by Executive Director Rodney Dowell. Thanks to you all for your excellent work and for delivering a highly successful year.

Best Regards,



# EXECUTIVE SUMMARY

I am pleased to be able to lead an organization that makes such a tremendous difference in the lives of individuals by providing critical support in their time of need. I am especially proud that our lawyers assistance program is able to bring together group peer support, mental health clinicians and our practice management advisors for a holistic approach to helping attorneys address issues on multiple fronts. We could not provide this exceptional level of service without the support of the bar, and, more importantly, the LCL board of directors and staff. While I am very happy about the help we give, I also am hopeful that we can reach an even higher percentage of the attorneys, law students and judges that we know need help.

We continue to make strides in laying the foundation for increased attorney access to LCL. We completed an office expansion that allowed us to increase staff, improve client confidentiality, and enhance our ability to work with other organizations serving the legal community. We hired a new, experienced full-time clinician, Shawn Healy, Ph.D., increasing availability of clinical services, expanding the number of LCL clinical presentations, and enriching content development. These improvements allow us to provide services when needed, and, to educate the attorneys who need us on how LCL can help.

The starting point for LCL was its peer volunteer groups, dedicated to providing support, or a start in recovery, to their fellow attorneys in need. Our valued peer volunteers again met for our annual dinner celebrating LCL and its volunteer of the year, and, assembled for LCL's third annual recovery day in our new expanded space. These gatherings are critical to strengthen the LCL state-wide community and to develop a stronger fellowship. A strong recovery community is essential for LCL to successfully provide help to all members of the legal community, regardless of where they may live.

The LCL Law Office Management Assistance Program (LOMAP) continued to work with an increasing number of attorneys (new and continuing clients). In addition to the fundamental consulting service, we were happy to provide a great marketing conference for solo attorneys, start a technology group for lawyers using Macintosh computers, and increase the cross-training between the clinicians and practice advisors.

I know that LCL has the ability to help attorneys, law students and judges improve their lives, and believe we must strive to ensure that every one of them knows that we are here to offer assistance if they ask.

A handwritten signature in black ink, appearing to read "Rodney".

# LCL HISTORICAL SUMMARY

LCL has been the sole lawyer assistance program in Massachusetts since 1978 when a group of volunteer attorneys organized to help their peers with alcohol and drug problems. By 1987, LCL was incorporated as a 501(c) (3) not-for-profit corporation and hired its first Executive Director. Shortly thereafter the program obtained stable funding via a small percentage of attorney registration fees allowing LCL to increase its ability to serve the bar, and to add mental health clinicians to its staff. Finally, in 2007, a recommendation was made that the Massachusetts disciplinary system would be improved if the Board of Bar Overseers could divert some cases to a law office management assistance program (LOMAP). LCL's board recognized that it was best positioned to provide this service and hired a director to begin consulting with attorneys on practice management issues.

LCL is pleased to provide this report of its activities in the following pages. For individual attorneys, LCL services include assessment, time-limited counseling, referral, and probation monitoring as well as support groups. LCL also reaches out to the bar at large through educational programming. These programs address mental health and addiction problems through meetings, literature distribution and presentations to the courts, bar associations, law firms, law schools and other members of the legal community. Our experienced staff and recovering support network have helped thousands of lawyers statewide confront their problems and rebuild their lives. We do this through clinical evaluations, counseling, referrals, peer support and advocacy. Our services include help for a broad range of issues, including:

- Depression and Anxiety
- Alcohol and Drug Abuse
- Gambling
- Eating Disorders
- Stress and Burnout
- Marital and Family Relationships
- Career Concerns
- Balancing Work and Family

LCL has a proven record of providing confidential and free help to Massachusetts legal professionals. Any conversation with a member lawyer of LCL is protected as if it were lawyer client privileged (MRPC Rule 1.6 (c)). Any communication with a clinician at LCL is protected by mental health confidentiality laws (MGL C. 112).

