2009 Annual Report
Tennessee Lawyers Assistance Program

EXECUTIVE DIRECTOR
Laura M. Gatrell, MA, CEAP

ASSISTANT DIRECTOR
Ted Rice, M.Ed., LPC-MHSP, CEAP

PROGRAM COORDINATOR
Emily McClendon

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Nashville, Tennessee 37219
615-741-3238 or 877-424-8527
www.tlap.org
THE MISSION OF TLAP IS THREEFOLD:

- to protect the interests of clients, litigants and the general public from harm caused by impaired lawyers or judges;
- to assist impaired members of the legal profession to begin and continue recovery; and
- to educate the bench and bar to the causes of and remedies for impairments affecting members of the legal profession.
INTRODUCTION

The Tennessee Lawyers Assistance Program ("TLAP") was established by order of the Tennessee Supreme Court (the "Court") in 1999. The mission and general structure of TLAP are set forth in Rule 33 of the Tennessee Supreme Court Rules. This report is submitted to the Commission, pursuant to Tenn. S. Ct. R. 33.02, for the purpose of reporting the activities and accomplishments of TLAP during 2009. (Exhibit A)

I

STATISTICAL DATA FOR 2009

The Tennessee Lawyers Assistance Program is a free, confidential assistance program providing consultation, referral, intervention, and crisis counseling for lawyers, judges, bar applicants and law students who are struggling with substance abuse, stress and/or emotional health issues. TLAP’s work contributes to the protection of the public, the improvement of the integrity and reputation of the legal profession, and—because assistance to an affected lawyer often prevents future ethical violations—the reduction of disciplinary actions. Since inception, TLAP has provided educational services to over seven thousand five hundred (7,500) members of the legal profession.

TLAP maintains statistical information concerning inquiries and referrals by individuals. In 2009, forty-six percent (46%) of intake calls pertained to issues of chemical dependency. The other fifty-four percent (54%) of intake calls presented with something other than substance abuse, including but not limited to depression, bipolar disorder, other mood disorders, marital conflict, financial distress, performance productivity, cognitive impairment, stress, eating disorder, domestic abuse, dual diagnosis and compulsive behaviors.

TLAP tracks the source of the inquiries and referrals based on geographical regions. Forty-seven percent (47%) of new referrals were received from the Middle Tennessee area, twenty-eight percent (28%) from East Tennessee, and twenty-five percent (25%) from West Tennessee. TLAP has had a total of three hundred and forty-eight (348) lawyers, judges, bar applicants, and law students sign a monitoring agreement since
opening its doors in 1999. Currently, TLAP has three hundred and twenty-five (325) active files. Seventy-one percent (71%) of referrals are male, and twenty-nine percent (29%) are female. Sixty-six percent (66%) are lawyers, three percent (3%) are judges, thirty-one percent (31%) are bar applicants and law students.

TLAP submits monthly statistical reports to the TLAP Commission. These reports include items such as number of phone calls, number of presentations, and number of trips throughout the state. A summary of the year 2009 (accumulated by Ted Rice, TLAP Assistant Director), with comparison statistics from 2008, is provided below:

**TLAP Report: Statistical Information for January 2009 through December 2009**

- Contacts w/volunteers (RAM Team, Peer Monitors, etc.) = 1,289 or average of 107.4 per month (90% increase from 2008)
- Contacts w/commissioners = 748 or average of 62.3 per month (76% increase from 2008)
- Contacts w/clients = 2,648 or average of 220.67 per month (38% increase from 2008)
- Contacts w/new clients = 162 or average of 13.5 per month (17% increase from 2008)
- Contacts w/re-opened clients = 36 or average of 3 per month (57% increase from 2008)
- Contacts w/treatment centers (referral sources) = 921 or average of 76.75 per month (83% increase from 2008)
- Contacts w/others (BPR, BLE, other LAP’s, etc.) = 2,360 or average of 196.67 per month (60% increase from 2008)
- Contacts with law students = 306 or average of 25.5 per month
- Contacts with judges = 407 or average of 33.92 per month
- Meetings held at TLAP = 155 (20% increase from 2008)
- Educational presentations = 39 (3% increase from 2008)
- Disciplinary hearings = 8 (14% increase from 2008)

**Abbreviations used:**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABA</td>
<td>American Bar Association</td>
</tr>
<tr>
<td>AOC</td>
<td>Administrative Office of the Courts</td>
</tr>
<tr>
<td>AOS</td>
<td>Affinity Online Solutions (UDS service)</td>
</tr>
<tr>
<td>BLE</td>
<td>Board of Law Examiners</td>
</tr>
<tr>
<td>BPR</td>
<td>Board of Professional Responsibility</td>
</tr>
<tr>
<td>CLE</td>
<td>Continuing Legal Education</td>
</tr>
<tr>
<td>COJ</td>
<td>Court of Judiciary</td>
</tr>
<tr>
<td>CoLAP</td>
<td>ABA's Commission on Lawyer Assistance Programs</td>
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<tr>
<td>LAP</td>
<td>Lawyer Assistance Program</td>
</tr>
<tr>
<td>LIR</td>
<td>Lawyers in Recovery meeting</td>
</tr>
<tr>
<td>MBA</td>
<td>Memphis Bar Association</td>
</tr>
<tr>
<td>NBO</td>
<td>Nashville Bar Association</td>
</tr>
<tr>
<td>OCJP</td>
<td>Office of Criminal Justice Programs</td>
</tr>
<tr>
<td>QPR</td>
<td>Question, Persuade, Refer: suicide prevention training</td>
</tr>
<tr>
<td>UDS</td>
<td>Urine Drug Screens</td>
</tr>
<tr>
<td>RAM</td>
<td>Regional Assistance Monitors</td>
</tr>
<tr>
<td>TBA</td>
<td>Tennessee Bar Association</td>
</tr>
<tr>
<td>TLAP</td>
<td>Tennessee Lawyers Assistance Program</td>
</tr>
<tr>
<td>WWG</td>
<td>Wednesday Women’s Group (a TLAP support group)</td>
</tr>
</tbody>
</table>
2009 Travel History:

January
- Knoxville, Cornerstone of Recovery site visit
- Knoxville, Faculty visit at the University of Tennessee School of Law
- Knoxville, LIR meeting
- Knoxville, TLAP volunteer dinner
- Knoxville, Meeting at Justice Lee’s office
- Knoxville, TLAP client appointments at Drew McElroy’s law office
- Knoxville, TLAP commissioner luncheon
- Nashville, Meeting with the Tennessee Court of the Judiciary
- Nashville, Dinner for Chief Justice Holder
- Nashville, TLAP Commission meeting

February
- Nashville, LIR meeting
- Nashville, Exhibit for BarBri
- Memphis, Exhibit for BarBri
- Jackson, LIR meeting
- Jackson, Meeting with Public Defender’s and District Attorney’s offices
- Nashville, Exhibit for Judicial Conference
- Memphis, LIR meeting
- Boston, COLAP
- Memphis, Meeting with the Dean of Students, University of Memphis School of Law
- Memphis, TLAP client meetings at Counsel on Call
- Jackson, LIR meeting
- Chattanooga, Meeting with Public Defender’s office
- Chattanooga, LIR meeting
- Montgomery Bell State Park site visit to prepare for Camp TLAP

March
- Nashville, Laps for TLAP walking group
- Nashville, Camp TLAP
- Nashville, TLAP Commission meeting at Camp TLAP
- Nashville, Tennessee Bar Association Wellness Task Force meeting at Camp TLAP
- Nashville, BPR hearing
- Nashville, Laps for TLAP walking group
- Nashville, TLAP client bond hearing
- Nashville, TLAP client BPR hearing
- Nashville, Laps for TLAP walking group
- Nashville, TLAP client hearing
- Chattanooga, RAM Team dinner
- Chattanooga, LIR meeting
- Nashville, Public Defender’s Conference planning meeting
- Nashville, Laps for TLAP walking group

April
- Nashville, TLAP outreach to Bass Berry
• Nashville, LIR meeting
• Memphis, La Paloma Professional’s Weekend
• Memphis, TLAP client meetings at La Paloma
• Knoxville, Cornerstone of Recovery site visit
• Knoxville, LIR meeting
• Knoxville, TLAP volunteer/client dinner
• Memphis, TLAP outreach to Memphis Bar Association
• Memphis, CLE on Therapeutic Jurisprudence
• Memphis, TLAP outreach to mayor of Memphis
• Memphis, TLAP volunteer/client dinner
• Nashville, Laps for TLAP walking group
• Knoxville, TLAP client meetings at Drew McElroy’s office
• Knoxville, Intervention at Drew McElroy’s Office
• Nashville, TLAP outreach to Covington District Attorney’s office-Child Support Division
• TLAP Outreach to Covington District Attorney’s office-main office
• TLAP Outreach to Covington’s Public Defender’s office
• TLAP Outreach to Ripley District Attorney’s office
• TLAP Outreach to Ripley Public Defender’s office
• TLAP Outreach to Dyersburg District Attorney’s office
• TLAP Outreach to Dyersburg Public Defender’s office
• Memphis, La Paloma site visit
• Memphis, LIR meeting
• Memphis, TLAP client dinner
• Jackson, TLAP outreach to Public Defender’s Office
• Nashville, Edison training at the A.O.C.
• Laps for TLAP walking group
• TLAP client BPR hearing
• Cumberland Heights site visit
• Las Vegas-Foundation’s Process Addictions Conference
• Nashville Laps for TLAP walking group
• COLAP conference call
• Memphis, Meeting with the Dean of University of Memphis School of Law
• Memphis, LIR meeting
• Memphis, TLAP volunteer/client dinner
• Memphis, TLAP client meetings at Counsel on Call

May
• Jackson, LIR meeting
• Jackson, Meeting at District Attorney’s office
• Nashville, Bass Berry luncheon
• Nashville, Cumberland Heights site visit
• Knoxville, Cornerstone of Recovery site visit
• Knoxville, TLAP client meetings
• Nashville, TBA Wellness Committee meeting
• 10th District PD’s office visit
• 12th District DA’s office visit
• Chattanooga, LIR meeting
- Nashville, OCJP audit
- Knoxville, LIR meeting
- Knoxville, TLAP client/volunteer dinner
- Knoxville, Meeting with Dean and Assistant Dean of the UTK School of Law
- Knoxville, Meeting at Public Defender’s Office
- Knoxville, Visit to Justice Lee’s office
- Knoxville, Cornerstone of Recovery site visit
- Knoxville, TLAP volunteer outreach
- Jackson, TLAP client meetings
- Dyersburg, Visit to Public Defender’s office
- Dyersburg, Visit to District Attorney’s office
- Dyersburg, TLAP client/volunteer dinner
- Montgomery, COLAP

June:
- Nashville, Meeting with Dr. Lubin-AOS, TLAP’s drug screening company
- Nashville, Meeting with Dr. Michael Baron
- Monteagle, Staff development
- Nashville, SHARE board meeting
- Memphis, Tennessee Bar Association conference
- Memphis, Tennessee Judicial Conference
- Lobelville, Cumberland Valley site visit
- Knoxville, TLAP client and volunteer meetings
- Knoxville, TLAP client meetings

July:
- Knoxville, TLAP client meetings
- Knoxville, Meeting with Justice Lee
- Alabama, Bradford treatment center site visit
- Nashville, Tennessee Bar Association Wellness Committee meeting
- Nashville, TLAP commissioner dinner with Stephen Todd
- Nashville, BLE retirement party
- Nashville, Marketing meeting with The Ranch
- Nashville, Vanderbilt University School of Law site visit
- Chicago, ABA Conference

August
- Chicago, ABA conference
- Memphis, Facilitation for TBA group on displaced lawyers
- Memphis, TLAP client meetings
- Jackson, TLAP volunteer and client meetings
- Nashville, LaPaloma marketing visit
- Nashville, Marketing at Nashville School of Law
- Memphis, Marketing at University of Memphis Law School
- Nashville, Cumberland Heights client visit
- West Virginia, ABA evaluation
- Nashville, Site visit to Peabody College at Vanderbilt University
- Knoxville, TLAP volunteer and client meetings
- Knoxville, Marketing at University of Tennessee School of Law
- Nashville, Marketing at Vanderbilt University School of Law
- Nashville, Site visit by the Human Developmental Counseling Department of Peabody College at Vanderbilt University
- Sevierville, TLAP volunteer meeting
- Sevierville, Site visit to English Mountain Recovery Center
- Kingsport, TLAP commissioner meeting with Stephen Todd
- Greeneville, TLAP commissioner meeting with Justice Lee
- Nashville, Meeting with BLE and BPR

September
- Nashville, Cumberland Heights Treatment Center site visit
- Nashville, NBA/TLAP Healthy Bar Party
- Nashville, Meeting with BLE to discuss Conditional Admission
- Nashville, AOC HR training
- Murfreesboro, General Sessions Judicial Conference

October
- Nashville, TLAP commissioner meeting with Marnie Huff
- Phoenix, COLAP
- Nashville, Exhibit at the Tennessee Drug Court Conference
- Memphis, LaPaloma Professionals Weekend
- Murfreesboro, Tennessee Judicial Conference
- Nashville, Meeting with Dean Sandine, Vanderbilt University School of Law
- Knoxville, TLAP client meetings
- Knoxville, Clinical meeting with Dr. Bruce Seidner
- Knoxville, TLAP client meetings
- Knoxville, Meeting with Dean Blaze, University of Tennessee School of Law
- Knoxville, TLAP speaker training
- Sevierville, TLAP client and volunteer meetings
- Kingsport, TLAP client and volunteer meetings

November
- Nashville, TLAP commission meeting
- Nashville, Bipolar Disorder Conference
- Tullahoma, TLAP client and commissioner meeting

December
- Nashville, Site visit to Sexual Assault Center
- Jackson, TLAP client and volunteer meetings
- Nashville, Board of Law Examiners hearing
- Memphis, TLAP client meetings
- Memphis, TLAP holiday party at Elizabeth Collins’ home
- Memphis, LaPaloma site visit
II

TLAP PERSONNEL AND COMMISSION

Laura Gatrell, MA, CEAP, has served as TLAP’s Executive Director since March, 2006, and is responsible for all matters related to the operations of TLAP. In 2007, Ms. Gatrell was appointed to the Advisory Board for the American Bar Association’s Commission on Lawyer’s Assistance Programs (CoLAP). She has subsequently been selected to Chair the 23rd National Conference for Lawyer Assistance Programs in Indianapolis, Indiana, October 5th-8th, 2010. (Exhibit B) Ms. Gatrell also serves on CoLAP’s Evaluation Committee.

Ted Rice, M.Ed., LPC-MHSP, CEAP, has served as Assistant Director since October, 2006. Mr. Rice’s role is to coordinate, monitor, facilitate, delegate, evaluate and assume responsibility for TLAP’s clinical and organizational support. Mr. Rice travels extensively throughout the state, provides direct client services in each region, oversees law school education programs, and works extensively with both the Board of Law Examiners and Board of Professional Responsibility.

Emily Lacey was hired as the full-time Program Coordinator in January 2006. She is responsible for conference planning, expenses and reimbursements, random urine drug
screening, and compliance management of TLAP Monitoring Agreements. She is also on call after hours to answer TLAP crisis calls.

In June, 2009, TLAP officially added a forth, full-time staff member: the Director of Education and Outreach. This position originated from the two-year Byrne/JAG grant TLAP received from the Office of Criminal Justice Program (OCJP) for the 07/08 - 08/09 fiscal years. This position also provided additional outreach to law schools and law students.

To fulfill the mission of the OCJP grant, the American Bar Association’s Commission on Lawyer Assistance Programs (CoLAP) conducted a Stage II evaluation of TLAP in April, 2009. The evaluation committee recommended that the outreach position be permanently added to the TLAP staff. The additional staff member greatly increased TLAP’s educational programs and volunteer contacts; however, since December 1, 2009, that position has been vacant. TLAP will be conducting a nationwide search in order to fill this position with the best possible candidate by late Spring, 2010.

In September, 2009, TLAP added a clinical intern from Vanderbilt’s Human Developmental Counseling program, Jessica Copeland. Jessica will graduate from Vanderbilt in May, 2010, with a Master’s in Education (M.Ed.). Jessica has provided invaluable assistance to TLAP and its clients.

From July 1st, 2008, through June 30th, 2009, TLAP contracted with two practicing attorneys to serve as part-time Regional Outreach Directors: C. Jay Ingrum from Gallatin, and James E. Corcoran, III, from Knoxville. Mr. Ingrum’s and Mr. Corcoran’s positions were funded through the Byrne/JAG grant to provide educational programs to criminal defense attorneys, public defenders, and district attorneys.

