

LCL

Lawyers Concerned for Lawyers, Inc. is a private, non-profit 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.

briefings

LAWYERS CONCERNED FOR LAWYERS, INC.

FALL 2004

from the director...

LEADING LCL INTO ITS FUTURE

Lawyers Concerned for Lawyers is where it is today because of its leaders. Through their perseverance and ability to inspire, a fledgling idea of lawyers helping each other has grown to become the comprehensive lawyer assistance program that we have today.

As we come to terms with last year's significant losses of LCL's chairman and vice president, new leaders have stepped up to fill the void. Re-energized in our new location, we also have a newly restructured Board that better reflects the profession we serve. In sports vernacular, this team has depth. Recovering and non-recovering members of the profession will work side by side to provide the Massachusetts legal community with a highly visible, first class resource, and to foster a climate in which lawyers, judges, and law students feel supported in, rather than threatened by, the courageous act of facing their difficulties and seeking help.

As we reviewed the past year at our Annual Meeting last month, and repositioned ourselves for the year to come, Chief Justice Marshall honored us with her presence and reiterated the Court's support of our efforts. Her leadership, like that of her predecessors, has been

crucial in promoting the growth and quality of this organization.

The subject of leadership is an appropriate one for this issue of *briefings*, as the country prepares to choose a leader for the next four years. Voices on both sides have noted how critical our choice will be for the wellbeing and safety of our country. I wonder whether a review of the characteristics of a leader, as outlined in our article on the subject, would alter anyone's choice in the voting booth.

We hope that the country may be as fortunate in its selection of leaders as we believe we have been at LCL. I want to thank those Board members who have completed their terms of service for their many contributions, and to say to our new Board members that the staff and I look forward to working with you to meet the challenges that lie ahead. I also want to challenge other leaders of our state's legal profession to join us in a common mission: to improve the quality of legal representation by enhancing the health and wellbeing of the profession and by fostering a willingness to address practice problems that might otherwise harm the affected lawyers, their colleagues and, certainly, their clients.

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UPCOMING EVENTS

Nov. 18th
Monitor's Dinner
Newton Marriott

Dec. 14th
Holiday Luncheon
Springfield

GRATITUDE AND RENEWAL - LCL'S NEW BOARD AND NEW SPACE

Chief Justice Margaret Marshall, a great advocate for LCL, was the guest of honor at our Annual Meeting on September 23, as the membership elected a new Board of Directors and formally recognized the many contributions of board members who were completing their terms of service. The very well attended gathering also served as an open house for our new office suite at 31 Milk Street.

years. The Chief discussed the problem of lawyers' reluctance to seek help, and the importance of all segments of the bar collaborating with LCL in removing such barriers. This call to action was later echoed by LCL Executive Director Bonnie Waters, who expressed determination to find solutions to lifestyle problems that have been identified repeatedly in reports on the state of the profession. Waters asserted that LCL is in a

position to play a key role in preventing worst-case scenarios by "raising the bottom," the point to which lawyers descend before they become motivated to seek recovery.

Justice Marshall and President Fredrickson jointly acknowledged the contributions of 15 outgoing board members, some of whom had served for a number of years, with personal compliments and LCL-inscribed gifts. After the adoption of an amendment reconfiguring the composition of the LCL Board of Directors, the new board was elected

(including 8 continuing members), representing a broader cross-section of the bar in terms of both professional and personal experience.

Among the goals of the new board will be:

- Updating the LCL "brand" to emphasize quality of life rather than problems/illness;

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The Chief Justice spoke of LCL as "a model of excellence nationwide in providing services to the legal profession."



Pictured at LCL's Annual Meeting (from left to right): Front Row: Bonnie Waters, LCL Executive Director; M. Ellen Carpenter, President, Boston Bar Association; Margaret Marshall, Chief Justice, SJC; Michael Fredrickson, LCL President; Kathleen O'Donnell, President, Mass. Bar association; Back Row: Frances McIntyre, LCL Vice President; Harvey Fleishman, LCL Treasurer.

The meeting was called to order by LCL President Mike Fredrickson, who welcomed those in attendance and thanked Justice Marshall for carrying on the Supreme Judicial Court's consistent support of LCL over the years. After being introduced by Jim DeGiacomo, appointed SJC representative to LCL's Board, the Chief Justice spoke of LCL as "a model of excellence nationwide in providing services to the legal profession," and reaffirmed her commitment to its mission in the coming

- Seeking ways to decrease stigma and other barriers that keep lawyers from accessing help when needed;
- Increasing collaboration with all segments of the bar, including the Board of Bar Overseers.