# LCL OVERVIEW

## LAWYERS SERVED BY LCL CLINICAL AND LOMAP

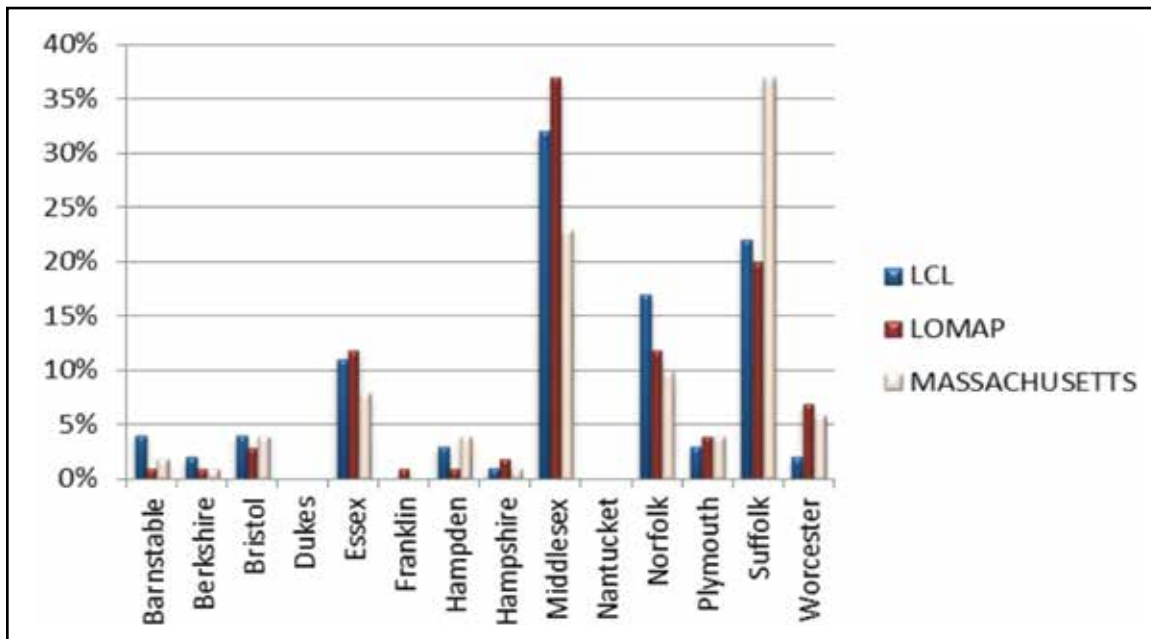
LCL primarily serves attorneys, though its services are also available to law students, judges, and family members. The nature of services provided to clinical vs. practice management cases are different and do not lend themselves to direct comparison, so we designate their respective statistics below. The numbers below do not include participants in LCL's peer support groups (described on Peer Volunteer Service Groups page). The percentages presented are compiled from the best data we have, but on some variables complete data was not provided. In some cases, percentages may add to 101% or 99% because we rounded figures to the nearest whole percent.

| Total Cases Newly Opened This Fiscal Year | LCL | LOMAP | Total |
|---|-----|-------|-------|
|   | 105 | 167   | 272   |

LCL clients who returned after past assistance episodes: 15%.

| How many client meetings occurred? | LCL | LOMAP | Total |
|------------------------------------|-----|-------|-------|
|                                    | 220 | 210   | 430   |

### Where did they come from?



With some variation, LCL's client population mirrors the Commonwealth's lawyer population. Our thanks to *Lawyers Diary* for providing this year's Massachusetts figures. (LCL also served five Massachusetts-licensed attorneys living out of state.)