The terms of TLAP Commissioners Jacqueline B. Dixon, Stafford McName, Christopher A. Hall, Dr. Howard Burley, and Honorable Robert L. Childers expired on June 1, 2009. The following new Commissioners were appointed: Judge Richard Baumgartner, Peter Rustin Harris, Ph.D., Andrew C. Branham, Cynthia A. Cheatham and James M.
Cornelius. Teresa Jones continues to serve as Commission Chair. (Exhibit C)

III
FINANCIAL

TLAP is a part of the Judicial Branch of State Government and is a state agency within the Administrative Office of the Courts (AOC). TLAP operates on a fiscal year: July 1st through June 30th. The TLAP budget for the 2008-09 fiscal year was $444,100, of which TLAP spent $508,118.30 and collected $488,207.03. Expenditures included $20,526.32 on the revolving loan program and $72,721.16 on the OCJP grant which ended June 30, 2009. The budget for the 2009-10 fiscal year is $415,000. (Exhibit D)

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<th>RECIPIENT REGION</th>
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<tr>
<td>West</td>
<td>LaPaloma</td>
<td>$5000.00</td>
</tr>
<tr>
<td>West</td>
<td>CoPAC- MS</td>
<td>$5000.00</td>
</tr>
<tr>
<td>West</td>
<td>Acumen- Kansas</td>
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<tr>
<td>East</td>
<td>Cornerstone</td>
<td>$5000.00</td>
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<td>West</td>
<td>Cumberland Heights</td>
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<tr>
<td>West</td>
<td>EMDR</td>
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<td>East</td>
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<tr>
<td>West</td>
<td>LaPaloma</td>
<td>$5000.00</td>
</tr>
<tr>
<td>Middle</td>
<td>English Mountain Recovery</td>
<td>$5000.00</td>
</tr>
<tr>
<td>East</td>
<td>English Mountain Recovery</td>
<td>$5000.00</td>
</tr>
</tbody>
</table>

TOTAL LOANED: $45560.00
DONATED BY COMMISSION: $1300
AMOUNT REMAINING: $59337.00
IV
HIGHLIGHTS OF 2009

Presentations and Marketing

The Tennessee Lawyers Assistance Program believes that intervention begins with educating all segments of the bench, bar and law schools about addiction, mental health issues, compulsive disorders and recovery from those conditions. TLAP’s efforts in this area remain constant—through presentations at law school orientations, professional responsibility classes, CLE seminars, county bar association, and more.

TLAP once again aggressively marketed its services in 2009 throughout its monthly travel. TLAP was able to share its printed materials during meetings, presentations, site visits, interventions and retreat weekends. TLAP produced three newsletters and published articles and advertisements, both locally and nationally. (Exhibit E)

Law School Outreach, Conditional Admission

TLAP staff members and volunteers regularly speak in all Tennessee law schools during new student orientations and ethics and professionalism classes. TLAP also presents to bar applicants in conjunction with Adele Anderson, Executive Director of the Board of Law Examiners. To supplement these presentations, every law student receives a TLAP Law School brochure. (Exhibit F) TLAP believes these efforts have led to the significant increase in the number of law students who seek assistance each year.

The order to amend Tennessee Supreme Court Rule 7, with a provision for Conditional Admission, was entered by the Court on September 3, 2009. (Exhibit G)

OCJP-Byrne/Jag Grant: Outreach to Members of the Criminal Justice System

All goals for the above grant were met and the grant was closed on July 1st, 2009. (Exhibit H)

ABA/CoLAP Stage II Evaluation
The ABA/CoLAP Evaluation Committee conducted a Stage II review of the Tennessee Lawyers Assistance Program, April 1-2, 2009. (Exhibit I) The evaluators concluded that:

“…the Tennessee Lawyers Assistance Program has developed into one of the most comprehensive and best administered in the country….TLAP has set the standards high.”

TLAP is grateful to all of the members of the bench and bar who met with the evaluators as part of the review process.

**Collaboration**

TLAP continues to work closely with BLE Administrator, Adele Anderson, and the BPR’s Chief Disciplinary Counsel, Nancy Jones. Ms. Jones, Ms. Anderson and Ms. Gatrell meet monthly to reduce the risk of communication problems between the agencies.

It should be noted that TLAP’s relationship with the BPR is consistently positive. This has been largely due to Ms. Jones and the excellent staff of attorneys that she has employed.

In addition, TLAP has enjoyed co-presenting with Ms. Anderson in the Tennessee law schools. TLAP and the BLE are working hard to develop new methods of interaction as both agencies strive to effectively utilize the Rule on Conditional Admission.

In January, 2009, TLAP had the pleasure of presenting on “Stress Resilience in Uncertain Times” for the staff of the Administrative Office of the Court. TLAP has been grateful for the opportunity to be of service to the agency that oversees it.

TLAP and the Nashville Bar Association’s Health and Wellness Committee hosted the first annual “Healthy Bar Party” on September 18th, 2009. This all day event combined CLE credit with healthy snacks, free chair massages and information on health and wellness options in the Nashville community. (Exhibit J)
CAMP TLAP

The 4th annual CAMP TLAP was held at Montgomery Bell State Park in March, 2009, with over ninety (90) participants. (Exhibit K) This year’s event featured headline speaker John P. “Jack” Corderman from Hagerstown, Maryland. CAMP TLAP has been extremely successful in bringing together law students, lawyers, and judges who are working any type of personal program of recovery, and for TLAP volunteers, supporters, their spouses or significant others. The 5th Annual CAMP TLAP will be held at Montgomery Bell State Park in March 19-21, 2010.

Judicial RAM Team (JRAM)

One of TLAP’s main goals for 2009 was to actively recruit and train judicial volunteers interested in offering formal assistance to their peers and colleagues who suffer from personal and/or professional problems. TLAP conducted the first Judicial RAM Team meeting during the annual Judicial Conference on October 20th, 2009, resulting in a dedicated committee of over nineteen members of the Tennessee Judiciary. (Exhibit L)

The Judicial RAM team has already been working hard to fulfill the educational portion of its mission. TLAP offered judicial intervention training in its office on December 11th, 2009, which will be replicated in the other regions of the state during 2010. The Judicial RAM team has also been putting together a presentation for the March Judicial Conference in Knoxville.

TLAP Volunteers/Speaker Training

Volunteers remain the cornerstone of TLAP. This year, TLAP held speaker training workshops facilitated by Robert Kiefer, professional public speaking coach. Mr. Kiefer taught the volunteers how to articulate their passion for TLAP with dignity and purpose. Feedback from participants was overwhelmingly positive. TLAP hopes to continue to use Mr. Kiefer to train more speakers in other regions of the state. (Exhibit M)
During the 2009 fall season, TLAP sponsored a co-ed softball league. TLAP also co-hosted a volunteer picnic in August, 2009, inviting friends and family of all TLAP supporters to spend a day eating, listening to music, playing softball and having fun. TLAP plans to continue to host events for volunteers that emphasize healthy stress management techniques.

**William B. Cain Foundation**

TLAP launched a marketing campaign for the William B. Cain Foundation’s Revolving Loan, which included press releases in bar journals, an announcement in the annual CLE mailing and a new fundraising brochure. One of TLAP’s main goals for 2010 is to actively campaign for donations to the Cain Foundation. (Exhibit N)

V

**CONCLUSION**

TLAP grows and expands due to the unwavering support from the TLAP Commission and volunteers. TLAP staff is grateful for the opportunity to serve the Tennessee legal community.

Respectfully submitted:

**Laura Gatrell**

Laura M. Gatrell, MA, CEAP
Executive Director
January 30, 2020
EXHIBIT A
Tennessee Lawyer Assistance Program

By Supreme Court Order: Rule 33
Chair: Teresa Jones, Esq. (Term expires 06/01/10)
Vice Chair: Ken Shuttleworth, Esq. (Term expires 06/16/10)
Secretary/Treasurer: Stephenson Todd, Esq. (Term expires 06/16/10)

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6th Judicial District, Div. I
City County Building
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Fax: (865) 215-3921
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Appointed by: Supreme Court

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Appointed by: Supreme Court

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Appointed by: Supreme Court

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Cell: (901) 340-5838
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E-mail: wkentcox@earthlink.net
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Appointed by: Supreme Court
(Lay member)

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Appointed by: Supreme Court
(Lay member)

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Term: Executive Director
Appointed by: Supreme Court

S.Ct. appts chair – 2 yr term
Members appt vice chair and sec/treas – 1 yr term
No member shall be appointed for more than two consecutive, full three year terms
* Not eligible for reappointment
Updated – 07/13/09
Tennessee Lawyer Assistance Program

By Supreme Court Order: Rule 33
Chair: Teresa Jones, Esq. (Term expires 06/01/10)
Vice Chair: Ken Shuttleworth, Esq. (Term expires 6/16/10)
Secretary/Treasurer: Stephenson Todd, Esq. (Term expires 6/16/10)

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Nashville, TN 37212-2804
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Appointed by: Supreme Court
(Lay member)

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Term: 06/01/08 - 06/01/11 (2)*
Appointed by: Supreme Court

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Term: 06/01/08 - 06/01/11 (1)
Appointed by: Supreme Court

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City Prosecutor's Office
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Appointed by: Supreme Court

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Phone: (931) 728-1316
Fax: (931) 728-1318
E-mail: parnic@bellsouth.net
Term: 06/01/08 - 06/01/11 (2)*
Appointed by: Supreme Court

Frank P. Pinchak, Esq.
Burnette, Dobson & Pinchak
713 Cherry St.
Chattanooga, TN 37402-1910
Phone: (423) 266-2121
Fax: (423) 266-3324
E-mail: fpinchak@bdhlaw.com
Term: 06/01/08 - 06/01/11 (1)
Appointed by: Supreme Court

Kenneth R. Shuttleworth, Esq.
Shuttleworth Williams
22 N. Front Street, Ste. 850
P. O. Box 3020
Memphis, TN 38173-0020
Phone: (901) 526-7399
Fax: (901) 526-5006
E-mail: krs@shuttleworthwilliams.com
Term: 06/01/08 - 06/01/11 (2)*
Appointed by: Supreme Court

W. Stephenson Todd, Jr., Esq.
Todd & Dossett, PC
134 West Center Street
Kingsport, TN 37660
Phone: (423) 245-1111
Fax: (423) 245-1115
E-mail: stodd@tdlaw.com
Term: 06/01/09 - 06/01/12 (2)*
Appointed by: Supreme Court

S.Ct. appts chair - 2 yr term
Members appt vice chair and sec/treas - 1 yr term
No member shall be appointed for more than two consecutive, full three year terms
* Not eligible for reappointment
Updated – 07/13/09
Tennessee Lawyer Assistance Program

By Supreme Court Order: Rule 33
Chair: Teresa Jones, Esq. (Term expires 06/01/10)
Vice Chair: Ken Shuttleworth, Esq. (Term expires 6/16/10)
Secretary/Treasurer: Stephenson Todd, Esq. (Term expires 6/16/10)

Supreme Court Liaison:

*Justice Sharon G. Lee
Tennessee Supreme Court
P.O. Box 444
Knoxville, TN 37901
Phone: (865) 594-6707
Fax: (865) 594-6561
E-mail: Justice.Lee@tncourts.gov
Term: Supreme Court Liaison
Appointed by: Supreme Court

S.Ct. appts chair – 2 yr term
Members appt vice chair and sec/treas – 1 yr term
No member shall be appointed for more than two consecutive, full three year terms
* Not eligible for reappointment
Updated – 07/13/09
EXHIBIT B
Save The Date!

ABA 23rd National Conference for Lawyer Assistance Programs

Hyatt Regency Indianapolis
Indianapolis, Indiana
October 5-8, 2010

For more information, contact Janice Jones at the ABA
312-988-5787 or janicejones@staff.abanet.org

ILAA Annual Conference
October 8-10, 2010
For more information, visit www.ILAA.org
EXHIBIT C
IN THE SUPREME COURT OF TENNESSEE

IN RE: TENNESSEE LAWYER ASSISTANCE PROGRAM

ORDER

It appears to the Court that the terms of the Commission to Administer the Tennessee Lawyer Assistance Program ("Commission") members Dr. Timothy P. Davis and Mr. W. Stephenson Todd, Jr., expire on June 1, 2009. Based upon their willingness to accept a new appointment, under the provisions of Supreme Court Rule 33, the Court is pleased to reappoint Dr. Davis and Mr. Todd to three-year terms commencing June 1, 2009, and expiring June 1, 2012, as members of the Commission.

It further appears to the Court that the term of Dr. Howard Burley, Jr., M.D., a non-lawyer member, expires on June 1, 2009. Because no Commission member may serve more than two consecutive, full three-year terms, Dr. Burley is ineligible for reappointment. The Court wishes to recognize and thank Dr. Burley for his valued service and outstanding contribution as a member of the Commission.

The Court is pleased and honored to appoint for a three-year term beginning June 1, 2009, and expiring June 1, 2012, the following new non-lawyer member of the Commission:

Peter Rustin Harris, Ph.D.
1410 17th Ave S
Nashville, TN 37212-2804
Phone: (615) 279-3663

If further appears that the terms of Commission members Judge Robert L. Childers, Jacqueline B. Dixon, Esq., Christopher A. Hall, Esq., and Stafford McNamee, Esq., expire on June 1, 2009. Because no Commission member may serve more than two consecutive, full three-year terms, these Commission members are ineligible for reappointment. The Court wishes to recognize and thank Judge Childers, Ms. Dixon, Mr. Hall, and Mr. McNamee for their valued service and outstanding contributions as members of the Commission.

The Court is pleased and honored to appoint the following new Commission members to serve three-year terms commencing June 1, 2009, and expiring June 1, 2012:

Judge Richard Baumgartner
6th Judicial District, Division I
City County Building
400 Main Avenue, Suite 162
Knoxville, TN 37902
Phone: (865) 215-2508

Andrew C. Branham, Esq.
3251 Poplar Avenue, Suite 115
Memphis, TN 38111
Phone: (901) 432-4720
IT IS SO ORDERED.

FOR THE COURT:

[Signature]

Sharon G. Lee, Justice
EXHIBIT D
**Tennessee Lawyers Assistance Program**  
Fiscal Year-to-Date Thru 6/30/09

<table>
<thead>
<tr>
<th>Income:</th>
<th>Budget 2008-09</th>
<th>YTD thru 6/30/09</th>
<th>Remaining Balance</th>
<th>Percent Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney Fees</td>
<td>$369,500.00</td>
<td>$414,179.99</td>
<td>$44,679.99</td>
<td></td>
</tr>
<tr>
<td>Donations</td>
<td>$-</td>
<td>$1,450.00</td>
<td>$1,450.00</td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>$-</td>
<td>$8,134.31</td>
<td>$8,134.31</td>
<td></td>
</tr>
<tr>
<td>Interdepartmental Revenue (Grant revenue)</td>
<td>$74,800.00</td>
<td>$54,123.38</td>
<td>(20,676.62)</td>
<td></td>
</tr>
<tr>
<td>Current Services Revenue</td>
<td>$-</td>
<td>$10,319.35</td>
<td>$10,319.35</td>
<td></td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td><strong>$444,300.00</strong></td>
<td><strong>$488,207.03</strong></td>
<td><strong>$43,907.03</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenditures:</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries &amp; Wages</td>
<td>$198,400.00</td>
<td>$214,957.15</td>
<td>(16,557.15)</td>
<td>-8.35%</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>$71,900.00</td>
<td>$74,874.73</td>
<td>(2,974.73)</td>
<td>-4.14%</td>
</tr>
<tr>
<td><strong>Total Salaries and Benefits</strong></td>
<td><strong>$270,300.00</strong></td>
<td><strong>$289,831.88</strong></td>
<td><strong>(19,531.88)</strong></td>
<td><strong>-7.23%</strong></td>
</tr>
<tr>
<td>Travel</td>
<td>$78,400.00</td>
<td>$93,223.71</td>
<td>(14,823.71)</td>
<td>-18.91%</td>
</tr>
<tr>
<td>Printing, Duplicating, and Film Processing</td>
<td>$3,800.00</td>
<td>$11,173.68</td>
<td>(7,373.68)</td>
<td>-194.04%</td>
</tr>
<tr>
<td>Utilities and Fuel</td>
<td>$-</td>
<td>$816.24</td>
<td>(816.24)</td>
<td></td>
</tr>
<tr>
<td>Communication and Shipping Costs</td>
<td>$6,000.00</td>
<td>$9,115.94</td>
<td>(3,115.94)</td>
<td>-51.93%</td>
</tr>
<tr>
<td>Maintenance, Repairs and Services Performed by Others</td>
<td>$500.00</td>
<td>$240.00</td>
<td>260.00</td>
<td>52.00%</td>
</tr>
<tr>
<td>Professional and Administrative Services-Third Parties</td>
<td>$45,200.00</td>
<td>$51,862.30</td>
<td>(6,662.30)</td>
<td>-14.74%</td>
</tr>
<tr>
<td>Supplies</td>
<td>$10,500.00</td>
<td>$15,698.31</td>
<td>(5,198.31)</td>
<td>-49.51%</td>
</tr>
<tr>
<td>Rentals and Insurance</td>
<td>$28,400.00</td>
<td>$30,483.08</td>
<td>(2,083.08)</td>
<td>-7.33%</td>
</tr>
<tr>
<td>Motor Vehicle Operation</td>
<td>$-</td>
<td>$-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Awards and Indemnities</td>
<td>$-</td>
<td>$-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Grants and Subsidies</td>
<td>$-</td>
<td>$4,078.60</td>
<td>(4,078.60)</td>
<td>-</td>
</tr>
<tr>
<td>Interest Payments</td>
<td>$-</td>
<td>$130.66</td>
<td>(130.66)</td>
<td></td>
</tr>
<tr>
<td>Professional Services Performed by Other State Agencies</td>
<td>$1,000.00</td>
<td>$1,463.90</td>
<td>(463.90)</td>
<td>-46.39%</td>
</tr>
<tr>
<td><strong>Total Other Expenditures</strong></td>
<td><strong>$173,800.00</strong></td>
<td><strong>$218,286.42</strong></td>
<td><strong>(44,486.42)</strong></td>
<td><strong>-25.60%</strong></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>$444,100.00</strong></td>
<td><strong>$508,118.30</strong></td>
<td><strong>(64,018.30)</strong></td>
<td><strong>-14.42%</strong></td>
</tr>
</tbody>
</table>

