



The Colorado Attorney Assistance Program: Help for Impaired Attorneys

by Robert A. Mines and Judith G. Braun

Attorneys who take others into their confidence or have responsibility for the well being of others are faced with unique and complex situations. These professionals may be subject to increased stress and, therefore, are vulnerable to alcohol or drug abuse or other psychological issues. Impaired professionals may constitute a risk to themselves, their firms, and their clients. The primary goal of the Colorado Attorney Assistance Program ("CAAP") is to help attorneys with such personal problems in a confidential manner and on a voluntary basis. This article describes the nature and scope of the program.

Nature and Scope of CAAP

CAAP started July 1, 2001, under the direction of the Colorado Supreme Court. The aim of the program is to provide all attorneys in active status with the Colorado Supreme Court a professional employee assistance program ("EAP"). The program is only for attorneys and does not include family members. Mines and Associates, P.C., a psychology firm,¹ has been hired to help attorneys identify needs and provide treatment and preventive action to best meet these needs. Such services include helping attorneys to develop productive ways of dealing with stress and psychological concerns related to work environment, marital and family difficulties, cross-cultural issues, drug and alcohol problems, and relapse prevention.

The Counseling Plan

CAAP provides from one to three counseling sessions, free of charge. The program is *totally voluntary*; there is *no reporting* to the Attorney Regulation Counsel. The basic plan provides for assessment- and solution-focused counseling and referral. Also available are interpreter services for the hearing impaired, as well as bilingual therapists. Problems usually treated in the CAAP include parent-child relationships, marital and work stress, aging parents, and others. Substance abuse, mental illness, and trauma issues are assessed by the CAAP and referred to resources that provide long-term care. Any treatment for alcohol or substance abuse or for mental health problems that are beyond the scope of the CAAP are at the attorney's expense or may be covered by the attorney's health insurance provider.

Alcohol and substance abuse evaluation services include assessment, case management, and return-to-work conferences, as needed. To provide a relapse safety net, alcohol and substance abuse cases may be monitored by the Mines and Associates staff for a minimum of one year. Intensive outpatient programs are used for the majority of cases to allow clients to stay connected with family and support systems and to provide affordable treatment. Inpatient facilities for alcohol and substance abuse are used primarily for detoxification. Programs specific to impaired professionals are available throughout the United States if local services are not appropriate for treatment (at the attorney's expense or, if covered, by the attorney's insurance plan).

Confidentiality

Confidentiality is maintained according to the Code of Ethics of the American Psychological Association and the Employee Assistance Professionals Association. All inquiries and sessions are kept confidential unless specified by law. For example, child abuse, imminent danger to self or others, and inability to care for self may warrant a breach of confidentiality.

A Summary of Attorney Benefits

Under CAAP, attorneys have access to confidential help twenty-four hours a day, seven days a week, including holidays. After telephone contact, appointments are offered during "normal" work hours and at other times by special appointment. Mines and Associates support staff are available from 8:30 A.M. to 5:00 P.M. (mountain standard time) to set appointments. If

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necessary, a clinician also is available to talk with the client at that time. After hours, emergency calls are answered by staff, not voicemail.²

Client care is divided into three categories: (1) emergency (life-threatening)—the employee is taken care of immediately; (2) acute, but non-life-threatening—same day appointments with a therapist are available; and (3) routine situations—appointments are scheduled within three to five working days. If further therapy or care is needed beyond the contracted employee assistance sessions, referral sources are available, including specific referrals for impaired professionals. Every effort is made to take the attorney's personal and financial status into consideration when a referral is indicated.³

Community support groups are used as referral options, if appropriate. Moreover, groups such as Alcoholics Anonymous, Al-Anon, ANAD (eating disorders), and Parents Without Partners are available (varies by community). A comprehensive list of community and national resources is maintained. No information is given to anyone without a signed written release from the client.

Conclusion

The CAAP is an important service, provided through attorney licensing fees, that assists attorneys in staying healthy and

practicing law up to their potential. The program may be used for abuse, anxiety, career, child and elder care, death and dying and grief, depression, drug/alcohol, relationship, financial, psychological, stress, and work-related issues. For help, please contact the CAAP for an appointment:

(800) 873-7138 or (303) 832-1068.

NOTES

1. Mines and Associates, P.C., is an external provider of professional EAP services that offers programs and consulting with law firms, health care institutions, engineering firms, nursing homes, and professional organizations throughout Colorado and the United States. Dr. Richard Lindsey, Clinical Director, is a consultant to Peer Assistance Services, the peer program provider for the Pharmacy and Dental Boards.

2. Offices are available in all fifty states and Canada. If additional locations are requested, sites can normally be established within forty-eight hours. See the Mines and Associates, P.C.'s website at: www.minesandassociates.com.

3. For example, referrals are always made according to the attorney's insurance company requirements. For those attorneys who are insured with an HMO or PPO, Mines and Associates, P.C. serves as an attorney-advocate with those systems to facilitate access to care. ■