# LCL OVERVIEW

## What were their demographics?

| Age   | LCL | LOMAP | Gender | LCL | LOMAP |
|-------|-----|-------|--------|-----|-------|
| 20-34 | 36% | 34%   | Male   | 69% | 58%   |
| 35-49 | 30% | 39%   | Female | 31% | 42%   |
| 50-64 | 29% | 22%   |        |     |       |
| 65+   | 5%  | 5%    |        |     |       |

## What was the employment status of our clients?

|                     | LCL | LOMAP |            | LCL | LOMAP |
|---------------------|-----|-------|------------|-----|-------|
| Solo/Small Practice | 44% | 95%   | Retired    | 0%  | 0%    |
| Law Firm            | 14% | 3%    | Unemployed | 11% | 2%    |
| Corporate           | 5%  | 0%    | Temp/Other | 2%  | 0%    |
| Law Student         | 17% | 0%    | Non-Law    | 4%  | 0%    |
| Government          | 4%  | 0%    |            |     |       |

## What kind of presenting problems did clients bring?

| LCL                       | LOMAP |
|---------------------------|-------|
| Mood/Anxiety              | 64%   |
| Career/Financial/Practice | 20%   |
| Alcohol/Addiction         | 12%   |
| BBO Disciplinary          | 24%   |
| Law School or Bar Exam    | 6%    |
| Family                    | 8%    |
| Other                     | 20%   |
| Practice Management       | 100%  |

(Sum = >100% because some clients present with two or more problems)

## What kinds of outside referrals were made by LCL Clinical?

|                                     |    |
|-------------------------------------|----|
| LCL Member or Program               | 28 |
| LOMAP                               | 9  |
| Self-Help Group                     | 12 |
| Therapist/Psychopharm               | 46 |
| Vocational/Financial/Organizational | 3  |
| Partial Hospital or Inpatient       | 3  |
| Other Referral                      | 9  |

Does not include clients who already had these resources in place pre-LCL.

## How many LCL Helpline (caller seeks immediate input from LCL clinician) calls were recorded?

|          |  |
|----------|--|
| 30 calls | <ul style="list-style-type: none"> <li>23% expressed concern for colleague/friend/family</li> <li>23% were law students</li> <li>47% were referred for LCL staff evaluation</li> <li>30% were referred to outside resources</li> </ul> |
|----------|--|

## How many LCL/LOMAP presentations were made?

64 presentations

# PEER VOLUNTEER SERVICE GROUPS

From its beginning as a simple volunteer organization based in Boston, LCL's peer recovery network now supports meetings around the Commonwealth. These groups are an essential part of many attorneys' efforts to enter into and maintain their recovery. LCL support meetings are not intended to be the sole support for those who attend, but provide a safe place for attorneys to meet with their peers and discuss their problems in a supportive and confidential environment.

Each meeting is led by local volunteers committed to helping other members of the legal profession find and maintain sobriety from drugs or alcohol, and, on occasion, from other addictive behavior, such as gambling, or providing support for mental health issues such as depression. The willingness of the community to give back and to support others is invaluable and is a sustaining force of LCL.

LCL's recovery community seeks to continue to build its fellowship of attorneys through two annual events that bring the peer volunteers together. In May 2014, LCL held its Tenth Annual James A. Brink Fellowship Dinner, at which LCL celebrated our community, recognized our volunteer of the year, and heard a story of recovery. Each year the recovery stories leave each of us with more gratitude and appreciation for the importance of LCL in the lives of many.

LCL's Third Annual Recovery Day took place on October 18, 2014, and featured speakers who discussed how to practice law while remaining focused on the personal priority of recovery. We were excited to find that the number of participants increased from the prior years, the attendees were enthusiastic and the speakers provided heartfelt wise advice. We are already looking forward to next year's program.

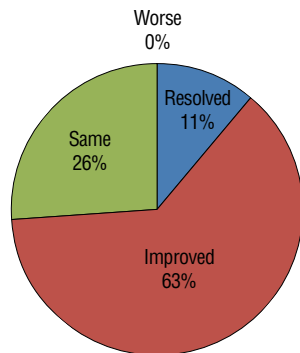
LCL continues to emphasize that while the meetings are primarily attended by alcoholics, they also welcome those facing addictions to drugs, gambling, and other less common addictions, or even depression. We seek to provide a meeting space that is safe and allows participants to share their experience as lawyers in recovery with confidence that the discussions remain confidential under the Professionals Rules of Conduct, Rule 8.3.

In the upcoming year, we will grow the fellowship and identify leaders of the future, and we will continue to support efforts to start more local LCL meetings where there is a need. The power of the group meetings, and the combined contributions of those who participate, is always emphasized with great appreciation by individuals crediting LCL with having saved their lives.