We thought our readers would be interested in brief biographies of each of the new board's members:

Robert W. Carlson, an active LCL member since 2000, is a member of the Bar in Florida and Massachusetts, a Certified Trust & Financial Advisor, and a licensed real estate broker. A Vietnam veteran and former trial lawyer, he is now an Executive Relationship Manager for Fleet National Bank/Bank of America. Bob has served on LCL's Board since 2003 and was re-elected to the board as the representative of the Peer Volunteer Service Committee.

Daniel C. Crane has been Bar Counsel to the Board of Bar Overseers since 1999, having previously served as a BBO member and its Chairman. From the time he was licensed to practice in 1975, he was with the professional association of Finn & Crane. He is also a former president of the Massachusetts Bar Association and the Massachusetts Bar Foundation, which distributes IOLTA funds. Dan first served on LCL's board in 1997.

Gene D. Dahmen is a partner in the firm of Deutsch, Williams specializing in family law and mediation. She has served as President of the Boston Bar Association and Massachusetts Continuing Legal Education. Gene served on the court appointed LCL Oversight Committee (which oversees how LCL spends funds deriving from a portion of bar dues) from 1994 to 2002, and is currently a trustee of the Boston Bar Foundation, having chaired its Grant Committee for 10 years. An avid musician, she is the founder of the Boston Bar Orchestra where she plays last chair in the violin section.

James R. DeGiacomo joined the firm of Roche & Leen in 1963. The firm, which became Roche, Carens & DeGiacomo, is now part of Murtha Cullina LLP. Jim has

extensive experience in various areas of civil litigation and has been Chairman of the BBO and Adjunct Professor of Law at the New England School of Law. Formerly Vice President of the Massachusetts Bar Association he served as President of Massachusetts Continuing Legal Education (MCLE). In 1993, Jim was appointed the SJC's representative to LCL's Board of Directors, and he has served in that capacity ever since. He was awarded the LCL Appreciation Award in 2002 for his outstanding service to LCL.

John C. Donohoe, Jr. (Clerk) has, since 2000, held the position of Assistant General Counsel to the MBTA. As a private practitioner for the previous 20 years, he specialized in family law, frequently appointed by the Probate Court as guardian ad litem and juvenile advocate for children. His background also includes trial work and representation of attorneys before the BBO. He has served on LCL's board since 2000, as Clerk since 2002.

Harvey R. Fleishman (Treasurer) is a CPA, JD, and LLM in Taxation. He co-founded Tofias, Fleishman, Shapiro & Co. PC, a professional firm that, by the time of his retirement in 1998, employed over 100 accountants and consultants. He has served as treasurer and member of LCL's board since 1996. Harvey is of counsel to the Boston law firm of Craig & Macauley, PC and is also on the board of the Improbable Players.

Michael Fredrickson (President), former Rhodes Scholar, English professor, farmer, auto mechanic, lumberjack, musician, singing telegrapher, and editor of the Law Review at Harvard, worked for six years as a litigation associate at Hill & Barlow before taking his present position as General Counsel to the Board of Bar Overseers. He has been an adjunct professor at Northeastern University Law School and the New England School of Law, and has published several articles on legal issues, particularly ethics and the legal profession. He is also the author of three novels about lawyers, most recently [A Defense for the Dead](#). Mike joined LCL's Board of Directors in 1989 and has been President for the past 7 years.

We thought our readers would be interested in brief biographies of each of the new Board's members.

It may come as a surprise that the most important effect produced by all these qualities of leadership is the role they play in being able to engage others emotionally.

LEADERSHIP: THE EMOTION CONNECTION

One hears much about the importance of leadership, but what enables a person to really lead? Although occupying a “position of leadership” can help, it does not automatically confer leadership skills. History is replete with the failed leadership of “leaders,” and has shown that so-called “powerless” individuals can alter the course of history. What is it, then, that allows leaders to emerge and succeed?

Most of us, if asked, could rattle off a respectable list of qualities, skills, or traits that characterize a good leader, and the list would no doubt mirror that which appears repeatedly in business, industry, and even military literature on the topic:

Integrity and straightforwardness:

Shows candor, honesty, sincerity, genuineness. Possesses a kind of tough-mindedness and is willing to hold self and others accountable to the same high standards.

Character: Behaves in a manner consistent with beliefs/values and makes principled and fair-minded decisions that serve organizational goals rather than selfish needs; “sets an example” by virtue of who s/he is.