**Total Income Over(under) Expenditures**  
$ (19,911.27)  See note

Previous Fund Balance  
$542,081.58

Projected Fund Balance as of 6/30/09  
$522,170.31

Projected Balance of Revolving Loan Program  
$78,065.50

Note: Of this amount $20,526.32 pertained to the revolving loan program, which would not come out of operating revenue. Therefore, their operating budget was $615.05 in the black.
# Tennessee Lawyers Assistance Program
## Fiscal Year-to-Date Thru 11/30/09

### Income:

<table>
<thead>
<tr>
<th>Item</th>
<th>Budget 2009-10</th>
<th>YTD thru 11/30/09</th>
<th>Remaining Balance</th>
<th>Percent Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney Fees</td>
<td>$ 415,000.00</td>
<td>$ 6,020.00</td>
<td>(408,980.00)</td>
<td></td>
</tr>
<tr>
<td>Donations</td>
<td>$ -</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Interest</td>
<td>$ -</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Current Services Revenue</td>
<td>$ -</td>
<td>$ 872.00</td>
<td>872.00</td>
<td></td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>$ 415,000.00</td>
<td>$ 6,892.00</td>
<td>(408,108.00)</td>
<td></td>
</tr>
</tbody>
</table>

### Expenditures:

<table>
<thead>
<tr>
<th>Item</th>
<th>Budget 2009-10</th>
<th>YTD thru 11/30/09</th>
<th>Remaining Balance</th>
<th>Percent Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries &amp; Wages</td>
<td>$ 198,000.00</td>
<td>$ 109,452.00</td>
<td>88,548.00</td>
<td>44.72%</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>$ 72,100.00</td>
<td>$ 35,758.82</td>
<td>36,341.18</td>
<td>50.40%</td>
</tr>
<tr>
<td><strong>Total Salaries and Benefits</strong></td>
<td>$ 270,100.00</td>
<td>$ 145,210.82</td>
<td>124,889.18</td>
<td>46.24%</td>
</tr>
<tr>
<td>Travel</td>
<td>$ 53,300.00</td>
<td>$ 22,994.37</td>
<td>30,305.63</td>
<td>56.86%</td>
</tr>
<tr>
<td>Printing, Duplicating, and Film Processing</td>
<td>$ 3,000.00</td>
<td>$ 759.90</td>
<td>2,240.10</td>
<td>74.67%</td>
</tr>
<tr>
<td>Utilities and Fuel</td>
<td>$ -</td>
<td>$ 312.89</td>
<td>(312.89)</td>
<td></td>
</tr>
<tr>
<td>Communication and Shipping Costs</td>
<td>$ 4,600.00</td>
<td>$ 3,846.95</td>
<td>753.05</td>
<td>16.37%</td>
</tr>
<tr>
<td>Maintenance, Repairs and Services Performed by Others</td>
<td>$ 500.00</td>
<td>$ 264.00</td>
<td>236.00</td>
<td>47.20%</td>
</tr>
<tr>
<td>Professional and Administrative Services-Third Parties</td>
<td>$ 5,000.00</td>
<td>$ 16,696.35</td>
<td>(11,696.35)</td>
<td>-333.93%</td>
</tr>
<tr>
<td>Supplies</td>
<td>$ 10,000.00</td>
<td>$ 6,029.63</td>
<td>3,970.37</td>
<td>39.70%</td>
</tr>
<tr>
<td>Rentals and Insurance</td>
<td>$ 24,400.00</td>
<td>$ 15,596.40</td>
<td>8,803.60</td>
<td>36.08%</td>
</tr>
<tr>
<td>Motor Vehicle Operation</td>
<td>$ -</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Awards and Indemnities</td>
<td>$ -</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Grants and Subsidies</td>
<td>$ -</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Interest Payments</td>
<td>$ -</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Training of State Employees</td>
<td>$ -</td>
<td>$ 4,090.00</td>
<td>(4,090.00)</td>
<td></td>
</tr>
<tr>
<td>Computer Related Items</td>
<td>$ -</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Professional Services Performed by Other State Agencies</td>
<td>$ 1,000.00</td>
<td>$ 370.06</td>
<td>629.94</td>
<td>62.99%</td>
</tr>
<tr>
<td><strong>Total Other Expenditures</strong></td>
<td>$ 101,800.00</td>
<td>$ 70,960.55</td>
<td>30,839.45</td>
<td>30.29%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>$ 371,900.00</td>
<td>$ 216,171.37</td>
<td>155,728.63</td>
<td>41.87%</td>
</tr>
</tbody>
</table>

### Total Income Over(under) Expenditures

<table>
<thead>
<tr>
<th>Budget 2009-10</th>
<th>YTD thru 11/30/09</th>
<th>Remaining Balance</th>
<th>Percent Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 43,100.00</td>
<td>$(209,279.37)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Previous Fund Balance $ 522,170.31
Projected Fund Balance as of 11/30/09 $ 312,890.94
EXHIBIT E
As compared with overall population statistics, lawyers are at greatly heightened risk of suicide, depression, and addiction - to work, alcohol, and drugs. Many factors explain this. Good lawyers take "ownership" of critical and sometimes life-or-death matters for clients. A typical day, or year, can be an emotional roller-coaster of wins and losses. We regularly see situations where clients have gotten themselves into tragic predicaments with enormous sympathetic gravity. Client relationships are often long-lasting, so an abusive client wreaks havoc far longer than a jerk at the drive-through. And we are trained to be skeptical, find counters to every argument, and view everything as "cutting both ways." It's hard to stay grounded from such perspectives.

The basic work of lawyering has some inherent stress-builders and barriers to help. Much is hands-on, solo work, regardless of the practice setting. We aren't executives who set goals and send others forth to labor at them. Even for lawyers who practice in large firms or in teams, the writing or editing of a brief, the questioning at a deposition, doing a closing argument - all of these are matters of individual creativity and action. And even where portions of work can be delegated, lawyers are historically poor delegators. Do you know anyone who has waited so long to get help with a brief or document production that "it's easier now just to do it myself?" Moreover, solo work lends itself to isolation, and being a champion for clients lends itself to a self-image of "Superman." Who in this mindset would share or seek help for a problem?

I point these things out not to castigate law practice, but to observe that if lawyers are to stay happy, healthy, and grounded, we must first understand both the obvious and the subtle circumstances that affect us.

1. There is nothing wrong with hard work - even very hard work. Indeed, working hard to be fully prepared and stay on schedule can reduce stress. Just be sure you are working hard for the right reasons. Achievement, happiness, and money are good reasons. If victories, raises, bonuses, pats on the head, or other "highs" from work become "fixes" you need for your self-worth, you may have an addiction just as toxic as one to alcohol, drugs, or gambling.

2. Keep your life rich. The busiest lawyers I know are the ones who also chair civic boards, do mission work overseas, and coach school athletic teams. The lawyer who "doesn't have time" to spend with family, friends, or hobbies, and doesn't want to get out of bed in the morning, is probably depressed, not too busy.

3. Don't think passionate advocacy is inconsistent with detached professional judgment. My first legal employer, a federal judge, told me I would never have any client as valuable as whatever credibility and reputation I developed. Henry Hancock, a dean of the Memphis bar, used to refer to "White Hat Lawyers." Judges knew his citations were spot-on and his arguments never a path to reversible error. Be a "Lawyer's Lawyer." The integrity is good for your soul, not just your reputation.

4. Once you get on this roller-coaster, sometimes it will go too fast. You need support and help from other people, and you'd better stay open to that reality. Just because you can't solve a particular problem doesn't mean it's insoluble. Just because you represent doctors doesn't mean you are one. "Eat healthy food" and "get plenty of sleep" are not trite slogans to...
About ten years ago, a fellow who I met in an AA meeting contacted me about a major problem: he had been charged with a DUI; he was incarcerated in the Roane County Jail; and, as I later learned, he had little recollection of the self-defeating behavior that ultimately deprived him of his freedom.

After being retained to represent Bob, not much evidence was found on which to mount any viable defense. The officer who stopped and arrested Bob was not particularly swayed by my impassioned argument that there existed no probable cause to arrest and charge Bob, nor was the District Attorney favorably impressed.

But I knew Bob personally, and I knew that he had a simmering desire to stop drinking. Bob eventually found his way out of jail and into a halfway house. I continued to see him at meetings and noticed that the spark of sobriety had been lit. Bob managed to remain sober and eventually took a position at a treatment facility west of Nashville. He invited me to visit his place of employment, but due to distance and my schedule, I never made the trip.

At Camp TLAP 2009, a power greater than us all made that visit to Bob possible. At Montgomery Bell State Park, in the same small town of Burns where the treatment facility Discovery Place is located, I saw a familiar face, though initially I hardly recognized him.

As I was setting up the display for English Mountain Recovery, Bob Overton was preparing for the participation of Discovery Place as sponsor of Camp TLAP 2009. Bob looked great and I told him so. We had the chance to reminisce and the following day, Bob and Aaron from Discovery Place conducted their part of the seminar. Bob mentioned how his legal misfortune had been the catalyst of that psychic change necessary to change his life, and that my part, buoyed by guidance from that ubiquitous higher power, had been an influence.

I realized that by helping Bob he was able to help himself and contribute his expertise to lawyers. Bob Overton had come full circle. Camp TLAP presented, through synchronicity and grace, the opportunity for us to reconnect. Recovery is available to lawyers in 2009, thanks to the efforts of everyone affiliated with TLAP, and to the miracle that now defines the temporal life of Bob Overton. He now is a useful, productive person and Bob inspired my continuing recovery and that of my fellow recovering attorneys. Thanks to Laura and the staff for their efforts in having Discovery Place and Bob Overton participate in Camp TLAP!

SAVE THE DATE!

Thank you from the TLAP staff to all the participants and MANY volunteers who helped make the 4th Annual CAMP TLAP the best to date! Let's see if we can make it even better next year.

CAMP TLAP 2010
Montgomery Bell State Park
March 19-21

Websites of Interest:
Alcoholics Anonymous Archival and Historical Materials Part 1
http://hindsfoot.org/archives.html

Site for lawyers with depression created by a lawyer with depression:
http://www.lawyerswithdepression.com

From the A.B.A.:

Page 2

LAWYERS NEVER NEED . . . HELP!

Continued from page 1
be dissected with your keen analytical mind.

5. Finally, if you have a partner, associate, or colleague showing signs of depression, overreaction to stress, substance abuse or the like, use all reasonable coercion to get them help. I use that strong word, coercion, deliberately. Psychiatric studies confirm what we lawyers intuitively know: professionals are uniquely skilled at denial. A person in the isolating throes of depression or addiction will do anything to be left in status quo, and won't agree you are acting in his or her best interest. You may have to use very unpleasant leverage. You won't regret that, but you may regret not doing so.

We are not alone in attempting to achieve these serious aspirations. The only stigma, and real thing to fear, is going through life without making the most of it.

Camp TLAP golf tournament planners and participants Matt Eggleston of Nashville and Bill Ligon of Gallatin.
Nothing I have encountered in recent memory has caused me greater trepidation then getting into my car the morning of March 13, 2009 to head for Montgomery Bell State Park. I have skydived, swam with sharks, and bungee jumped off bridges not to mention the numerous occasions where I placed my life in jeopardy while in active addiction. I have never been accused of being risk averse, or for that matter, humble. Camp TLAP truly exposed me.

In five years, I have managed to always have a hearing set, a timely illness or some other convenient excuse not to attend the annual retreat. Sadly, at other times I was in no condition to attend. In spite of the ego and outward confidence I possess (of course I am unique there), I have always been unwilling to face the perils of Camp TLAP, namely: fellowship with people that have faced similar struggles I have; moments of laughter and humor with new friends; singing by a camp fire with a djembe (an African drum), maracas, something that looked like a ukulele (forgive me Tiny Tim) and a quartet of deaf tone tenors; and probably more than anything an opportunity at acceptance and closure. No wonder I stayed away so long.

From the moment I arrived I was thrust forward into one event after another. The allure of retreating to my lodge hotel room and avoiding “you people” was always present. Fortunately for me, so were so many of you. With a smile or handshake I was enticed to “join us for a cup of coffee”, play a hand of gin rummy or simply listen to some of the most entertaining stories I have ever heard. I was exposed; exposed to acceptance. I discovered an acceptance of myself and an acceptance of me by others. Of course none of this would have been possible had I stayed home. For that, I owe a great deal to the TLAP staff and volunteers. Without their encouragement, none of this would have been possible.

I was surprised at the opportunities that presented themselves at Camp TLAP. There were opportunities to make some much needed amends, to express gratitude and to step outside of the safe haven of my isolation. Whether I was golfing in the 45 degree sleeting rain or forced into contortions in the 110 degree yoga “hospitality” suite, the day’s events were always entertaining and encouraged the development of new bonds amongst the attendees. The evenings of games, speakers, movies and the ultimate bonfire/hoontanny made the nights events impossible to pass up. There was also plenty of late night storytelling and mischief in and about the hotel property. I was truly like a kid in a candy store.

Camp TLAP, like so many other things in life is what you make of it. Luckily, and with a great many gentle nudges, I decided to attend. The rest was easy. I cannot wait to see all of you next year. Bring your “bongo”, golf rain gear, deck of cards, popcorn, yoga mat, a sense of humor and most importantly........an open mind.

Anonymous
LAWYERS NEVER NEED...HELP!!!! By Mark Vorder-Bruegge, Jr.

As compared with overall population statistics, lawyers are at greatly heightened risk of suicide, depression, and addiction - to work, alcohol, and drugs. Many factors explain this. Good lawyers take "ownership" of critical and sometimes life-or-death matters for clients. A typical day, or year, can be an emotional roller-coaster of wins and losses. We regularly see situations where clients have gotten themselves into tragic predicaments with enormous sympathetic gravity. Client relationships are often long-lasting, so an abusive client wreaks havoc far longer than a jerk at the drive-through. And we are trained to be skeptical, find counters to every argument, and view everything as "cutting both ways." It's hard to stay grounded from such perspectives.

The basic work of lawyering has some inherent stress-builders and barriers to help. Much is hands-on, solo work, regardless of the practice setting. We aren't executives who set goals and send others forth to labor at them. Even for lawyers who practice in large firms or in teams, the writing or editing of a brief, the questioning at a deposition, doing a closing argument - all of these are matters of individual creativity and action. And even where portions of work can be delegated, lawyers are historically poor delegators. Do you know anyone who has waited so long to get help with a brief or document production that "it's easier now just to do it myself"? Moreover, solo work lends itself to isolation, and being a champion for clients lends itself to a self-image of "Superman". Who in this mindset would share or seek help for a problem?

I point these things out not to castigate law practice, but to observe that if lawyers are to stay happy, healthy, and grounded, we must first understand both the obvious and the subtle circumstances that affect us.

1. There is nothing wrong with hard work - even very hard work. Indeed, working hard to be fully prepared and stay on schedule can reduce stress. Just be sure you are working hard for the right reasons. Achievement, happiness, and money are good reasons. If victories, raises, bonuses, pay on the head, or other "highs" from work become "fixes" you need for your self-worth, you may have an addiction just as toxic as one to alcohol, drugs, or gambling.

2. Keep your life rich. The busiest lawyers I know are the ones who also chair civic boards, do mission work overseas, and coach school athletic teams. The lawyer who "doesn't have time" to spend with family, friends, or hobbies, and doesn't want to get out of bed in the morning, is probably depressed, not too busy.

3. Don't think passionate advocacy is inconsistent with detached professional judgment. My first legal employer, a federal judge, told me I would never have any client as valuable as whatever credibility and reputation I developed. Henry Hancock, a dean of the Memphis bar, used to refer to "White Hat Lawyers." Judges knew his citations were spot-on and his arguments never a path to reversible error. Be a "Lawyer's Lawyer." The integrity is good for your soul, not just your reputation.

4. Once you get on this roller-coaster, sometimes it will go too fast. You need support and help from other people, and you'd better stay open to that reality. Just because you can't solve a particular problem doesn't mean it's insoluble. Just because you represent doctors doesn't mean you are one. "Eat healthy food" and "get plenty of sleep" are not trite slogans to

TLAP Volunteer of the Year
Mark Vorder-Bruegge, Jr. a partner in the Memphis office of Wyatt, Tarrant & Combs LLP received the 2nd Annual TLAP Volunteer of the Year Award. Mark's consistent willingness to serve combined with his many hours developing the William B. Cain Fund made him the unanimous choice for the award.

Congratulations To Our New Commissioners!
Judge Richard Baumgartner
Knoxville, TN
Andrew C. Branhm, Esq.
Memphis, TN
Cynthia A. Cheatham, Esq.
Manchester, TN
James M. Cornelius, Jr., Esq.
Knoxville, TN
Peter Rustin Harris, Ph.D.
Nashville, TN

Inside this Issue:
Synchronicity and CAMP TLAP
Lawyers Never Need Help
Honoring Chief Justice Holder
Help Me! I've Been TLAPed
Go Yoga
Stress-Hardiness: The Path to Resilience for Lawyers

Lawyers have a highly stressful profession. Studies confirm we have higher rates of depression, anxiety-related disorders and addiction than the general population. Recognizing and building our “resilience” or “stress-hardiness” provides needed protective factors to counter high levels of stress and strain. Continually working against deadlines in highly charged, adversarial and competitive settings exacts a very high price, unless a lawyer ranks high in hardiness traits.