# CLINICAL

Having said farewell last year to colleague Nancy Brown upon her retirement, LCL's Executive Director and clinical staff devoted considerable time and attention to hiring her replacement, and were very pleased to add Shawn Healy, Ph.D. to the staff. All LCL clinicians bring long and broad clinical experience to bear as they provide lawyer-focused assessment and treatment planning, group leadership, quick responses to "helpline" calls, and a range of informational and consultative services. They also coordinate with our regional clinical affiliates and work to maintain awareness of therapeutic resources in and beyond Massachusetts.

## CLIENT STATUS AT 4 MONTH FOLLOW-UP



## OUTCOMES

- 42% of those who initially agreed to follow-up survey via email (4 months after initial visit), completed the survey.
- 74% of those who replied rated the status of their presenting problems as improved or resolved.
- 52% followed through on further referrals made by LCL staff.
- Among those outside providers, 88% earned client ratings of 7 or above (on a 10-point scale).
- The LCL evaluation was rated at 7 or above by 75% of clients.

This year, LCL clinicians joined LOMAP staff in participating as speakers in the "Practicing with Professionalism" series now required of newly admitted members of the Massachusetts bar; they have been received quite well at venues across the Commonwealth. A primary objective for LCL in these presentations is to highlight the widespread incidence of addictive and mood/behavior problems in the profession, and attempt to induce greater readiness of lawyers to recognize problems – and get help – before they mushroom into personal and professional crises.

Among the discussion groups offered by LCL during the year were those addressing the needs of solo practitioners (e.g., a marketing-oriented series offered jointly with LOMAP) and LCL's longstanding group for attorneys facing BBO discipline. The clinical staff also joined a growing movement of attention to the matter of "vicarious traumatization" or "compassion fatigue" experienced by lawyers whose clients are, for example, victims of domestic abuse or seeking asylum to avoid returning to torturous circumstances. LCL offered an initial 6-week discussion/support group as well as providing educational presentations on the subject (for example, at the ABA annual convention), with plans for more groups and speaking engagements. LCL staff has also continued to offer periodic educational/support groups targeting the needs of unemployed lawyers seeking work.

LCL continues to coordinate periodic meetings for deans of students from area law schools, and to participate in orienting law students and raising their awareness of ways to identify and cope with the stresses of law school. Other informational presentations have been provided to audiences such as the Board of Bar Overseers, Flaschner Judicial Institute, Health Law Advocates, and Social Law Library.



# LOMAP

LOMAP provides free and confidential business management consulting to Massachusetts attorneys to improve the quality of business practices by helping law firms develop best practices in marketing, technology, financial management, and operations. Our goal is to increase professionalism, resulting in reduced numbers of client complaints and disciplinary actions, and to raise the level of professionalism.

The practice advisors primarily consult with individuals and small law firms of all types and experience. Most of the lawyers in our increasingly large client base, by far, contact LOMAP voluntarily, but we also work with a small percentage of referrals from the Board of Bar Overseers and the Office of Bar Counsel. These disciplinary referrals are useful to the attorneys and allow many to avoid a disciplinary investigation. For such formal referrals, LOMAP conducts a full-scale law firm audit and provides a detailed report recommending appropriate operational changes to prevent further disciplinary issues.

Services range from comprehensive practice audits to the answering of solitary questions. We work with some attorneys just once, but others will return many times over the years. LOMAP handles thousands of contacts with attorneys via in-person meetings, web conferences, telephone calls and emails over the course of a year. Our ability to communicate by various modes helps us address the needs of all attorneys, regardless of technological sophistication, or where they live and work in the Commonwealth.

LOMAP drives attorney engagement by developing high level content for print and social media. This content is distributed through LOMAP's practice management blog, LOMAP branded channels on Facebook, LinkedIn and Twitter, and through third-parties such as the American Bar Association (ABA), Massachusetts based bar associations and independent blogs. Our practice advisors, Jared Correia and Heidi Alexander, co-host a podcast, "Legal Toolkit," which is distributed nationally. All of the content provides information allowing for immediate improvement of practice and is also intended to highlight our advisors' expertise so attorneys will contact LOMAP for direct services.