Vision, Imagination & Inspiration: Defines and communicates goals, brings physical, mental and emotional energy to the job and creates a climate of enthusiasm that fosters pride and purpose as well as performance; is forward-looking and willing to sacrifice short-term gains for long-term success.

Risk Tolerance: Can think and function outside the box, take a stand, make decisions without complete information, manage uncertainty, stay the course or change direction based on realistic assessments.

Humility: Is able to accept criticism, acknowledge vulnerabilities, limitations and mistakes, offer apology, and seek advice or help.

Flexible Perseverance: Accepts setbacks; discovers the opportunity embedded in problems; remains focused and positive; shows patience with “the many steps of progress.”

Competence and Intelligence: Maintains commitment to personal development, to continual expansion of knowledge and skill.

Invests in the success of others: Is generous and considerate toward others, challenges and motivates without threats or intimidation; fosters confidence, encourages creativity, rewards achievement.

It may come as a surprise that the most important effect produced by all of these qualities of leadership is the role they play in being able to engage others *emotionally*. Daniel Goleman, famed author of the best-seller, *Emotional Intelligence*, and more recently, co-author of *Primal Leadership*, offers convincing evidence to support his assertion that a key, i.e., “primal,” ingredient in strong and effective leadership is the ability to drive the collective emotions of a group in a positive direction and quell the toxic effect of negative emotions. Well-constructed studies have shown that the emotional dimension of interactions with leaders affects productivity, morale, staff retention, and even profits.

Goleman categorizes such behaviors and skills into two major domains of emotional intelligence: *Personal Competence*, i.e., the ability to manage oneself well, and *Social Competence*, the ability to manage relationships well. Both sets of competencies pertain to the full spectrum of leadership styles, from the confidence-inspiring exercise of total authority necessitated by emergencies, to that of getting others to voluntarily and enthusiastically “buy in” and commit to a vision. [See sidebar on Page 6.]

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Leadership is both a science and an art, and combines instinctive qualities with learned skills. Rare, indeed, is the person who has it all. So, while innate abilities provide an advantage, acquisition or honing of many of the competencies involved in leadership is possible for the motivated individual – evidence of which may be seen in the recent explosion of the executive coaching field.

A leader with the ability and humility to acknowledge his or her particular deficits can work on two fronts: (1) personal development to improve self-awareness and self-management, and (2) staff development, utilizing social skills to better recognize, develop and reward team talent, thereby advancing the success of all.

LCL's New Board *(cont. from page 3)*

Christine Marx, as Assistant Dean for Student Affairs at Boston University School of Law since 1987, counsels law students on personal and academic matters, implements academic and social programs and enhances students' academic experience by bringing in speakers on current legal issues. In addition to her JD, she has a degree in Social Work. Former positions included working for the U.S. Court of Appeals for the First Circuit and practicing with the Boston firm of McCormack & Epstein. She is actively involved in LCL-sponsored Dean of Student lunches.

Frances A. McIntyre (Vice President), a trial lawyer at the law firm of Ficksman & Conley, LLP, defends criminal cases, particularly in the Federal court, and represents health care providers accused in malpractice and criminal cases. Fran is a Fellow and State Committee member of the American College of Trial Lawyers, and is active in continuing legal education. She is on the Health Care Council of the Massachusetts Bar Association and the Criminal Law Section Steering Committee of the Boston Bar Association. A former state prosecutor for 21 years, she headed the Criminal Bureau under Attorney General Scott Harshbarger. Fran has been an officer of LCL for a number of years and has chaired the Nominating and Long Range Planning Committees.

Michael E. Mone practices with expertise in all areas of civil litigation with the firm of Esdaile, Barrett, & Esdaile, specializing in medical malpractice, simple and complex tort, and products liability. Mike has held the position of President of the

Massachusetts Bar Association, the Massachusetts Academy of Trial Attorneys, and the American College of Trial Lawyers. An alumnus of the Board of Bar Overseers and Joint Bar Committee on Judicial Appointments, he was appointed to the Judicial Nominating Committee by Governor Dukakis. Mike served on LCL's Oversight Committee from 1994 – 2002 and has been a steadfast supporter of the organization.

Mark A. Papirio was admitted to the bar in 1986. He is a solo practitioner in Springfield concentrating in child welfare, appellate practice, divorce and bankruptcy. In addition to providing pro bono services via the Volunteer Lawyer Service in Holyoke, he represents children in probate matters under the auspices of the Children's Law Project of Hampden County. Mark serves as a hearing committee member for the BBO, and is a founding member of the Western Massachusetts Juvenile Defense Bar Association. He has served on LCL's board since 2001.

