

SUBSTANCE ABUSE SIGNS & SYMPTOMS IN ATTORNEYS

Early Stages

- **Professional:** client neglect, unreturned phone calls, late for depositions, cancelled appointments, numerous "sick" days
- **Legal:** 1st DUI, open container, disorderly conduct
- **Ethical:** late for hearings, "technical" trust violations (reconciliations, ledger cards,) "last minute" filings, failure to diligently prosecute/defend

Late Stages

- **Professional:** failure to come to the office and/or appear for hearings, intoxicated in court, unprofessional appearance/hygiene, inappropriate mood (depressed, angry, withdrawn,) abandonment of practice
- **Legal:** 2nd DUI+, controlled substance charge, domestic violence
- **Ethical:** Substantive trust violations (misappropriation), statute of limitations violations, dishonesty to tribunal

What is chemical dependency?

Chemical Dependency is a primary disease characterized by the compulsive use of mood altering drugs (including alcohol) despite adverse consequences. (I continued to do something, expected different results.)

Characteristics:

1) Primary disease

The disease itself causes drinking or drug use. It is not secondary to some other disease or mental illness.

2) Progressive

The disease always gets worse, it does not get better and there is no turning back and beginning all over again as if one never drank or used.

3) Fatal

This disease is fatal if not controlled. It leads to premature death and serious health problems even if the death certificate indicates that the cause of death was due to one of the complications of the disease, e.g., heart problems, liver failure, car accident, bleeding ulcers, etc.

4) Treatable

The disease can be controlled if the drinking or drug use stops. It is much like diabetes in the sense that if the body chemistry is stabilized by not drinking or using, then the alcoholic may lead a normal life.

5) Relapse is common

6) Genetics play a part

Many studies have corroborated a genetic or familial predisposition to this disease.

7) DENIAL is a hallmark of the disease.

Reprinted with permission from the Ohio Lawyers Assistance Program.

DSM IV-R CRITERIA FOR SUBSTANCE USE DISORDERS

(summarized)

SUBSTANCE DEPENDENCE

3 or more of the following in a 12-month period:

- substance taken in larger amounts or over a longer time than intended
- desire or unsuccessful efforts to control or cut down use
- great deal of time spent in obtaining, using, or recovering from the effects
- social, occupational, recreational activities given up or reduced because of use
- continued use despite social, legal, medical, psychological, and other problems
- tolerance (need for markedly increased amounts of the substance in order to achieve the desired effect or markedly diminished effect with continued use of the same amount)
- withdrawal

SUBSTANCE ABUSE

A maladaptive pattern of substance use indicated by at least one of the following, occurring within a 12-month period:

- Continued use despite a persistent or recurrent social, occupational, psychological, or physical problem that is caused or exacerbated by the substance use
- Recurrent use in situations in which use is physically hazardous (e.g., driving while intoxicated)
- Recurrent use resulting in a failure to fulfill major role obligations at work, school, or home
- Recurrent substance-related legal problems

The person must have never met the criteria for substance dependence for that particular substance.

"Men have feelings but the law does not"

Napoleon I, Emperor of France

The Indiana Judges & Lawyers Assistance Program (JLAP) understands...

Research has shown that lawyers may suffer from substance abuse and depression at a rate higher than the general population.

Experience has shown that lawyers may be more reluctant than others to seek help for their own problems.

The purpose of JLAP is to provide confidential assistance to judges, lawyers and law students who may encounter these and other issues that could impair their ability to practice in a professional and competent manner.

If you have a problem with substance abuse, other addictions, mental health issues, aging or physical disabilities, or know someone else who does,
JLAP is here to help.

For help, information or to volunteer contact:

**Indiana JLAP
320 North Meridian Street, Suite 606
Indianapolis, IN 46204
(317) 833-0370 or Toll Free at (866) 428-JLAP (5527)**

www.state.IN.gov/judiciary/ijlap/index.html

All calls are confidential.