Reality Check

How the three-person team with the Texas Lawyers' Assistance Program debunks the common myths it believes keep people from getting the help they need.



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If there's one thing Ann Foster and her staff at the Texas Lawyers' Assistance Program fear, it's that people who could use their help will never ask for it.

The program, part of the State Bar of Texas, offers crisis counseling, peer assistance, and referrals for lawyers struggling with a range of substance abuse and mental health issues.

Research indicates the need for the type of services TLAP offers. Attorneys are more likely than the general population to suffer from depression and alcohol abuse. *Texas Bar Journal* articles carry headlines such as "Depression Stalks the Legal Profession" and "Assisting the Depressed Lawyer," yet some resist seeking help.

Foster, who directs the three-person TLAP team, thinks some of the resistance stems from common misperceptions about the program, so she and her staff never miss a chance to try to dispel them.

Below, they address five of the most common myths they believe keep people away.

MYTH 1: FEAR OF EXPOSURE

Many people wrongly believe they'll be "found out" or lose their practice if they admit their struggles, Foster said. In reality, communications with TLAP are confidential under Chapter 467 of the Texas Health and Safety Code. "That's a fear at first," Foster said. "Once lawyers understand that communications are confidential, they will open up. They just need reassurance." Pursuant to the provisions of the Health and Safety Code, TLAP can't (and won't) share information about a lawyer or a concerned other without that person's written permission. Also, program staff, committee members, and volunteers sign a statement acknowledging the confidentiality rules. Limited exceptions to the confidentiality protections exist, most notably for those cases where a person is a danger to himself or others. "Confidential, voluntary. That says it all," said Cameron Vann, an attorney with the program since 2008. "But sometimes people need to hear that we're not going to get anyone in trouble. It's only help, and it's only if you want it."

MYTH 2: INABILITY TO UNDERSTAND

Another myth is that TLAP staff can't understand or relate to the problems attorneys face, said Bree Buchanan, a TLAP employee since 2010. Buchanan is pursuing a master's degree in chaplaincy and pastoral counseling at the Seminary of the Southwest and, like the rest of the TLAP staff, is a licensed attorney with courtroom experience. "It builds credibility when I say I practiced law," she said. "I was in the courtroom for 15 years." A University of Texas School of Law graduate, Buchanan's experience is in family law, and she has worked in both academic and

legal settings.

Vann earned her law degree from the University of Houston Law Center and has been a licensed attorney since 1982. "I was in private practice for 30 years, so I completely get it," Vann said.

That frontline legal experience is key to people feeling comfortable opening up, Foster said, noting that attorneys want to talk with someone who can associate with the job's pressures.

Foster also can relate to attorneys' personal struggles. She's a licensed attorney, a licensed mental health professional, and has been in recovery from drug and alcohol abuse for 25 years.

"We know what we're talking about," Foster said. "We've been there, and most things they're going to say will not surprise us. We can hold the conservation well. We won't judge."

MYTH 3: LIMITED FOCUS

Some people wrongly believe the program only deals with lawyers challenged by alcoholism. "That's an old myth," Foster said. "Our reputation was built on alcohol cases, but it's broader now."

The State Bar started TLAP in 1989 in response to research showing the legal profession suffered from high rates of substance abuse. The program now helps lawyers with a range of addiction issues, along with mental health issues such as clinical depression, anxiety, panic, social phobias, bipolar disorder, eating disorders, and cognitive challenges stemming from aging or illness.

The program offers crisis counseling, peer assistance, and referrals to mental health professionals, support groups, or recovery treatment programs. The peer assistance component attempts to match the attorney seeking help with another lawyer who is further along in his recovery and trained to offer one-on-one guidance.

Even if a lawyer suffers from a relatively rare mental health issue, chances are that TLAP can find a peer assistor.



That's because most states have similar lawyer assistance programs, and TLAP works with them, in a confidential way, when needed, Foster said.

"So if someone has a unique issue, we could connect him with someone in the U.S. to speak with," she said. "That's one of the benefits of networking."

MYTH 4: EXCLUSIVITY

Many people believe the program only helps lawyers, Buchanan said. But in reality TLAP provides services to judges and students at the state's nine law schools.

The program is open to all lawyers licensed in Texas, and their standing before the bar is not a factor in whether they can seek help. "We don't care if a lawyer is suspended or disbarred," Foster said. "In other words, you don't have to be a member in good standing."

MYTH 5: COST BARRIER

Others mistakenly believe that if they don't have money, they can't get help, Buchanan said.

In fact, lawyers who have no way to pay for mental health or substance abuse treatment may qualify for limited financial assistance through the Sheeran-Crowley Memorial Trust, administered by the nonprofit Texas Lawyers Concerned for Lawyers Inc., a sister organization to TLAP. Those interested can call the TLAP office at (800) 343-8527 for an application. If attorneys qualify—meaning they have no insurance and insufficient income or resources to pay for treatment—they may be surprised at how quickly financial help is available, Vann said.

"It's a simple application," she said. "It's not the usual lawyer thing of a long form and a panel to review it." TBJ

THE PAT SHEERAN & MICHAEL J. CROWLEY MEMORIAL TRUST

In 1995, a group of Texas lawyers created the Pat Sheeran Memorial Trust to provide financial assistance to Texas attorneys who need treatment for substance abuse, chemical dependency, and mental health disorders and who do not have the financial means to pay for necessary medical care. In 2010, the trust was renamed to honor the legacy of Michael J. Crowley.

The trust is named in honor of the Texas Lawyers' Assistance Program's first director, Pat Sheeran, and one of the program's founders, Michael J. Crowley. Both helped many attorneys achieve recovery from alcohol, drugs, depression, and other mental health disorders. Members of TLAP's nonprofit sister organization, Texas Lawyers Concerned for Lawyers Inc., compose the volunteer board of trustees that administers the trust.

The trust is solely funded by contributions. Assistance is provided in the form of a grant, made payable to the specific treatment or service provider. To help protect the corpus of the trust and to give applicants a significant stake in their own recovery, all applicants are asked to make a moral commitment to repay the grant. No applicant may be allowed additional grants unless previous grants have been repaid. For more information about the trust, application, and qualifications, please visit the TLAP website at **texasbar.com/tlap**.

Tax Deductible Contributions: The trust needs your help through your tax-deductible contributions. For more information, please contact Ann Foster at (800)343-8527 or simply send a check, along with a copy of the accompanying form to the Sheeran Crowley Trust, c/o Ann Foster, P. O. Box 12487, Austin 78711.

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The Pat Sheeran and Michael J. Crowley Memorial Trust is a 501(c)(3) charitable organization. Thank you!		

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