Dr. Salvatore Maddi, utilizing a set of human strengths that act as buffers against extreme stress, adversity and psychological illness has developed “hardiness.” This framework identifies how some people grow and thrive in stressful situations. For 12 years Dr. Maddi and his team of researchers worked with 400 AT&T employees before, during, and after the greatest divestiture in history. One-third of affected employees not only survived the upheaval but thrived in spite of it. Those who thrived had in common three key beliefs that helped them to turn adversity to advantage. Hundreds of research studies conducted since Dr. Maddi’s original work in the 1980s have consistently confirmed the stress buffering nature of these characteristics referred to as “the 3 C’s.”

CHALLENGE - Those who look at life as a challenge tend to welcome new situations as opportunities to learn, grow, and develop rather than looking at new prospects as threats.

COMMITMENT – Those with commitment give activities their best, not their perfect, effort and have a curiosity about what they are doing instead of a feeling of detachment or isolation.

CONTROL - Those who demonstrate control are motivated to find ways to influence the outcome of stressful changes, rather than lapse into helplessness and passivity.

A fourth “C,” also has a powerful impact on hardiness and that is “Connection” or social support. Social support contributes significantly to the strengthening of attitudes and coping skills. Creating and maintaining a supportive, caring and encouraging environment goes a long way to enhancing and strengthening personal hardiness.

In sum, lawyers know we have a highly stressful, demanding work environment. As a result, we lawyers have less time to spend on our own physical, mental, and emotional needs. Vicarious trauma or the “cost of caring” as referred to by Dr. Charles Figley in Compassion Fatigue (1995), results from working with difficult and traumatized clients. This also negatively impacts an attorney’s ability to perform and cope. However, applying the 3 C’s to the practice of law while creating social support leads to stress-hardiness: thriving in adversity, seeing the glass half-full and taking an active role in the direction of one’s life and practice. Building stress-hardiness is the path to becoming a resilient lawyer.

By Nancy Stek, Assistant Director
New Jersey Lawyers Assistance Program

Substance Abuse Hits
Large Firms Too

Alcoholism, other substance abuse and mental illness spare no segment of society at large or of the legal profession. Lawyers in private practice, public service (governmental and non-governmental) and academia are all susceptible to these illnesses. The pressures that drive lawyers to drink, to use illegal substances and to overuse prescription drugs are probably greater now than at any time in the past half-century. And those pressures, while felt throughout the legal profession, may be taking their heaviest toll in the large law firms of New York City and the state’s other urban centers.

The large corporate and financing transaction in which these firms specialize have dwindled in number and size during this economic downturn. Firms find that they are overstaffed to meet the current demand for their services. And increasingly clients are becoming sophisticated and demanding as to how their affairs are handled and how much they will pay for legal services. It was saddening, but not as surprising as it would have been two years ago, to read that a partner in one large law firm had taken his life, as had an associate in another major firm.

No one knows how prevalent abuse of alcohol and other substances and . . . (continued on pg. 2)
Jay Ingrum, attorney with Phillips & Ingrum, Gallatin, TN

I first got involved with TLAP after being contacted by former TLAP Executive Director, Robert Albury, about being a volunteer Peer Monitor. Someone who knew I was in recovery gave TLAP my name, and for that I am eternally grateful. That chance happening gave me the opportunity to get involved as a volunteer with a wonderful organization that I had never even heard of before.

I volunteered as a Peer Monitor for several years working with attorneys in recovery who were under contract with TLAP. It was a very rewarding experience. I am certain that I got more out of it than those that I monitored. I know that I experienced more peace and serenity in my life because of the work I was doing with TLAP.

After several years as a volunteer, Laura Gatrell, who took Robert Albury’s position at TLAP, contacted me about doing some contract work as an Outreach Director for TLAP in Middle Tennessee under the Criminal Justice Outreach Grant. Of course I accepted. Not for the money, but for the opportunity to serve a great organization like TLAP in a new way.

Working as an Outreach Director provided me with new opportunities within TLAP. I met new, interesting people. I attended the COLAP Conference in Little Rock, Arkansas. Also, I got to attend Camp TLAP at Montgomery Bell State Park, which is one of the coolest events that I have ever attended. Camp TLAP was like a summer camp for adult, lawyers in recovery. Where else could you go and spend time with wonderful people who simply want to help one another, and have so much fun at the same time. The speakers, the games, the prizes, the music, and the bonfire were great, but the best thing was the recovery and healing that you could actually see and feel taking place all around you. There were newcomers and old timers, and everything in between. I didn’t want to come home.

I had the opportunity to travel around the mid-state and speak to different groups about the great work that TLAP is doing. I spoke to public defenders, district attorneys, the private defense bar, judges, and even law students. The programs were always well received. You could tell that people know how important the work of TLAP is because inevitably several people would come up after the speaking engagement to talk privately. They might have a question or maybe a concern about a friend or colleague. Maybe even some of them had a concern about themselves. Doing this type of work was very fulfilling.

Sadly, the Criminal Justice Outreach Grant ended in June. Therefore, I am no longer an Outreach Director for TLAP in Middle Tennessee. Fortunately, I can now go back to being a volunteer Peer Monitor or whatever else TLAP needs me to be. I will be there for TLAP, just as the recovering alcoholic is supposed to be there for the alcoholic who still suffers. That is my duty, and my pleasure.

I hope to see all of my many new TLAP friends soon. I miss you all! Thank you to TLAP for the opportunity to serve.

(continued from pg. 1)
The loan fund supplies a needed component in the total resources which our Supreme Court, through TLAP, can bring to bear in times of deserving need. The ability to arrange treatment is not only a key weapon in TLAP’s arsenal, but may be the outcome-determinative factor in the success of many lawyers’ recovery from depression, substance dependence, and other life challenges. Steve Watts, the original facilitator of the Memphis Lawyers Helping Lawyers program, always said that the legal profession’s drive for greater achievement in civility and constructive conduct could well be led by the recovering lawyer community, due to the positive benefits of emotional health and programs of recovery in lawyers’ aspirations to lead healthy and well-balanced lives. Thus, the loan fund is a powerful contributor both direct mission and to the aspirations of the Justice system as a whole."

- Mark Vorder-Bruegge, Jr.
TLAP Volunteer & Fund Advisory Committee

"I am delighted that the family of Judge William B. Cain has allowed his name to be used for a project that so perfectly epitomizes Judge Cain’s commitment to the recovery of impaired members of the legal profession and his belief in the efficacy of the Tennessee Lawyers Assistance Program."

- Chief Justice Janice Holder

"Bill Cain was an inspiration to all judges. His determination to lead a healthy lifestyle has left us with a wonderful legacy."

- Judge Childers

"When others walked away, TLAP stubbornly refused to give up on my recovery from a dual diagnoses condition. As result, I have finally received the help I need. It has literally saved my life and made possible a quality of living I had only dreamed of experiencing. Thanks TLAP!"

- 2009 Recipient

"... I had no insurance at the time and even if I did, Insurance would not have covered the treatment. The William B. Cain Revolving Loan Fund allowed me to get the treatment I needed. It really changed my Life."

- 2009 recipient

TLAP Volunteer Spotlight: Buddy Burnett

The Wednesday Night Lawyers’ meeting started in January 1990 and was done at the insistence of David Field. Dave was the chairman of the Nashville Lawyers Concerned for Lawyers committee of the Nashville Bar Association that year, and Dave had a friend in the District Attorney’s Office with a desperate need to attend AA meetings. This person was prosecuting DUls and was concerned about anonymity and the prospect of running into defendants from the morning docket at an evening AA meeting. Dave recruited Roger Gray and me to help start an AA meeting just for attorneys.

Dave, Roger and I were attending many of the same meetings and were close friends, but we were also serving on the Nashville Lawyers Concerned for Lawyers Bar Committee. I had my own office in a building at the corner of 21st Avenue and Charlotte Avenue, so it was agreed we would have the meeting there in the library. I was going to a meeting nearly every night, so I knew I would have to give up one, and I picked Wednesday night at 8:00.

I spoke with several people about how to operate the meeting and whether it was even a good idea for a bunch of lawyers to meet. Would a lawyers meeting be too inbred and focused on law and not recovery? The consensus with my advisors was the meeting was a great idea, but we should stay focused on recovery and not law.

It was agreed the meeting would be patterned after the AA meetings in the Middle Tennessee area. I bought a Big Book and made coffee, waiting to see who would show up. The first meeting attracted about ten or twelve people from different backgrounds and various twelve step programs. For several years we stuck at around six to ten people attending the meeting, and there was more than one occasion it would just be Dave Field, Roger Gray and me. We had a few people that were directed/ordered to be there by the courts, and a few times the Bar Committee would send someone our way.

Dave Field died after a heart attack very suddenly about a year and a half after the meeting started. Dave died sober. Although I was in terrible pain at losing my good friend, the meeting continued. By then we had several people attending the meeting regularly. The only times we didn’t meet were on major holidays and during Daytona Bike Week. I’m not joking about Bike Week. The people attending the meeting knew I was an avid motorcyclist, and I went to bike week for the races several years in a row.

In 1996 or 1997, the Tennessee Bar Association drafted a petition to the Tennessee Supreme Court to establish funding for a Lawyers’ Assistance Program. Gilbert Campbell and Alan Ramseur were pushing for the program and drew in Tennessee attorneys serving on the various concerned lawyer committees. Stevenson Todd and I signed the petition, and before we knew it, the Tennessee Lawyers Assistance Program sprang to life. Suddenly, there were lawyers with various addictions and mental issues crawling out of the woodwork and coming to the Wednesday night meeting.

The building at 21st and Charlotte was sold in 1998, so I had to relocate to the building at 4800 Charlotte Avenue. The group has continued to grow at the new location because of word of mouth and people directed there by TLAP. Several people have asked whether we need to move the meeting to accommodate the increased numbers, but the accessibility of the building, near central location in town and the intimacy of the surroundings make the meeting comfortable.

I read the opening statement as at any other twelve step meeting, but I deliberately do not present a topic at the meeting and try to let the group guide the discussion. It isn’t Buddy’s meeting; I just provide the location, the Big Book and the coffee.
While TLAP has always provided services to the Tennessee Judiciary, we are pleased to announce the development of a new Judicial Regional Area Monitoring (RAM) Team. Twenty-five judges from across the state will convene in Murfreesboro on October 20th to receive training on Peer Assistance, TLAP services, recognizing symptoms and intervention techniques.

TLAP currently has seven RAM Teams comprised of attorneys throughout the state. The new Judicial RAM Team will serve as volunteer support for judges in need of assistance. If you or someone you know are interested in volunteering, please contact TLAP Executive Director, Laura Gatrell at (615) 741-3238 for more information.

Would you like to submit an article for the next newsletter? Have a topic suggestion? Call M.C. McDonough at 615-741-3238 or email submissions to: marycarol.mcdonough@tncourts.gov

UPCOMING EVENTS

LOWER YOUR STRESS WHILE EARNING FREE CLE!
The Nashville Bar Association Committee on Attorney Health and Wellness is hosting a full-day of stress-relieving seminars including up to 2 hours of free CLE.

September 18, 9 a.m. to 4 p.m.
For More Information: Contact Jackie Johnson at jackie.johnson@tncourts.gov

CoLAP
Annual Conference
The 22nd Annual National Conference for Lawyer Assistance Programs will be held at the Arizona Grand Resort in Phoenix, AZ October 6-9, 2009. TLAP’s Executive Director, Laura Gatrell will Co-Chair the event.

For more information: www.abanet.org/legalservices/colap/conference.html
For hotel reservations: www.arizonagrandresort.com or call 1-877-800-4888.

SAVE THE DATE!
Thank you from the TLAP staff to all the participants and MANY volunteers who helped make the 4th Annual CAMP TLAP the best to date! Let’s see if we can make it even better next year.
CAMP TLAP 2010
Montgomery Bell State Park
March 19-21

Come Out to Support Team TLAP!
Softball Starts Soon.

Find us On
facebook.
Or on Twitter @ TLAPtweets

TLAP
TENNESSEE LAWYERS ASSISTANCE PROGRAM
When you call TLAP, you can be sure that complete confidentiality will be maintained. The Tennessee Supreme Court has established TLAP as an approved impaired lawyers program pursuant to a Rule 33 of the Rules of The Supreme Court of Tennessee. By virtue of said rule, all communications with TLAP are confidential and members of TLAP are relieved of their duty to report ethical violations discovered as a result of their TLAP work. This means that any misconduct or ethical violation discovered or revealed to a member of TLAP will not be reported to any disciplinary board. Additionally, communications with TLAP are confidential and privileged by virtue of T.C.A. Sec. 23-4-101, et seq.

Problems are not a sign of failure, but an opportunity for growth.

Don't wait another minute — Contact Us Now!

TLAP
200 4th Avenue North
Suite 810
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615-741-3238
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Manage and Protect Your Reputation Online

In school you learned that justice is served in a court of law, but what about the court of public opinion? In the Internet age, where information sits at the tips of your fingers, how your name appears in Google search results defines your identity, whether it’s accurate or not.

You’ve spent too much time and money going through law school to let your career get sidetracked by a bad online reputation. Here are some tips to help you put your best foot forward online.

**Clean Up Your Facebook Profile**

Your Facebook profile can be a valuable networking tool, but only if you keep it professional. Use Facebook’s privacy settings to separate work colleagues from friends and family. Your law school buddies might like that funny Halloween costume you wore, but the Senior Partner at your law firm might not.

**Monitor Your Name**

If someone is talking bad about you online, it’s not the end of the world. If you address the situation quickly, you can mitigate most of the damage and salvage your reputation. This is why it’s so important to constantly monitor your name online. For a quick solution, use a Google News alert.

**Start a Blog**

Are you an expert in Finance Law? Skilled litigator? Whatever your specialty, let the world know by creating your own blog. If you use your name as the URL, you can draw positive attention to yourself and attract the attention of future employers.

*By Rob Frappier*

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**Harvard Law graduate Michael Fertik founded ReputationDefender in 2006 to help protect and defend individuals from Internet defamation.**

Today, ReputationDefender maintains a suite of four products: MyChild, MyReputation, MyPrivacy, and MyEdge. ReputationDefender’s diverse clientele, ranging from CEOs and politicians to soccer moms and college students, comes from over 35 countries worldwide.

For more information on ReputationDefender, visit [www.reputationdefender.com](http://www.reputationdefender.com).
IS ALCOHOLISM A DISEASE?

What do you think?

Research is available on both sides of the debate. This month, TLAP invites you to join the discussion. Write from your experience or do a little research of your own and answer the question:

Is alcoholism a disease?

New Research from the Baldwin Research Institute:

New research from the Baldwin Research Institute indicates that the existence of the disease of alcoholism is pure speculation. The American Medical Association (AMA) determined alcoholism to be a disease in the absence of empirical evidence.

Research has shown that alcoholism is a choice, not a disease, and the removal of the disease concept is a threat to the health of the individual. A disease cannot be cured by force or will, therefore, adding the medical label transfers the responsibility from the abuser to others. Inevitably they become unwilling victims, and inevitably take on that role.

A natural assumption would be that the classification of a disease requires that characteristics and symptoms can be measured and observed.

While the majority of diseases fit this requirement, substance abuse does not. This supposed disease’s symptoms are only discovered after the consumption of alcohol. Further, it seems illogical for medical professionals to prescribe meeting attendance as a remedy for an “incurable” medical ailment, not to mention a contradiction to the supposed nature of the problem.

What the AMA Is Saying:

Alcoholism, is a disease that includes the following four symptoms:

- **Craving** — A strong need, or urge, to drink
- **Loss of control** — Not being able to stop drinking once it has begun
- **Physical dependence** — Withdrawal symptoms, such as nausea, sweating, shakiness, and anxiety after stopping drinking
- **Tolerance** — The need to drink great amounts of alcohol to get “high”

The craving that an alcoholic feels for alcohol can be as strong as the need for food or water.

An alcoholic will continue to drink despite serious family, health, or legal problems.

Like many other diseases, alcoholism is chronic, meaning that it lasts a person’s lifetime; it usually follows a predictable course; and it has symptoms. The risk for developing alcoholism is influenced both by a person’s genes and by his or her lifestyle.

Submit responses to:

200 4th Avenue North
Suite 810
Nashville, TN 37219

Or via email to:

tlap@tncourts.gov

*Submissions will be treated with complete anonymity.*

Have a Safe and Happy Holiday Season! See you in 2010!

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In Other News:

**Lawyer–Heavy States See Higher Cocaine Use**

A new statistical analysis showed a correlation between cocaine use and the number of lawyers in a state, and to a lesser extent, those in business and finance occupations, computer jobs, and management fields. “Although we can’t infer whether it’s people in those jobs actually doing drugs, those profession are generally regarded as intense and lavish.”

The study also found that marijuana use is associated with high concentrations of artists, scientists, architects and educators according to Atlantic’s analysis of data from the National Survey of Drub Use and Health.

- Compiled from an article
  By Debra Cassens Weiss

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**High–Functioning Alcoholic Lawyers May Defy Stereotypes**

Lawyers and other professionals who are high-functioning may defy the stereotypes that alcoholics can’t maintain a career or care for their families, or that alcoholics always drink alone.

Personality traits such as perfectionism, over-achieving tendencies and a workaholic nature may help high-functioning alcoholics succeed professionally despite their disease. It is just as important for these people to reach out for help, even though they may appear successful.

- Compiled from an article
  By Debra Cassens Weiss
Volunteer Spotlight: Cynthia Cheatham

I am married and have two boys, Davis and Brent. My husband Lyle and I have been married for twenty-four years. Soon after Davis was born, I went to work as a juvenile probation officer. During that time, a coworker and I began to study for the Law School Admission Test (LSAT) and talked about going to law school.