John T. Ronayne is a Partner in the Boston Office of Robinson & Cole LLP, where he is active in that firm's Real Estate Group. Prior to joining Robinson & Cole, he was Managing Partner of the Boston firm of Harrison & Maguire, PC, which joined Robinson & Cole in 1993. He has been a member of LCL for twenty years, and a Board Member since 2003. John was the recipient of LCL's 2003 Membership Award. He is also a member of the Boston and Massachusetts Bar Associations, and the Real Estate Bar Association of Massachusetts (REBA).

*Leadership is
both a science
and an art.*

LCL SUPPORT GROUP MEETING CALENDAR

This newsletter is published by Lawyers Concerned for Lawyers, Inc. for its members and the bar at large. We welcome your comments and questions.

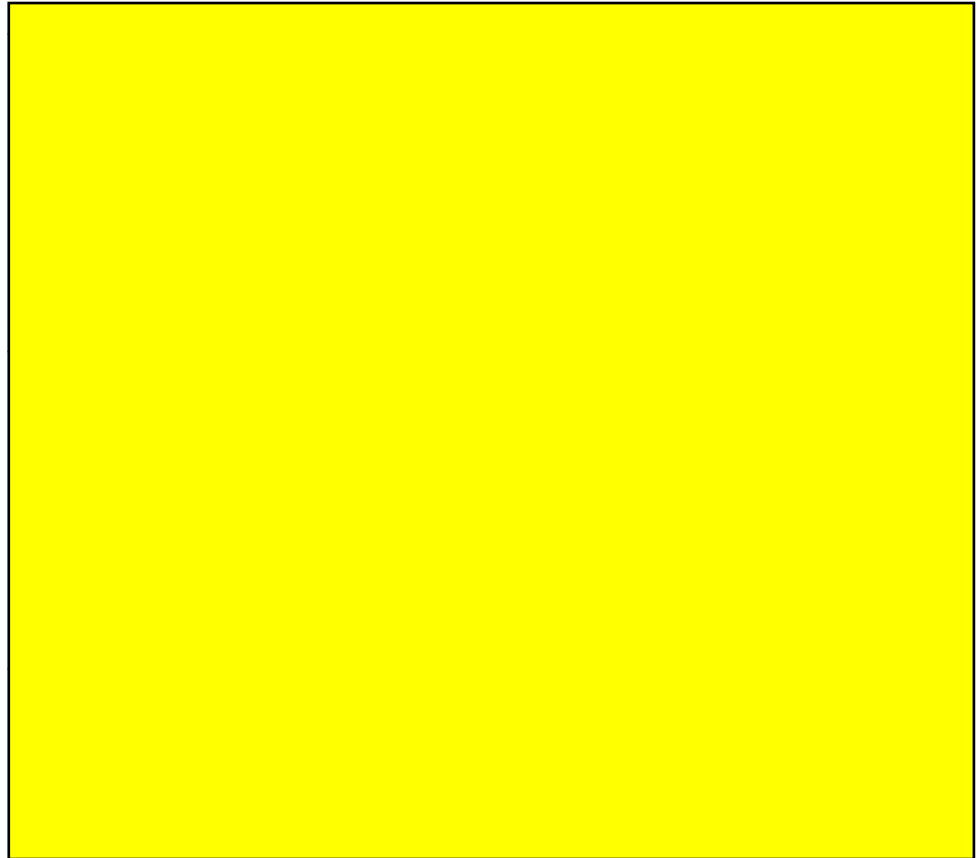
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Leadership: Emotional Intelligence Domains*

Personal Competence (how we manage ourselves)

- *Self-Awareness*
Includes reading one's own emotions & their impact on others; confidence tempered by accurate self-assessment.
- *Self-Management*
Includes emotional self-control, honesty/integrity, adaptability, self-improvement, initiative, optimism.

Social Competence (how we manage relationships)

- *Social Awareness*
Includes empathy for others, organizational/political awareness, and focus on the needs of customers/team/company, etc.
- *Relationship Management*
Includes guiding/inspiring others with vision/persuasion, nurturing others' development, serving as catalyst for change, resolving conflict, promoting teamwork.

* From: Goleman, Boyatzis, & McKee:
Primal Leadership: Learning to Lead with Emotional Intelligence.