The LOMAP team also makes regular presentations for bar associations and lawyers' groups to educate attorneys on best practices, and LOMAP is a key participant at every "Practicing with Professionalism" program. This last year has also seen the development of support networks in two of our core competencies: "Lunch Hour Legal Marketing," which provides free webinars and discussion groups; and "LoMac," a community for attorneys using Apple products in law practice.

## CLIENT SATISFACTION SURVEY

Rated Overall Satisfaction at  
"Very Good/Excellent"



Would Use Services Again



Rated Information/Resources  
Provided at "Very Good/Excellent"



Would Refer Another Attorney



# COMMUNITY OUTREACH

LCL endeavors to reach the legal community in a wide range of places and formats to help as many attorneys, law students and their families as possible. We therefore actively pursue opportunities to have a presence at continuing legal education programs, on the internet through our websites and social media, and providing content through traditional print media sources.

## PRESENTATIONS/CONFERENCES

Over the last few years, LCL has increased the number of presentations made to lawyers and law students throughout the Commonwealth. We strongly believe that appearing in front of attorneys and law students is one of the most effective means of educating the legal community about LCL services, and, give meaningful help in an educational setting. During the last fiscal year, LCL clinicians and LOMAP advisors made 64 presentations. A significant number of the presentations were given to new attorneys attending the Practicing with Professionalism courses. At other presentations, LCL clinicians discussed issues related to alcohol and drug addiction and abuse, mental health care, job/career stress, vicarious trauma, and time management/procrastination. LOMAP presented on practice management issues such as time management, marketing, technology for law offices and the legal start-up. We were pleased to partner with a range of entities such as MCLE, MBA, BBA, the Massachusetts Women's Bar Association, bar advocates and law schools.

## WRITTEN CONTENT

LCL clinicians and LOMAP practice advisors are also fully engaged in providing content to our community through traditional written media and social media. LCL writes an advice column for the Massachusetts' Bar Journal on issues in the law, and provides substantive content articles for publications like *ABA Law Practice* magazine, *ABA Law Practice Today*, the *ABA GP|Solo* magazine, and our own social media platforms. The social media platforms have been a real strength for LCL and its LOMAP program. LCL's website, [www.lclma.org](http://www.lclma.org), had 24 visitors per day, while the LOMAP website, [www.masslomap.org](http://www.masslomap.org), had 73 visitors per day. LOMAP's Facebook page ([www.facebook.com/MassLomap](http://www.facebook.com/MassLomap)) (412 fans) and LinkedIn page (169 followers) both continue to grow. Both LCL and LOMAP blog about relevant issues at [www.lclma.org](http://www.lclma.org) and [www.masslomap.blogspot.com](http://www.masslomap.blogspot.com), and use Twitter to distribute content ([@LCL\\_MassLawyers](http://www.twitter.com/@LCL_MassLawyers), [@MassLOMAP](http://www.twitter.com/@MassLOMAP), [@jaredcorreia](http://www.twitter.com/@jaredcorreia), [@heidialexander](http://www.twitter.com/@heidialexander) and [@rodneydowell](http://www.twitter.com/@rodneydowell)) to attorneys. In addition, LOMAP works with Legal Talk Network to produce 11 podcasts for *The Legal ToolKit*, which are distributed at [www.legaltalknetwork.com](http://www.legaltalknetwork.com) and iTunes.

We are pleased to provide a high level of content that meets the needs of the Massachusetts legal community.