Before I could take the LSAT, Davis was diagnosed with autism and I left the probation office to care for him full time. We implemented intense therapy for him in our home, but he developed behaviors that required round the clock supervision and eventually residential care. In 1997, Davis moved into a group home and attended a special needs school in Southboro, Massachusetts. In 1999, I moved to Massachusetts so he could remain in his school. My move followed protracted litigation, including federal court proceedings.

For the next several years, Davis and I lived in Massachusetts and Lyle and Brent remained in Tennessee. In 2001, I enrolled in Roger Williams School of Law. I graduated in 2004, but remained in Massachusetts full time until the spring of 2005.

When I applied to take the bar during the summer of 2004, I was “selected” for a character and fitness interview. I was also directed to contact Tennessee Lawyers Assistance Program. By this time, I had seven years of active participation in a twelve step program and saw this as an “opportunity.” I spoke with Laura Gatrell and she explained the aspects of TLAP. We laughed and talked for a long time. Laura said she had contacted a couple of other 2004 law school graduates and they did not laugh at all. That is the main thing I remember about our conversation.

In the spring of 2005, I went to work for two attorneys I had known since Davis and Brent were in diapers, Tom Parsons and Walter Nichols, in Manchester, Tennessee. Both Tom and Walter are good friends. Tom is also a commissioner for TLAP.

Last year, I opened my own practice, but still stay in regular contact with Tom and Walter and we still share some cases. Laura Gatrell and Tom Parsons both encouraged me to become active with TLAP, which I have done over the past few years. This past year, I was appointed as a TLAP commissioner, a position I consider an honor. It is hard to describe the feeling I got when Justice Sharon Lee contacted me to let me know that I had been chosen to serve as a commissioner for TLAP.

Over the past four years or so, I have gotten to know Ted, Laura, MC, Emily and Jackie, in addition to the other commissioners and attorneys who are active in various capacities with TLAP and it has been a lot of fun. I felt fear during the first few weeks following my bar application (that was nervous laughter, Laura). However, I am so happy to be a part of this organization. My gratitude greatly increased when I attended COLAP in October. TLAP really is a part of a vital organization that is dedicated to helping others become better stewards of our profession and more useful members of society as a whole.

Thank you for letting me serve.

Learn Suicide Warning Signs

- Threatening to hurt or kill oneself or talking about wanting to hurt or kill oneself
- Looking for ways to kill oneself by seeking access to firearms, pills, or other means
- Talking or writing about death, dying, or suicide when it’s out of the ordinary
- Feeling hopelessness, rage, vengeful, anxious or trapped
- Acting reckless or engaging in risky activities, seemingly without thinking

- Increasing alcohol or drug use
- Withdrawal from friends, family, or society
- Being unable to sleep
- Experiencing dramatic mood changes
- Seeing no reason for living or having no sense of purpose in life

TLAP offers trainings and presentations on suicide prevention. Contact our office for more details.
Training TLAP Speakers: Robert Kiefer

In the last few months, professional public speaking coach Robert Kiefer has worked with TLAP staff members to help boost the effectiveness of their presentations given throughout the state. Robert helped write these presentations and used his 30 years of directing experience to shape them for the greatest potential effect. These presentations have helped acquaint everyone from law students to the judiciary with TLAP services.

Robert has also facilitated workshops for volunteers selected to give TLAP presentations so that they too may reach their audiences most effectively. Through his hands-on methods, Robert addresses the basics of speaking like voice and diction as well as helping participants articulate their passion for TLAP with clarity and purpose. He helps uncover their own personal connections with TLAP’s goals, so that, as presenters, they can reach all members of Tennessee’s legal profession, making them aware of TLAP as a lifeline in troubled times.

Feedback from those who have worked with Robert has been overwhelmingly positive. As one client put it, “Robert can’t get rid of the butterflies in your stomach, but he can help you get them to fly in formation.”

TLAP Softball

Special thanks to Mike Walker, attorney, for sponsoring our team!

Congratulations to the TLAP softball team for an exciting and fun-filled season. If you are interested in playing or organizing a team for next season, please contact our office: 877-424-8527.

Would you like to submit an article for the next newsletter? Have a topic suggestion? We are accepting submissions and encourage you to get involved! Email tlap@tncourts.gov

CAMP TLAP 2010
Montgomery Bell State Park
March 19-21
Saturday night speaker:
Edith T. Peebles, P.C.
Omaha, Nebraska
For hotel reservations:
(800) 250-8613 or (615) 797-3101
For registration information:
Email tlap@tncourts.gov

Montgomery Bell State Park

Problems are not a sign of failure, but an opportunity for growth.

TLAP TENNESSEE LAWYERS ASSISTANCE PROGRAM
How Did I Get Here?

By Laura Gatrell

I am a nonlawyer in a sea of lawyers. Recently I attended the American Bar Association Annual Meeting in Chicago, and every time I walked through the hotel lobby or down Wacker Drive, I was astounded by the astronomical number of lawyers swarming that city. And there I was, smack dab in the middle of the hubbub, attending meetings, laughing, connecting with friends, and feeling completely at home.

I am the executive director of the Tennessee Lawyers Assistance Program. Twenty years ago I was an ostentatiously impoverished girl with noble aspirations to help the homeless, children, and drug addicts. I threw myself into a job as an alcohol and drug counselor at a public high school. My office was a janitor’s closet—which the janitor still shared. It was furnished with things I had borrowed, found, or made. In that cramped, steamy room, I passionately counseled teens about drug addiction, unwanted pregnancy, child abuse, and generalized adolescent angst. The teenagers were effusively grateful to me for listening, and I went home at night feeling needed.

This was followed with similar lines of employment. I was everything from the public relations director of an alcohol and drug treatment center to the executive director of a fledgling foundation designed to grant scholarship money to indigent individuals needing those treatment services. The common denominator was always the same: I believed that I was doing something significant to make a difference in the world.

So how did I end up on the streets of Chicago with a swirl of legal professionals in nice suits? I can only say that I fell into it against my will, but I thank God every day that it happened.

I got my job while in treatment. No, I was not there for rehab. I was eating lunch while heatedly negotiating a rate reduction with the financial officer of a treatment center where one of my clients was being admitted. Also at the table was the newly hired executive director of the Ten-

nessee Lawyers Assistance Program. Apparently my vehemence impressed him because he asked me if I wanted to work with him to create a brand-new lawyer assistance program for our state. I disdainfully replied “absolutely not.”

Two short months later I sat across the desk from him and declared, “alright . . . I’ll take the job. But I’ll just be passing through because I have a higher calling.” I naively believed that lawyers led a charmed life and couldn’t possibly need any help.

Ten years later I’m still here, only now I’m the executive director. It turns out that I had been a foolish believer of the negative images that pervade our society about the once-revered profession of law. Lawyers aren’t cherished as the local Perry Mason anymore; they are called sharks, bottom feeders, and worse. Every idiot has myriad lawyer jokes in his repertoire. In my very attempt to be open-minded, I blindly bought into the myth that lawyers are bad people who will take advantage of you.

It embarrasses me to even admit this now because I’ve learned that this couldn’t be farther from the truth. Lawyers suffer from addiction and depression at twice the rate of the general public. They constantly walk a fine line between being overworked and out of work. They tirelessly give of themselves while being pulled in a million directions. They have to choose daily between work and home.

Unfortunately, too, solos often suffer most because they are, well, solo. They can be beleaguered with fears and doubts but have only a limited support system and practically no time for self-care.

At the Tennessee Lawyers Assistance Program we worked with a sole practitioner who continued to pay his staff even though he could no longer afford to. When it became too financially distressing, he began to manage the office by himself. He tried to return phone calls while at the same time answering the phone. He couldn’t pay his bills because he was so behind in billing. His wife threw him out of the house and he had to live at work—the very place he was trying to escape. Eventually, he locked his door, pulled the blinds, poured a glass of bourbon, and curled up on his couch. Day after day he sat there while his door became plastered with sticky notes from angry clients. He thought he was defeated.

But here’s the hook: He got better. Our staff and volunteers didn’t give up on him. He didn’t have enough money to afford treatment and counseling, but you know what? We have a revolving loan fund established to help clients like this. He was effusively grateful, and I felt needed.

I am lucky; I have found my calling. Every day I see lawyers who generously give of themselves to help others. Every day I witness a miracle. Every day I am humbled at my small part in it.

I am proud to be an honorary member of the legal profession.

And I never tell lawyer jokes.

Laura Gatrell, MA, LEAP, is the executive director of the Tennessee Lawyers Assistance Program and serves as an advisory member on the ABA Commission on Lawyer Assistance Programs (CoLAP). She may be reached at laura.gatrell@tscmail.state.tn.us. If you would like to learn more about the lawyer assistance program in your state, visit www.abanet.org/legalservices/colap.
Elizabeth T. Collins
Partner, Thompson, Hendrix, Harvey, Johnson & Mitchell PLLC
Commissioner, Tennessee Lawyers Assistance Program

Oftentimes legal or ethical issues become a discipline issue because lawyers are doing things addictive people do, which is to not tell the truth and use judgment. However, Tennessee has one of the top lawyers assistance programs in the country. Tennessee is very concerned about the issues involving lawyers and addiction. Unfortunately, too often we are perceived as a discipline arm but we’re not. Our purpose is to help lawyers before they have a discipline issue, for a lawyer that is exhibiting behavior that appears to be the result of an addiction problem is to get TLAP involved before the lawyer breaks the law or commits an ethical violation.
How Did I Get Here?

By Laura Gatrell

I am a nonlawyer in a sea of lawyers. Recently I attended the American Bar Association Annual Meeting in Chicago, and every time I walked through the hotel lobby or down Wacker Drive, I was astounded by the astronomical number of lawyers swarming that city. And there I was, smack dab in the middle of the hubbub, attending meetings, laughing, connecting with friends, and feeling completely at home.

I am the executive director of the Tennessee Lawyers Assistance Program. Twenty years ago I was an ostentatiously impoverished girl with noble aspirations to help the homeless, children, and drug addicts. I threw myself into a job as an alcohol and drug counselor at a public high school. My office was a janitor’s closet—which the janitor still shared. It was furnished with things I had borrowed, found, or made. In that cramped, steamy room, I passionately counseled teens about drug addiction, unwanted pregnancy, child abuse, and generalized adolescent angst. The teenagers were effusively grateful to me for listening, and I went home at night feeling needed.

This was followed with similar lines of employment. I was everything from the public relations director of an alcohol and drug treatment center to the executive director of a fledgling foundation designed to grant scholarship money to indigent individuals needing those treatment services. The common denominator was always the same: I believed that I was doing something significant to make a difference in the world.

So how did I end up on the streets of Chicago with a swirl of legal professionals in nice suits? I can only say that I fell into it against my will, but I thank God every day that it happened.

I got my job while in treatment. No, I was not there for rehab. I was eating lunch while heatedly negotiating a rate reduction with the financial officer of a treatment center where one of my clients was being admitted. Also at the table was the newly hired executive director of the Ten-
nessee Lawyers Assistance Program. Apparently my vehemence impressed him because he asked me if I wanted to work with him to create a brand-new lawyer assistance program for our state. I disdainfully replied “absolutely not.”

Two short months later I sat across the desk from him and declared, “alright...I’ll take the job. But I’ll just be passing through because I have a higher calling.” I naively believed that lawyers led a charmed life and couldn’t possibly need any help.

Ten years later I’m still here, only now I’m the executive director. It turns out that I had been a foolish believer of the negative images that pervade our society about the once-revered profession of law. Lawyers aren’t cherished as the local Perry Mason anymore; they are called sharks, bottom feeders, and worse. Every idiot has myriad lawyer jokes in his repertoire. In my very attempt to be open-minded, I blindly bought into the myth that lawyers are bad people who will take advantage of you.

It embarrasses me to even admit this now because I’ve learned that this couldn’t be farther from the truth. Lawyers suffer from addiction and depression at twice the rate of the general public. They constantly walk a fine line between being overworked and out of work. They tirelessly give of themselves while being pulled in a million directions. They have to choose daily between work and home.

Unfortunately, too, solos often suffer most because they are, well, solo. They can be beleaguered with fears and doubts but have only a limited support system and practically no time for self-care.

At the Tennessee Lawyers Assistance Program we worked with a sole practitioner who continued to pay his staff even though he could no longer afford to. When it became too financially distressing, he began to manage the office by himself. He tried to return phone calls while at the same time answering the phone. He couldn’t pay his bills because he was so behind in billing. His wife threw him out of the house and he had to live at work—the very place he was trying to escape. Eventually, he locked his door, pulled the blinds, poured a glass of bourbon, and curled up on his couch. Day after day he sat there while his door became plastered with sticky notes from angry clients. He thought he was defeated.

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I am proud to be an honorary member of the legal profession.

And I never tell lawyer jokes.
Problems are not signs of failure but opportunities for growth...

We provide consultation, referral, intervention, education, and peer support services for lawyers, judges, bar applicants, law students and their families.

All calls are confidential and free. If you or someone you know is suffering from stress, anxiety, burn-out, grief, major life changes, depression and/or substance abuse problems, call the

TENNESSEE LAWYERS ASSISTANCE PROGRAM
1-877-424-TLAP
EXHIBIT F
There is a principle which is a bar against all information, which is proof against all arguments and which cannot fail to keep a man in everlasting ignorance — that principle is contempt prior to investigation.

—Herbert Spencer

Delay is the deadliest form of denial.

—C. Northcote Parkinson

For More Information

TLAP
200 4th Avenue North
Suite 810
Nashville, TN 37219
Phone: 615.741.3238
Fax: 615.741.3308
www.tlap.org

Confidentiality: Information and actions taken by TLAP shall be privileged and held in the strictest confidence and shall not be disclosed to any person or entity outside of TLAP pursuant to Rule 33 of the Rules of the Supreme Court of Tennessee.

Tennessee Lawyers Assistance Program © 2008.
Tennessee Lawyers Assistance Program

What is the Tennessee Lawyers Assistance Program (TLAP)?

TLAP offers help to law students, judges, and attorneys troubled by substance abuse, psychological disorders, and similar impairments which may affect an individual's ability to practice law in a competent and professional manner.

Why is TLAP Important?

18% of lawyers suffer from alcoholism (Washington State Survey)

The incidence of depression is higher for the legal profession than any other profession (105 different professions surveyed)

33% of lawyers suffer from significant mental health issues (Washington State Study)

19 - 37% of lawyers suffer from depression (Washington State and North Carolina Studies)

How Can TLAP Help?

TLAP can help law students in a myriad of fashions. Some law students only need information from TLAP; some receive crisis stabilization and support. Other law students benefit most from referrals to outside resources.

TLAP Services are Confidential.

TLAP only releases client information if TLAP has a signed "Consent to Disclose" form on file.

TLAP Offers Numerous Services:

- Consultation
- Assessment
- Referral
- Intervention
- Education
- Peer Support Services

TLAP Can Help Law Students with a Variety of Issues. Such as:

- Stress and Burnout
- Anxiety
- Depression
- Worries about Bar Application Issues
- Career Concerns
- Balancing School and Family
- Substance Abuse

TLAP Services are Entirely Free.

There is no fee for TLAP services. There will be fees for outside referrals.

TLAP Can Help Law Students with BAR Application Issues.

In cases that involve bar application character and fitness issues, TLAP can implement a structured rehabilitation program which documents an applicant's recovery. Such evidence of recovery may be taken into consideration by The Board of Law Examiners when determining recommendations for admission.

TLAP Support Groups.

TLAP offers a variety of anonymous support groups throughout the state of Tennessee. These meetings are open for all lawyers, judges, bar applicants, and law students who would like to participate in an anonymous support group with other members of the legal profession. Contact TLAP to find out more information.

Listserv For Students in Recovery:

A Listserv has been developed by the ABA Commission on Lawyer Assistance Programs (CoLAP) to provide a confidential e-mail vehicle for law students who want to get, or stay, clean and sober while in law school. This is a chance for students to connect with and ask questions of their law student peers throughout the US and share their experience, strength and hope. To be added, interested law students should contact CoLAP's Director, Donna Spilis, directly at spilisd@staff.abanet.org. Students should be prepared to talk a bit about their history and about their need and desire to communicate with other law students facing the similar challenges. Ms. Spilis will provide each student with the rules and regulations regarding use of the “Students in Recovery Listserv.” When a student graduates and is admitted to the bar, he/she will be removed from the Listserv.

If you are experiencing any difficulties, please contact TLAP so that we can assist you.

1.877.424.8527 • www.tlap.org

Don’t be afraid to ask for help!
EXHIBIT G
ORDER

The Board of Law Examiners, the Board of Professional Responsibility, and the Tennessee Lawyers Assistance Program jointly requested that the Court amend Tenn. Sup. Ct. R. 7 by adding a new provision governing "Conditional Admission" to the practice of law. The Court published the agencies’ proposed amendment for public comment, and the public-comment period expired on March 9, 2009.

After due consideration, the Court grants the above-listed agencies’ joint request and hereby adopts the new Tenn. Sup. Ct. R. 7, § 10.05 set out in the attached Appendix A. This amendment shall take effect upon the filing of this order.

The Clerk shall provide a copy of this order, including Appendix A, to LexisNexis and to Thomson Reuters/West. In addition, this order, including Appendix A, shall be posted on the Tennessee Supreme Court’s website.

IT IS SO ORDERED.