# FINANCIALS

LCL is funded by an annual assessment from the Board of Bar Overseers which represents a small portion of every Massachusetts lawyer's registration fees and is set by the Supreme Judicial Court pursuant to rules it promulgated. LCL does not charge for services, except for a small administrative fee, if a LOMAP advisor travels to an attorney's office. Whittlesey & Hadley, P.C., an independent auditor, audited the financials of LCL and opined that the financial statements fairly present, in all material respects, the financial position of LCL. The financials show that LCL operated under budget and ended the year with a net surplus. The budget request for FY 2015 remained at the FY 2012 level and was granted in full. LCL expenditures are as follows:

|                                 |                       |
|---------------------------------|-----------------------|
| Payroll/Payroll/Benefits        | \$ 769,399.77         |
| Rent/Utilities                  | 165,585.79            |
| Professional services/Insurance | 54,102.84             |
| LOMAP                           | 39,368.20             |
| Office equipment/Supplies       | 32,525.19             |
| Advertising/Marketing           | 22,086.60             |
| Travel                          | 10,986.09             |
| Miscellaneous Expenses          | <u>5,689.30</u>       |
| Total Expenditures              | <u>\$1,099,743.78</u> |

# JAMES BRINK ENDOWMENT FUND

LCL has maintained the James Brink Lawyers Assistance Fund (the "Fund") since 1993 to help pay for lawyer assistance services for lawyers who would otherwise be unable to afford them. All monies in this fund were donated by individuals and law firms to support LCL's efforts. Clients may apply to the Fund through LCL based upon financial need and various other criteria. The requests are subject to approval by clinicians, the Executive Director, and the Fund trustees. All Fund recipients are asked to repay the Fund if their financial circumstances improve sufficiently to do so. In the current fiscal year, a total of \$780.00 was allocated to one applicant. The Fund balance at the end of the fiscal year was \$345,044.

# LCL's MISSION STATEMENT

Lawyers Concerned for Lawyer, Inc. (LCL) is a private, non-profit Massachusetts corporation. As the state's sole lawyer assistance program, LCL assists lawyers, judges and law students who are experiencing any level of impairment in their ability to function as a result of addiction, mental health, personal or medical problems, or practice management issues.

LCL provides assistance with problems such as alcoholism, substance abuse, gambling and all other forms of addiction, depression, stress, career and family difficulties, and law practice management issues.

For individual attorneys, LCL services include assessment, time-limited counseling, referral, probation monitoring and support groups, and practice management audits and consulting. LCL also reaches out to the bar at large through educational programming. These programs address mental health, addiction problems and practice management problems through meetings, literature distribution and presentations to the courts, bar associations, law firms, law schools and other entities of the legal community.

For the recovering legal community, LCL offers a support network of recovering alcoholic and drug dependent lawyers and judges who wish to carry the message of sobriety to members of the profession.

However, LCL is not Alcoholics Anonymous. Nor is it an outpatient treatment program, employment agency, or lawyer referral office. Nonetheless, all of these services can be accessed through LCL's extensive resources.

LCL works independently, yet cooperatively, with the Supreme Judicial Court, the Board of Bar Overseers, state and local bar associations and the bar at large.



## Officers

*President:* Jeanne E. Demers, Esq.  
*Vice-President:* Christine A. Marx, MSW, JD  
*Clerk:* Mark A. Papirio, Esq.  
*Treasurer:* Andrew W. Pasquina, Esq.

## Board

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Jack Cinquegrana, Esq.  
Ellen Cosgrove, Esq.  
William McCormack, Esq.  
Elizabeth Myers, Esq.  
Hon. Austin Philban (Ret.)  
Bradford Swing, Esq.  
James H. Toms, Esq.  
Connie Vecchione, Esq.

## Executive Director

Rodney S. Dowell, Esq.

## Law Practice Management Advisors

Jared Correia, Esq.  
Heidi Alexander, Esq.  
Rachel Casper, *LOMAP Administrative Assistant*

## Office Manager

Lottie Rutherford

## Clinical Staff

Barbara Bowe, LICSW  
Jeffrey Fortgang, Ph.D., LADC-I  
Shawn Healy, Ph.D.

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# STAFF



L to R: Heidi Alexander, Esq., LOMAP Advisor; Rodney Dowell, Esq., Executive Director; Barbara Bowe, LICSW; Rachel Casper, LOMAP Administrative Assistant; Jeffrey Fortgang, Ph.D., LADC-1; Shawn Healy, Ph.D.; and Jared Correia, Esq., LOMAP Advisor



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