FOR THE COURT:

[Signature]

JANICE M. HOLDER, CHIEF JUSTICE
APPENDIX A

RULE 7, NEW SECTION 10.05,
RULES OF THE TENNESSEE SUPREME COURT

Sec. 10.05. Conditional Admission. – An applicant whose previous conduct or behavior would or might result in a denial of admission may be conditionally admitted to the practice of law upon a showing of sufficient rehabilitation and/or mitigating circumstances. The Board of Law Examiners shall recommend relevant conditions relative to the conduct or the cause of such conduct with which the applicant must comply during the period of conditional admission.

(a) Conditions. The Board of Law Examiners may recommend that an applicant’s admission be conditioned on the applicant’s complying with conditions that are designed to detect behavior that could render the applicant unfit to practice law and to protect the clients and the public, such as submitting to alcohol, drug, or mental health treatment; medical, psychological, or psychiatric care; participation in group therapy or support; random chemical screening; office practice or debt management counseling; and monitoring, supervision; mentoring or other conditions deemed appropriate by the Board of Law Examiners. The conditions shall be tailored to detect recurrence of the conduct or behavior which could render an applicant unfit to practice law or pose a risk to clients or the public and to encourage continued abstinence, treatment, or other support. The conditions should be established on the basis of clinical or other appropriate evaluations, take into consideration the recommendations of qualified professionals, when appropriate, and protect the privacy interests of the conditionally admitted lawyer to professional treatment records to the extent possible. The terms shall be set forth in a confidential order (the "Conditional Admission Order"). The Conditional Admission Order shall be made a part of the conditionally admitted lawyer's application file and shall remain confidential, except as provided in this and any other applicable rules. The Board of Law Examiners shall have no further authority over the conditionally admitted lawyer once such lawyer obtains a license to practice law.

(b) Notification to the Board of Professional Responsibility. Immediately upon issuance of a Conditional Admission Order, the Board of Law Examiners shall transmit a copy of the order to the Board of Professional Responsibility. If the Board of Professional Responsibility or any other jurisdiction's disciplinary authority receives a complaint alleging unprofessional conduct by the conditionally admitted lawyer, or if the Monitoring Authority designated pursuant to paragraph (d) notifies the Board of Professional Responsibility of substantial noncompliance with the Conditional Admission Order, the Board of Professional Responsibility shall request a copy of relevant portions of the lawyer's bar application file, and the Board of Law Examiners shall promptly provide the requested materials to the Board of Professional Responsibility.

(c) Length of Conditional Admission. The conditional admission period shall be set in the Conditional Admission Order, but shall not exceed sixty (60) months, unless notification of substantial noncompliance with the Conditional Admission Order has been received by the Board of Professional Responsibility or a complaint of unprofessional conduct has been made against the
Compliance with Conditional Admission Order. During the conditional admission period, the Monitoring Authority shall be the Tennessee Lawyers Assistance Program. The Tennessee Lawyers Assistance Program shall take such action as is necessary to monitor compliance with the terms of the Conditional Admission Order, including, but not limited to, requiring that the conditionally admitted lawyer submit written verification of compliance with the conditions. appear before the Tennessee Lawyers Assistance Program monitor, and provide information requested by the monitor or the Tennessee Lawyers Assistance Program.

(e) Costs of Conditional Admission. The applicant shall be responsible for any direct costs of investigation, testing and monitoring. Other costs shall be borne in accord with this or any other applicable Supreme Court Rule.

(f) Failure to Fulfill the Terms of Conditional Admission. Failure of a conditionally admitted lawyer to fulfill the terms of a Conditional Admission Order may result in a modification of the Order that may include extension of the period of conditional admission, suspension or revocation of the Conditional Admission Order or such other action as may be appropriate under Supreme Court Rule 9. The Tennessee Lawyers Assistance Program shall promptly notify the Board of Professional Responsibility whenever it determines that the conditionally admitted lawyer is in substantial noncompliance with the terms of the Conditional Admission Order. Notification of such failure by the Tennessee Lawyers Assistance Program shall automatically extend the conditional admission until disposition of the matter by the Board of Professional Responsibility and any resulting appeals.

(g) Violation of Conditional Admission Order. If the Tennessee Lawyers Assistance Program determines that the terms of the Conditional Admission Order have been violated, the Tennessee Lawyers Assistance Program shall notify the Board of Professional Responsibility to initiate proceedings to determine whether the conditional admission should be revoked, extended or modified. Consideration and disposition of any such notice to the Board of Professional Responsibility shall be governed by Supreme Court Rule 9. Any decision to extend or modify the Conditional Admission Order must be made in consultation with the Tennessee Lawyers Assistance Programs.

(h) Expiration of Conditional Admission Order. Unless the Conditional Admission Order is revoked or extended as provided herein, upon completion of the period of conditional admission, the conditions imposed by the Conditional Admission Order shall expire. The Tennessee Lawyers Assistance Program shall notify the Board of Professional Responsibility of such expiration.

(i) Confidentiality. Except as otherwise provided herein, and unless this Court orders otherwise, the fact that an individual is conditionally admitted and the terms of the Conditional Admission Order shall be confidential provided that the applicant shall disclose the entry of any
conditional Admission Order to the admissions authority in any jurisdiction where the applicant applies for admission to practice law. In addition to ensuring that the relevant records of the Board of Law Examiners, the Board of Professional Responsibility and the Tennessee Lawyers Assistance Program are confidential, the Board of Law Examiners shall use reasonable efforts to structure the terms and conditions of the conditional admission so that the conditional admission does not pose a significant risk to confidentiality. These provisions for confidentiality shall not prohibit or restrict the ability of the applicant to disclose to third parties that the applicant has been conditionally admitted under this Rule, nor prohibit requiring third-party verification of compliance with the terms of the Conditional Admission Order by admission authorities in jurisdictions to which the conditionally admitted lawyer may subsequently apply.

(j) Education. The Board of Law Examiners shall make information about its conditional admission process publicly available and shall reasonably cooperate with the Tennessee Lawyers Assistance Program in its efforts to educate law students, law school administrators and applicants for bar admission regarding the nature and extent of chemical abuse, dependency, and mental health concerns that affect law students and lawyers.

(k) Disciplinary Complaints. The provisions of this rule shall not affect the authority of the Board of Professional Responsibility, pursuant to Tenn. Sup. Ct. R. 9, to investigate a complaint filed against a conditionally admitted lawyer by a person or entity other than the Tennessee Lawyers Assistance Program, to recommend a disposition of such complaint pursuant to Tenn. Sup. Ct. R. 9, § 8.1, or to initiate a formal disciplinary proceeding as to such complaint, pursuant to Tenn. Sup. Ct. R. 9, § 8.2.
EXHIBIT H
November 9, 2009

Laura M. Gatrell, Executive Director
TLAP Outreach to Defense Attorneys and Prosecutors
Tennessee Lawyers Assistance Program
200 4th Ave North, Suite 810
Nashville, TN 37219

Dear Ms. Gatrell:

The Office of Criminal Justice Programs is pleased to notify you that all financial and programmatic requirements for Grant Number Z06027547 01 for the TLAP Outreach to Defense Attorneys and Prosecutors program have been met and this grant has been closed. We received the following required reports prior to the actual grant closure.

Annual Report
Quarterly Program Income Summary Report
Project Equipment Summary Report

Your efforts to improve Tennessee’s criminal justice system and your participation in the Office of Criminal Justice Programs grant process is appreciated. We encourage your agency to apply for future funding during our annual competitive grant process. Information on our grant application process can be obtained from our website address of http://tennessee.gov/finance/rda/ocjp/ocjpanouncements.html or by contacting our office.

For questions or assistance, please contact me at 615-253-8758. Thank you.

Sincerely,

[Signature]
Daines Moran
Program Manager
EXHIBIT I
REVIEW OF THE TENNESSEE
LAWYERS ASSISTANCE PROGRAM

April 1-2, 2009

By

William R. Leary, Esq., and Jeanne Marie Leslie RN M.Ed., MLAP

A SERVICE OF THE ABA COMMISSION ON LAWYER ASSISTANCE
PROGRAMS

INTRODUCTION

The Evaluation Program

In 1988, the ABA Commission on Lawyer Assistance Programs (CoLAP or the
Commission) initiated a project to confer with lawyer assistance programs in the United
States and Canada upon invitation by the appropriate authority. As part of this project,
the Commission provides evaluation services on a range of issues facing attorney peer
assistance programs, including chemical dependency, compulsive gambling, depression,
stress, and other psychological conditions. The evaluation involves sending a team of
individuals experienced in the field of peer assistance to examine the structure, operations
and procedures of the lawyer assistance program. At the conclusion of its study, the
evaluation team reports its findings regarding the program's status and its
recommendations for improvement of the system, if appropriate, on a confidential basis
to the lawyer assistance program, the state bar association, the state Supreme Court, or
other authority that issued the invitation for the evaluation.

The team examines the lawyer assistance program in reference to criteria adapted
from the Guiding Principles for Lawyer Assistance Programs (Guiding Principles),
adopted by the ABA in February 1991 and the Model Lawyer Assistance Program
(Model LAP), adopted by the ABA in March 2003. The Principles and Model LAP
reflect experience gained by the Commission in almost twenty years of conducting
program evaluations. They incorporate policies and procedures drawn from and tested by
the collective experience of lawyer assistance programs throughout the United States and
Canada. The consulting team also uses the report and recommendations of the ABA
Commission on the Evaluation of Disciplinary Enforcement (McKay Commission), as
adopted by the ABA House of Delegates in February 1992 and the National Judicial
Action Plan on Professionalism created by the National Conference of Chief Justices
(Chief Justices' Plan) as adopted in 1999. These recommendations reaffirm, expand, and
add, to many of the suggestions set forth in the Principles and Model LAP.
If the on-site evaluation team identifies problems, the team and the Commission then determine whether the Principles, the Model LAP, the Chief Justices' Plan and the McKay Commission Report provide workable solutions, or if some other recommendation should be made. In several states where the particular ABA models are not followed, teams have discovered that because of local factors the anticipated problems do not exist. In such situations the team does not recommend that the ABA standards be followed.

The contents of this report are confidential and are intended for the use of the members of the Supreme Court, the Officers and executive staff of the Tennessee Supreme Court, the Director of the Tennessee Lawyers Assistance Program, and the members of the Tennessee Lawyers Assistance Program Commission. The opinions and recommendations in this report are solely those of the ABA Commission on Lawyer Assistance Programs.

The Commission Team and Interview Process for Tennessee

On April 1, 2009, at the invitation of the Tennessee Lawyer Program a stage II evaluation was scheduled to provide additional insight following the implementation of the reviewers 2003 recommendations. The Commission provided two reviewers to comment on the Tennessee Lawyer Assistance Program. The Commission reviewers were: Jeanne Marie Leslie, Director of the Alabama Lawyer Assistance Program, and member of the ABA CoLAP Advisory Commission and William R. Leary, Director of the Louisiana Lawyers Assistance Program, member of the Louisiana Bar, and former member of the CoLAP Commission. As part of the review process, the evaluators met with the following individuals:

- The Honorable Janice M. Holder, Chief Justice, Tennessee Supreme Court
- The Honorable Richard Baumgartner, Judge of the Criminal Court for the sixth Judicial District of Knoxville, TN
- The Honorable Robert L. Childers, Judge of the Circuit Court for the Thirtieth Judicial District of Tennessee at Memphis
- Nancy Jones, Chief Disciplinary Counsel
- Adele Anderson, Administrator, Tennessee Board of Law Examiners
- Dean Virginia Townzen, Nashville School of Law
- Dean Julie Sandine, Vanderbilt University Law School Student Affairs.
- Amy Amundsen, Past President, Memphis Bar Association
- Sheree Wright, President Nashville Bar Association,
- Jim Cornelius, Board of Governors Knoxville Bar Association
- The Honorable Thomas Woodall, Court of Criminal Appeals, Court of the Judiciary
- Michael M. Raulston, TLAP volunteer Chattanooga, Tennessee
- Bill Liggon, TLAP volunteer
- Matt Eggleston, TLAP volunteer
- Adam Michael, TLAP volunteer
- Cindy Saladin, Human Resource Director, Administrative Office of the Courts
• Pam Hancock, Finance Officer, Administrative Office of the Courts
• David Byrne, General Counsel, Administrative Office of the Courts
• Jay Ingrum, Part-time Director of Outreach, Middle Tennessee
• Andrew C. Branham, Tennessee Bar Association Attorney Well-Being Task Force Chairman
• Ms. Teresa Dyann Jones, Chief Prosecutor, City of Memphis Law Division, TLAP Chair
• Ms. Laura Gatrell TLAP, Executive Director
• Mr. Ted Rice TLAP, Assistant Director
• Ms. Emily Lacey TLAP, Program Coordinator
• Ms. Marycarol McDonough TLAP, Director of Education.
• William G. Ramsey, Tennessee Bar Association Board of Governors
• Stafford F. McNamee, Jr., Vice-Chairman, TLAP Commission
• W. Stephenson Todd, Jr., TLAP Commissioner
• Marnie Huff, Nashville Bar Association Wellness Committee and TLAP Commissioner
• Mark Westlake, Chair, Nashville Bar Association Wellness Committee

The fact that the above individuals were willing to spend so much time with the reviewers given their obvious stature and busy schedules is an indication of the strong support and recognition of the work being done by TLAP. The evaluators are extremely impressed and sincerely indebted to all of the persons interviewed and consulted for their honesty, commitment and genuine interest in the quality of services provided by TLAP.

Reviewers met with the TLAP Executive Director, Ms. Laura Gatrell, the Assistant Director Mr. Ted Rice, and the Program Coordinator, Ms. Emily Lacey as well as Ms. Marycarol McDonough, the Director of Education. Interviews were conducted at the Tennessee Lawyer Assistant Program offices in Nashville. Reviewers were provided detailed reports of the suggestions implemented since the 2003 CoLAP evaluation and a comprehensive list of services TLAP is currently providing. Additional information included job descriptions of the current TLAP staff and copies of TLAPs’ budget. Over the following two days the reviewers conducted a series of interviews.

History of the Components of the Tennessee Lawyer Assistance Program and Committees

In 1982 the Nashville Bar Association created the first known lawyer assistance program in Tennessee. At that time, the program was known as Nashville Lawyers Concerned for Lawyers and focused on assisting attorneys and judges who had problems with alcohol or other drugs. In 1987, the Tennessee Bar Association created Tennessee Lawyers Concerned for Lawyers to help provide statewide assistance to lawyers and judges. Simultaneously, the Memphis-Shelby County Bar Association, the Knoxville Bar Association and the Chattanooga Bar Associations established committees to help in
outreach to lawyers and judges who had problems with drugs and alcohol. All programs further expanded their services to include outreach for mental health disorders as well. In 1993, the Tennessee Supreme Court and State Legislature passed important legislation providing immunity and confidentiality protections for the activities of the various lawyer assistance programs. In 1999, Tennessee Lawyers Concerned for Lawyers supported the Supreme Court of Tennessee in its adoption of Rule 33 that established a statewide Tennessee Lawyer Assistance Program (TLAP) and provided for the creation of a TLAP Commission to assist in the program’s outreach efforts.

The mission and general structure of TLAP are set forth in Rule 33 of the Tennessee Supreme Court Rules. Since its inception in 1999, TLAP has been providing confidential, immediate and continuing help to lawyers, judges, bar applicants and law students who suffer from physical or mental disabilities resulting from disease, disorder, trauma, or age that do or could impair their ability to practice or serve. TLAP has three purposes: 1) to protect the interests of clients, litigants and the general public from harm caused by impaired lawyers or judges; 2) to assist impaired members of the legal profession to begin and continue recovery; and 3) to educate the bench and bar to the causes of and remedies for impairments affecting its members.

At the time of the 2003 evaluation, TLAP was funded by a mandatory annual assessment of ten dollars per lawyer (approximately $162,430.00 per year). TLAP employed a full time Director and Assistant Director. There were several lawyer assistance programs operating throughout the state. Most of the metro bar association supported programs operated as volunteer supported organizations. The exception at the time was the Memphis-Shelby County Bar Association Lawyers Helping Lawyers Committee (Memphis Committee). The Memphis-Shelby County Bar Association supported the Memphis Committee by providing funding and support for a part-time director. Steve Watts, a Licensed Alcohol and Drug Addiction Counselor (LADAC) and Masters level Counselor (MAC) worked with the Memphis Committee and local volunteers to help provide services to lawyers and judges in the greater Memphis metropolitan area and throughout Shelby County.

In 2004, Steve Watts, MSW resigned. After his resignation, the Memphis Lawyers Helping Lawyers Committee decided to no longer fund a LAP Director specific to their region.

TLAP was integrated into the Judicial Branch of State Government in 2004 and currently operates as a state agency within the Administrative Offices of the Tennessee Supreme Court ("AOC"). Consistent with Rule 33.12 TLAP offices were moved to a separate office building providing additional privacy and increased confidentiality for TLAP clients.

1 See Tennessee Supreme Court Rule 9. Section 28 Tennessee Code Annotated, 23-4-101-105 provides immunity for volunteers and others providing information to the committees in good faith. The sections also provide confidentiality for communications and actions taken by the committees and volunteers.
2 See Rule 33 of the Rules of the Supreme Court of Tennessee.
In March 2006, former Executive Director, Robert E. Albury, Jr., JD, LADC, took a medical leave of absence, ultimately resulting in his resignation. Laura Gatrell, formerly the Assistant Director, was officially named Executive Director in August 2006.

As Executive Director of TLAP, Ms. Gatrell oversees all program activities and answers to the Supreme Court. She attends hearings and oversees all Board of Professional Responsibility (BPR) and Board of Law Examiners (BLE) disciplinary matters pertaining to TLAP. In addition to Commission relations and committee assignments, all treatment negotiations for the Honorable William B. Cain Fund are handled by Ms. Gatrell. Other responsibilities include TLAPs budget and all personnel and inter-agency relations. Ms. Gatrell holds a masters degree, and is a Certified Employee Assistance Professional (CEAP). She has worked in the alcohol and drug-counseling field for over 16 years, in both supervisory and direct services capacity. Ms. Gatrell currently serves on the CoLAP Advisory Board. She is co-chair of the 2009 National CoLAP Conference and chair of the 2010 CoLAP Conference. The reviewers commend Ms. Gatrell's leadership and continued commitment to the success of TLAP.

In addition, Ted Rice, LPC-MHSP, CEAP, was hired as Assistant Director in October 2006. Mr. Rice handles intakes, referrals, statistical information and client case reviews. Mr. Rice also regularly visits regional Lawyers in Recovery (LIR) meetings across the state, and he is responsible for maintaining treatment center referral relations. Mr. Rice has added invaluable expertise as a Licensed Professional Counselor with extensive experience in providing individual and work-place interventions, assessments, and psychotherapeutic services with impaired professionals with Axis I and Axis II disorders.

A full-time Program Coordinator, Emily Lacey was hired in January 2006. Ms. Lacey is responsible for conference planning, expenses and reimbursements, random urine drug screening, and compliance management of TLAP Monitoring Agreements. She is also on call after hours to answer TLAP crisis calls.

Additionally a two year position grant from the Office of Criminal Justice Programs (OCJP) has been providing half of the funding for Ms. Marycarol McDonough's position as Director of Education. Ms. McDonough actively assisted TLAP on a voluntary basis for a number of years prior to serving in this position. Reviewers noted that Ms. McDonough provides invaluable services to TLAP. Her responsibilities include but are not limited to pursue and write new grants, grant management, coordinating and monitoring part time grant employees as well as marketing, outreach and various fundraising for TLAP. Ms. McDonough holds a JD. She is well received by clients and all members of the TLAP staff and Commission. This position expires on June 30, 2009.

Following the ABA formal 2003 evaluation and to ensure adequate and continual funding, the Court increased attorney dues from $10.00 to $20.00. Currently, the number
of lawyers paying dues in Tennessee is over nineteen thousand five hundred (19,500), bringing TLAP’s potential income $390,000.00.

Reviewers commend the court for their immediate action in appropriating additional funding to corroborate TLAP. All money is collected by the Tennessee Disciplinary Board and disbursements are made to the Administration Office of Courts (AOC). TLAP’s budget is administered by AOC. Reviewers discussed the upcoming expiration of the OCJP grant position held by Ms. Marycarol McDonough with Chief Justice Holder, and Pam Hancock Finance Officer of AOC. Chief Justice Holder assured continued funding for this position for at least another year.

Consistent with Rule 33, TLAP is also assisted by the TLAP Commission which consists of fifteen (15) members, chosen on the basis of geography and diversity and includes three (3) citizens who are not members of the legal profession. The members have diverse experience, knowledge and demonstrated competence in the problems of addiction and other common difficulties that impair members of the legal profession. The TLAP Commission serves in a variety of ways including, but not limited to, establishing and advising TLAP with policy and procedures, supervising and providing assistance and support for the TLAP staff, and providing reports and updates to the Tennessee Supreme Court on a regular basis.

The Supreme Court of Tennessee currently licenses approximately 19,500 lawyers. This number is up approximately 3000 since the 2003 evaluation. TLAP maintains statistical information concerning inquiries and referrals. In 2008, fifty percent (50%) of intake calls pertained to issues of chemical dependency. The other fifty percent (50%) of calls presented with something other than substance abuse, including but not limited to depression, mood disorders, family issues, marital conflict, financial distress, learning disabilities, attention deficit disorder, cognitive impairment, stress, work conflict, anger management, domestic abuse, burn-out and compulsive behaviors. These statistics reflect the balance of training and expertise of the current TLAP staff. TLAP has had a total of three hundred and four (304) lawyers, judges, bar applicants and or law students sign a monitoring contract since opening its doors in 1999. Currently, TLAP has two hundred eighty-one (281) active files. In 2008 forty-four percent (44%) of new referrals to TLAP were received from the Middle Tennessee regions. Twenty-four percent (24%) were received from the West Tennessee and thirty-two percent (32%) were received from East Tennessee. TLAP’s referrals increased eleven percent 11% since 2007. Seventy-four percent (74%) of referrals are male and twenty-six percent (26%) are female.

TLAP continues to fulfill its purpose to educate the bench and bar through appearances and presentations at functions and CLE events throughout the year. TLAP aggressively markets its services to each region of the state and is regularly invited to make presentations. TLAP also presents to bar applicants in conjunction with Adele Anderson, Board of Law Examiners. Additionally Mr. Rice has made TLAP services more campus accessible by offering regular office hours in each school. TLAP staff members and volunteers regularly speak during new student orientations and ethics and professionalism classes in all four law schools. This has resulted in a twenty-five percent
(25%) law student referral rate. TLAP is well represented in the *Tennessee Bar Journal* and the Board of Professional Responsibility's *Board Notes*. TLAP also provides outreach to numerous District Attorneys, Public Defenders, Federal Public Defenders and criminal law associations. There are several lawyer support groups which meet regularly throughout the state. The TLAP Commission is currently working with members of the Court of Judiciary (COJ), CoLAP, and members of the Judicial Wellness Committee to develop an action plan to make services and programs more readily available to the judiciary.

On December 10, 2008, the Tennessee Lawyer Assistance Program, the Tennessee Board of Law Examiners and the Tennessee Board of Professional Responsibility jointly requested that the Tennessee Supreme Court amend Rule 7 by adding a new provision governing “Conditional Admission” to the practice of law Rule 7 Section 10.05. Reviewers applaud TLAP and all those involved, especially the Honorable Judge Robert L. Childers for moving forward with this very important amendment change. Based on the program’s current status and growth, the reviewers make the following observations and follow-up regarding the 2003 formal CoLAP evaluation of TLAP.

**RECOMMENDATIONS based upon THE ABA’s GUIDING PRINCIPLES FOR LAWYER ASSISTANCE PROGRAMS, THE ABA MODEL LAWYER ASSISTANCE PROGRAM, and THE PLANNING GUIDE FOR DESIGNING AND IMPLEMENTING RECOVERY MONITORING PROGRAMS**

**Recommendation 1: Tennessee Bar Association and Tennessee Supreme Court Funding and Support of Tennessee Lawyers Assistance Program:**

Rule 1 of the Model Lawyer Assistance Program recommends that the state’s highest court or the bar association ensure stable and continual funding, either from dues or assessments of the bar generally.

The increase in attorney dues from $10.00 per lawyer to $20.00 per lawyer is indicative of the strong support and opinion the Court holds in regard to the work of TLAP. Throughout the evaluation process it was apparent to reviewers all members involved understand the important function TLAP serves.

In response to the 2003 evaluators concern about the lack of full-time administrative support and the need for additional mental health training, full-time Program Coordinator, Emily Lacey was hired in January 2006. In addition, Ted Rice, LPC-MHSP, CEAP, was hired as Assistant Director in October 2006. Additionally Ms. Gatrell has become a Certified Interventionist and Certified QPR Gatekeeper Instructor.
Recommendation 2: Confidentiality and Immunity Protections:

Rule 9A of the Model LAP suggests that the state’s highest court and the state legislature should guarantee confidentiality as to all communications between an attorney seeking help and the LAP. The commentary to the rule states that “experience demonstrates that fear of disclosure keeps many from seeking help from court and bar related agencies.”

As noted by the reviewers in 2003, Tennessee had more than one approved lawyer assistance program operating in the state. Shortly thereafter, Rule 33.08, “Local Impaired Lawyer Assistance Programs” was revised to state that such programs “shall provide peer assistance only and shall not accept referrals for monitoring as a probationary or provisional condition imposed upon a lawyer by any court or disciplinary authority. The program shall refer lawyers in need of monitoring to TLAP.” Again the cohesive manner in which TLAP and the courts work together to solve problems and implement change is noteworthy.

Consistent with Rule 33.12 TLAP offices were moved to a separate office building providing additional privacy and increased confidentiality for TLAP clients. Reviewers commend the court for their continued commitment and immediate action in appropriating additional funding to corroborate TLAP.

TLAP has increased client trust and voluntary participants by reinforcing confidentiality policies. TLAP has worked hard to ensure that appropriate releases are in place and that clients are properly informed of TLAP’s confidentiality limitations upon entering into the disciplinary system.

Based on ABA suggestions during the 2003 evaluation, TLAP removed the word “advocacy” from all contracts and promotional material. Although TLAP continues to testify on behalf of monitored clients, it is vital that TLAP is perceived as a neutral party. TLAP’s Director and Assistant Director furnish disciplinary and other referring agencies factual information regarding a client’s compliance or non-compliance. TLAP is careful never to imply that TLAP is providing legal representation or advice.

Recommendation 3: Strengthen and maintain ties to recovering legal community and outreach to local bar associations

The commentary to Rule 6B of the Model LAP states that, "Disciplinary agencies frequently receive complaints which may be the result of impairment problems. With a
proper referral mechanism in place, many lawyers may be assisted before the need for disciplinary enforcement is necessary."

As noted above, TLAP continues to have an excellent relationship with all bar associations and strives to collaborate with other agencies, such as the Tennessee Suicide Prevention Network (TSPN) and National Association of Mental Illnesses (NAMI), whenever it is in the best interest of TLAP’s primary mission. It was noted that Tennessee had formed a strong bond with recovering members of the legal profession, and that continues to be the case.

Laura Gatrell and Margaret M. Huff, Chair of the Nashville Bar Association’s Attorney Health and Wellness committee, were invited to present for researchers from the Center for Disease Control (CDC) when they were visiting Tennessee in 2007. The researchers commented that Tennessee’s suicide prevention efforts in the legal community should be duplicated at a national level. TLAP expanded crisis call services with the addition of a twenty-four (24) hour hotline number for after-hours crisis calls.

TLAP developed RAM (Regional Assistance & Monitors) Teams, which consist of a group of 6-8 volunteers in each of the eight established regions throughout the state of Tennessee. RAM team members are volunteers who are appointed to serve by the TLAP Commission. Every RAM Team is chaired by a TLAP Commissioner or appointee thereof. A RAM team member must participate in a TLAP volunteer training, sign a contract of confidentiality, and participate in quarterly meetings. TLAP also began an annual volunteer retreat, CAMP TLAP, the fourth of which was held at Montgomery Bell State Park in March, 2009, with over one hundred (100) participants. CAMP TLAP provides an ideal opportunity for all area RAM Teams to discuss common issues and ideas. CAMP TLAP also provides three (3) hours of Continuing Legal Education (CLE).

Recommendation 4: Services provided

Rule 5 of the Model LAP suggests that a LAP should, “provide immediate and continuing help to lawyers, law students, and judges who are affected by any physical or mental health conditions that impact upon their quality of life, competent practice of their profession, or study of law.

TLAP continues to fulfill its purpose to educate the bench and bar through appearances and presentations at functions and CLE events throughout the year. TLAP aggressively markets its services to each region of the state and is regularly invited to make presentations.

TLAP staff members and volunteers regularly speak during new student orientations and ethics and professionalism classes in all four law schools. TLAP also presents to bar applicants in conjunction with Adele Anderson, Board of Law Examiners. To supplement presentations, TLAP has developed a law student specific brochure. TLAP brochures and marketing material have been distributed to every student. Mr. Rice has made TLAP services more campus accessible by offering regular office hours in each
school. These efforts have led to the significant increase of students who sought assistance in 2008.

In 2007, TLAP applied for and received a $75,000.00 grant from the Office of Criminal Justice Programs, for a two-year position providing outreach specifically to the criminal justice system, thereby reducing incidences of ineffective assistance, malfeasance and professional misconduct caused by attorneys in the criminal defense and/or prosecutorial system that have untreated substance abuse and mental health disorders. An intensive campaign was launched to contact every District Attorney’s office, Public Defender’s office, and all bar associations across the state. As a result, TLAP presented to numerous District Attorneys, Public Defenders, Federal Public Defenders and criminal law associations.

All of TLAP staff and five (5) additional volunteers were trained and certified as QPR Gatekeepers. QPR, a suicide prevention method that stands for Question, Persuade, and Refer, teaches how to recognize the warning signs of a suicide crisis and three (3) simple steps that can save a life. TLAP’s Suicide Prevention program has been commended and recognized nationally.

In July 2008, TLAP received a grant of $103,597.00 from funds that had accumulated as a result of late fees paid by lawyers to the Tennessee Commission on Continuing Legal Education and Specialization (CLE) Commission. The grant was awarded to establish and administer a revolving loan fund, as provided under Rule 33.09, to assist in providing treatment services to impaired lawyers without resources. The TLAP Commission developed a loan application, promissory note and policies for this fund. To date, the revolving loan fund has been able to financially assist six members of the legal profession. This fund was formally re-named The Honorable William B. Cain Fund, in memory of Judge Cain, who served on the Tennessee Court of Appeals from 1998 until his death in 2007. Judge Cain served for six years on the first TLAP Commission, after which he helped to conduct interventions on judges and senior members of the legal committee.

TLAP has been working closely with all state bar associations to develop unique health and wellness programs. Activities have included everything from CLE presentations to the development of a walking support group. There are plans for a “Healthy Bar Party:” a full day event to be hosted in all areas of the state and will include stress and wellness activities such as yoga, mindfulness meditation, journaling, nutrition, etc. At the 2008 annual TLAP Commission retreat, a new TLAP strategic plan was created. The Commission created five subcommittees (Marketing, Outreach, Operations, Funding and Volunteer Utilization) to assist the program in the implementing the mission of the five year plan. All of the staff’s goals, and the majority of committee goals, have already been completed.

Like all members of the legal profession, judges sometimes have difficulty with stress, depression, balancing work and home life, alcohol or drug abuse and compulsive behaviors. Unfortunately, a judge's problem is more likely to go unnoticed and untreated
because of the very nature of the judge's role in the legal system. Judges frequently work in isolation, often shielding their problems from colleagues and associates. Fear, denial, embarrassment or hopelessness can complicate their ability to seek help. Even more so, reluctance to have their problems known and the fear of negative impact on their status and reputation gets in the way of seeking assistance. The TLAP Commission is working with members of the Court of Judiciary (COJ), CoLAP, and members of the Judicial Wellness Committee to develop an action plan to address these issues.

**Recommendation 5: Relationships with Discipline, Admission and Law Schools**

In 2003, the reviewers commented: "The Commission offers one prospective cautionary note: Cooperation is commendable, responsible and productive. But it is vitally important to remember that TLAP must continue to pledge and maintain the confidentiality of its voluntary participants. Efforts must be employed, however, to maintain actual, as well as the appearance of, confidentiality of information and independence from other entities".

TLAP strives to protect client confidentiality at all costs and has established strong relationships with the Board of Professional Responsibility (BPR) and Board of Law Examiners (BLE). TLAP works closely with BLE Administrator, Adele Anderson, as well as meeting regularly with all law school deans and professors. Ms. Jones, the Executive Director of (BPR), Ms. Anderson and Ms. Gatrell meet monthly to reduce the risk of communication problems between the agencies.

In 2008, TLAP hosted an open house for all Disciplinary Counsel, and a reciprocal invitation has been extended to TLAP and area RAM Teams to have lunch at the BPR. Ms. Jones also attended the CoLAP National Conference in Nova Scotia, and was a speaker at the CoLAP Conference in Little Rock, further exhibiting her commitment to support lawyer assistance.

The Tennessee Lawyer Assistance Program, the Tennessee Board of Law Examiners and the Tennessee Board of Professional Responsibility jointly requested that the Court amend Rule 7 by adding a new provision governing "Conditional Admission" to the practice of law. Section 10.05 to Rule 7.

**Recommendation 6: Additional Educational outreach and marketing**

Model LAP Rule 5(2) directs the LAP to plan and present educational programs to increase the awareness and understanding of members of the bench and bar about problems of impairment.

TLAP has purchased a variety of market products and continues to aggressively market its services to each region of the state. From 2007 to 2008 TLAP experienced an 11% increase in services. CLE programs in QPR Training and other TLAP topics are available online. Additionally the TLAP brochure is mailed with all annual CLE dues notifications. TLAP prints a quarterly Newsletter and services are advertised monthly in the *TBA Journal*. Articles were submitted for print in: *Memphis Lawyer; ABA*

TLAP has increased outreach services significantly. Mr. Rice now facilitates a dual-diagnosis group which meets twice a month in the TLAP Conference room. A women’s support group (WWG) also meets bi-monthly. The Lawyers in Recovery (LIR) group in Knoxville has increased meetings from once to twice a month. The Jackson LIR group now meets every Friday at noon. Chattanooga’s LIR group meets every Wednesday at noon. The Memphis LIR group continues to thrive under the skilled facilitation of Dr. Kent Cox. Recently, Memphis added both a LIR group focusing on Stage II Recovery, and a women’s recovery group. Reviewers were impressed with the broad range of services TLAP is currently providing.

Recommendation 7: Promote Diversity
In keeping with the ABA goal of promoting full and equal participation in the legal profession by minorities and women, the TLAP’s referral base is twenty-five percent (25%) female. A statewide GBLT group has been started. The African-American population remains a small, but growing, percentage of TLAP referrals.

Conclusion
It is clear that the Tennessee Lawyer Assistance Program has developed into one of the most comprehensive and best administered in the country. The manner in which TLAP and the Commission promptly set about addressing the 2003 CoLAP suggestions reflects the sincere commitment and dedication of all parties involved. The Tennessee Supreme Court, the Tennessee Bar Association, the Tennessee Board of Professional Responsibility, the Tennessee Board of Law Examiners, the Tennessee Bar Commissioners, the law school deans, as well as the members of the TLAP Commission and TLAP staff should be commended for their service and outstanding contributions. Reviewers were particularly impressed with the amount of time and efforts TLAP volunteers provide to members in need, as well as the extensive service they provide in helping fulfill the TLAP’s mission. TLAP has undergone significant changes since the 2003 CoLAP evaluation. Reviewers applaud the steadfast dedication demonstrated by all members involved in following through with recommendations and further improving the quality and quantity of services provided to lawyers, judges and law students in Tennessee.

The utilization of TLAP by the Courts, the associations and various Bar Committees clearly demonstrates the integration and acceptance of the significant work being done by TLAP. Nothing is of more value, in encouraging individuals to seek help than the leaders mentioned above emulating the utilization of TLAP in a variety of bar services. TLAP has set the standards high for developing a comprehensive program based on delivering the highest quality of services, to all members of the Tennessee’s legal community and simultaneously ensuring public safety and professional integrity are revered. With this type of valuable support, TLAP is poised to continue to provide innovative and comprehensive serves. Future goals and challenges include diversity outreach, continued
expansion of program services, improving judicial wellness and accessibility of TLAP to the judiciary. TLAP will continue to educate members of the bench and bar about the life threatening conditions they confront. More importantly however is communicating and educating that through TLAP services hope, solutions and healing and are available to all members in need. Again reviewers extend their utmost appreciation and gratitude to all participants and commend TLAP for their hard work and program success.

The ABA Commission and the members of the appointed review team are available to answer questions, to provide further explanation of this report and its recommendations, and to be of assistance to the Tennessee Lawyers Assistance Program and the Tennessee Supreme Court and other concerned individuals.

Respectfully Submitted,

[Signature]

Hon. Robert L. Childers
Chair ABA Commission on Lawyer Assistance Programs

Approved by said Commission on April 30, 2009.

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Donna Spilis
ABA Commission on Lawyer Assistance Programs
EXHIBIT J
Incorporate Health & Wellness in Your Life and Law Practice
Come and socialize with colleagues while earning up to 2 hours of Free & Fun Continuing Legal Education credit!

Date: Sept. 18
Program: 10 a.m. – 3 p.m.
Location: Tennessee Lawyers Assistance Program
200 Fourth Avenue North, Suite 840, Nashville

Morning Sessions:
10:15—11:00 a.m.
- Mindset & the Practice of Law with Dave Shearon—11th floor
- Creating Inner Flow: Gentle Yoga Movement and Mindful Awareness with Emily Epstein—5th floor
- Interview and Manage Your Employees Well - How to Prevent Employee Lawsuits with Deanna Rain—3rd floor

11:15—12:00 a.m.
- Stress Resilience with Jim Kendall—11th floor
- Strength Based Lawyering with Candice Reed—3rd floor
- Creating Inner Flow: Gentle Yoga Movement and Mindful Awareness with Emily Epstein—5th floor

Afternoon Sessions:
1:15—2:00 p.m.
- Mindset & the Practice of Law with Dave Shearon—11th floor
- Strength Based Lawyering with Candice Reed—3rd floor
- Blood Pressure and Body Fat Testing—5th floor

2:15—3:00 p.m.
- Working with the Impaired Individual with Marian Fordyce—3rd floor
- An Introduction to EMDR with Dan Naff—11th floor
- Blood Pressure and Body Fat Testing—5th floor

And open all day long, the 8th floor TLAP conference room. Join us for healthy snacks, free chair massages, information on health and wellness options in the Nashville community and much more!
EXHIBIT K
COST

The registration fee is $95.00 and covers retreat programs, three hours of E&P CLE credit, Saturday night banquet and light refreshments. Additional meals are available in the hotel restaurant. This year we are offering ONE HOUR FREE BONUS CLE CREDIT (details at registration desk)

WHEN

Friday night, March 13th, 2009 through Sunday morning March 15th, 2009

WHERE

Montgomery Bell State Park

RESERVATIONS

Hotel reservations are to be handled directly with the State Park’s Inn. by calling: 1-800-250-8613. Please request the TLP rate.

SATURDAY NIGHT SPEAKER

Saturday night features headline speaker John P. “Jack” Corderman of Hagerstown, MD. Jack has held many titles in his career including State Senator, Circuit Court Judge, President of the Maryland Bar Association, yet it is his compelling story of recovery that will resonate with all.

RECOVERY MUSIC— Sonia Lee

Singer/Songwriter and two-time Kerrville New Folk Finalist Sonia Lee sings in a pure, sweet voice, reminiscent of early Emmy Lou Harris and Allison Krauss.

We would like to thank our sponsors:

Cornerstone of Recovery
When you’ve reached the end of the road, there is still hope

Discovery Place

La Paloma

Tennessee Lawyers Assistance Program
200 4th Ave. N Ste 810
Nashville, TN 37219
Phone: 615-741-3238
Fax: 615-741-3508
E-mail: emily.mcclendon@tncourts.gov
TLAP
TEENENSEE LAWYERS ASSISTANCE PROGRAM
AGENDA
FRIDAY
5:30-7:00 pm  Registration
5:30-7:00 pm  Dinner (on your own)7:00 pm  EAT AND COMPETE!
Sponsor:
WELL-BEING COMMITTEE of the Tennessee Bar Association.
9:00 pm  Statewide “LIR” meeting
SATURDAY
6:00 am  Sunrise meeting
8:00-8:30 am  TLAP welcome & introduction of sponsors
CLE sponsor:
DISCOVERY PLACE
8:30-9:30 am  “Our Common Welfare”
Part I: 12-steps for everyone
9:30-9:45 am  Break
Break sponsor:
RIDGEVIEW INSTITUTE
9:45-10:45 am  Breakout sessions:
• “Principles in Practice”
Part II: Panel discussion

- “What Goes Up Must Come Down”
  Common mood disorders
10:45-11:00 am  Break
  Break sponsor:
CORNERSTONE OF RECOVERY
11:00-12:00 pm  “Does Monitoring Really Work?” Discussion: Branch Henard, Steve Milam, Mark Vorder-Bruegge
12:00-1:00 pm  Lunch (on your own)
1:00 pm  Golf Tournament (SEPARATE REGISTRATION FEE REQUIRED)
1:00-4:00 pm  Afternoon activities including: golfing, hiking, swimming, yoga, OR
2:00-4:00 pm  Movie & Popcorn
  “And Justice For All”
4:00-5:00 pm
• Yoga, OR
• The Family Afterward
  Bonus CLE credit sponsor:
LA PALOMA
6:00 pm  CAMP TLAP traditional barbeque
6:30 pm  Recovery music, Sonia Lee
7:00-7:15 pm  PRIZES
7:15-8:15 pm  Speaker—Jack Cordeman
Speaker sponsor:
CUMBERLAND HEIGHTS
9:00-11:00 pm  Bonfire, guitars and s’mores
SUNDAY
7:30-8:30 am  Breakfast (on your own)
8:30-9:30 am  Spiritual Service

REGISTRATION
Mail your registration form with check or money order only to Tennessee Lawyers Assistance Program, 200 4th Ave. N, Ste 810, Nashville, TN 37219.

MAP
I-40 West from Nashville, to Exit 182 (Fairview/Dickson Hwy. 96 Exit). Turn left (West) onto Highway 96. Stay on Highway 96 until it deadends at Highway 70. Turn right (East) on Highway 70, off-ramp provided. Stay on Highway 70 approximately 3 miles. Park entrance is on the right.

From Memphis (I-40): Take I-40 East to Exit 182 (Fairview/Dickson Hwy. 96 Exit). Turn right (West) onto Highway 96. Stay on Highway 96 until it deadends at Highway 70. Turn right (East) on Highway 70, off-ramp provided. Stay on Highway 70 approximately 3 miles. Park entrance is on the right.
EXHIBIT L
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Court of Criminal Appeals
Middle Region
Announcing!!!

ABA Commission on Lawyer Assistance Programs

Judicial Assistance Initiative

Peer to Peer Program and

National Judges' Assistance Helpline:

800-219-6474

The ABA/COLAP Judicial Assistance Initiative has established a list of judges throughout North America who are willing to share their recovery experiences with their peers on the bench. These judges have volunteered to be a personal resource to other judges in their jurisdiction or throughout the US and Canada and share their experience, strength and hope around myriad recovery issues. A judge who is interested in being connected with a Peer to Peer Volunteer Judge can call the National Judges' Assistance Helpline (800-219-6474) created to facilitate this pairing.

The Helpline is answered during normal business hours by the staff of the Texas Lawyers' Assistance Program in Austin, Texas. All information relating to the Peer to Peer program obtained by TLAP is protected under the statutory confidentiality protections of TLAP, the collected commitment of the members of the ABA Commission on Lawyer Assistance Programs and the personal commitment of the TLAP director, Ann D. Foster, JD, LPC-Intern, a recovering individual.
**Early Warning Signs of Judicial Burnout**

By Isaiah M. Zimmerman, Ph.D.

Editor's Note: This self-test includes excerpts from Dr. Zimmerman's work on Judicial Wellness and is provided as an introduction to help promote health and wellness within the judiciary.

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**How did you rate? Suggested Self-Scoring Guide**

If the total number of T (True) answers is:

- **Above 12:** I am probably experiencing burnout.
- **Between 8-12:** I am on the borderline.
- **Below 8:** I am coping with stress reasonably well.
"Judges can help other judges most effectively with the support of trained Judicial Assistance peer volunteer judges who understand the issues and are genuinely concerned about helping their judicial colleagues."

The Judicial Assistance Initiative: RESOURCES & EDUCATION

Hon. Sarah Krauss, Chair
Nancy Stek, Vice-Chair
Hon. William Dressel, Education Subcommittee Chair

Hon. Robert L. Childers
ABA CoLAP Chair

A complimentary copy of this publication is being offered to all 22nd National Conference for Lawyer Assistance Programs’ attendees.

To obtain your free download, beginning November 1, 2009 go to the ABA CoLAP website http://www.abanet.org/legalservices/colap/ and click on Judges Helping Judges.
EXHIBIT M
What do people say?

The best thing Robert taught me was to stay in the moment. Keeping focused on the goal yet being open to new input from customers and clients.

Christopher Simonsen
- Affiliate Broker
Shirley Zeitlin and Company Realtors

He has the ability to see into the heart of what I'm trying to communicate and enable me to get rid of anything that distracts from the message. He helps me find my voice and the creative expression that is uniquely my own. He makes you feel safe. Robert's gift is helping you find the story that only you can tell.

Nan Gurley
- Actress, Motivational Speaker, Dove Award Winner

Robert Kiefer put the 'hot' in the Allison Kerr and the Hot Biscuits band! He got us focused, coordinated and then directed us in how to put on a fun, audience interactive, top-flight "Jazz at the Symphony" production!

Allison Kerr
- Jazz/blues Vocalist

When putting together a concert, preparing a new class or engaging a luncheon of arts educators, Robert helps me to shape the event and most carefully choose the words that will precisely carry key moments. He helps me clear out the underbrush so the communication path is clear.

Carol Ponder
- Folk singer and Nationally recognized Teaching Artist, Consultant and Presenter

Never Underestimate The Value of Rehearsal

public speaking & presentations

CREATIVE EXPRESSION
with Robert Kiefer

Training Customized to Your Individual Needs

Who are you?

Business professionals.
Communicating to your peers.

Keynote speakers.
Inspire as well as inform.

Presenters.
Hold the attention of your audience, while multi-tasking between your speech and audio-visual aids.

Motivational speakers.
Move others with your creative eloquence and energy.

Musicians.
What do I say between songs?

Actors.
Will some intensive work help that next audition?

Robert can help anybody who has to stand up and speak in public, even to give a well-received toast at the family wedding.

kiefercreative@aol.com | 615.227.3876

I can't get rid of the butterflies in your stomach, but I can show you how to get them to fly in formation.

P.O. Box 68226 | Nashville, TN 37206
615.227.3876 | kiefercreative@aol.com
What do you get?

A short-term solution to a long-term problem. Many people know they need help speaking in public, or even dread the idea. Within a few hours, our artistic approach will help you speak in a manner that captures your audience’s attention, holds them, and gets your points across. As your confidence increases, so will your comfort level and pure enjoyment.

Access your own creativity
Say what you truly mean and be understood.
Get your point across to others.

Make your expressive intentions match your understanding.
Be as eloquent in your speech as you are in your thoughts.

What will you find?

Comfort level:
Sound as if you’ve done this all your life.

Enjoyment:
If you can speak well, it’s fun.

Success in your field:
Your colleagues and supervisors will recognize your increased ability.

I was honored when a well respected and successful business woman asked my advice on how to increase her effectiveness as a speaker. I immediately referred her to Robert Kiefer. Robert...discovers, with the client, their strengths and builds on them. He is gifted and effective. She is so pleased with him!

Denise Davis
— Motivational Speaker/Christian Artist

What do we do?

- Tap your own creativity
- Focus on practice, not theory
- Edit your material to make the important points clear
- Give shape and meaning to your words through creative interpretation
- Overcome stage fright
- Understand and utilize the importance of humor
- Practical vocal exercises and warm-up

All sessions are confidential

Robert Kiefer has worked as a professional director, producer, actor, and speaking coach for over thirty years. He approaches the work from an artistic, rather than theoretical, frame of reference. He trains each individual to adapt to the moment at hand through visualization, rehearsal and application, rather than a communication and speech theory class.

Robert says, “This is a theatrically-based artistic approach to the many problems that people face when required to speak in public. I can help you, and we won’t spend hours on oral interpretive theory.

People frequently ask, “How long will this take?” There is no set answer. For an individual who simply needs a push in the right direction, it could take a few hours. For someone who needs to change the habits of a lifetime, it could take several weeks.

kiefercreative@aol.com | 615.227.3876
EXHIBIT N
The William B. Cain Foundation
Revolving Loan

What is the William B. Cain Foundation Revolving Loan?
The purpose of the foundation is to provide financial assistance to Tennessee lawyers and judges suffering from addiction, depression and other mental health illnesses who lack the resources to pay for appropriate help.

Lawyers recovering from these illnesses can—and do—return as valuable members of their families, their communities and their profession. The Cain Foundation provides the necessary means to get lawyers treatment during the most difficult times. Repayment is expected once the lawyer is back on his or her feet, so money will be available to aid the next lawyer in need.

Why does Tennessee need this Foundation?
Lawyers are more vulnerable to personal and professional problems than the general population. Few occupations are as stressful as the practice of law. Competition, long hours, high expectations and adversarial scenarios can wear down even the most competent and energetic lawyer. This can lead to depression, stress, career problems, relationship issues, financial problems, or alcohol and substance abuse.

Unfortunately when lawyers need the medical help the most, they have exhausted all their financial resources. This is where the Cain Foundation can help. A revolving loan fund gives lawyers in need the opportunity to get treatment. Loans from the fund are paid directly to the treatment care providers.

Judge William B. Cain
The foundation was named in memory of Judge Cain, who served on the Tennessee Court of Appeals from 1998 until his death in 2007. Judge Cain had been a member of the judiciary since 1986 when he was appointed circuit court judge for the 22nd Judicial District. He remained in that position until his 1998 appointment to the Court of Appeals, where he later served as presiding judge.

His Legacy
Laura Gatrell, Executive Director of TLAP said, “He dedicated his life to public service, including a commitment to helping others recover from alcohol and drug addictions.” Judge Cain was instrumental in the creation of TLAP in 1999 and served as a founding Commissioner for 6 years. “He was kind, compassionate, and convincing. Many people are alive today because of his gift of persuasion.”

His legacy is continued through the William B. Cain Revolving Loan Fund.

How can I help?
We hope we can count on you for a generous donation of $100 or more. However, please note that any donation amount is always welcomed. Make an investment in your profession.

“...it [William B. Cain Foundation] has literally saved my life.”
~2009 Recipient

TLAP
TENNESSEE LAWYERS ASSISTANCE PROGRAM
For more information please contact
The Tennessee Lawyers Assistance Program.
1.877.424.8527 • www.tlap.org

I would like to contribute to the William B. Cain Foundation at the following level:

- Benefactor .................. $2,500 and above
- Barrister .................... $1,000
- Advocate .................... $500
- Counselor .................. $250
- Supporter ................... $100
- Friend (up to $99) .......... $_____

Please fill out this form, mail and TLAP will contact you regarding your pledge.

You may also mail your check, payable to: Tennessee Lawyers Assistance Program, to the address on the reverse side of this form. (Please include this form with your donation.)

Name: ____________________________
Address: __________________________
__________________________________
__________________________________
City: ______________________________
State: ______ Zip Code: ____________
Phone Number: ____________________
E-mail Address: ____________________

TLAP is a state agency and all donations are tax-deductible under Internal Revenue codes.
What People are Saying

I am delighted that the family of Judge William B. Cain has allowed his name to be used for a project that so perfectly epitomizes Judge Cain's commitment to the recovery of impaired members of the legal profession and his belief in the efficacy of the Tennessee Lawyers Assistance Program.

-Chief Justice Janice Holder

I had no insurance at the time and even if I did, insurance would not have covered the treatment. The William B. Cain Revolving Loan Fund allowed me to get the treatment I needed. It really changed my life.

-2009 Recipient

When others walked away, TLAP stubbornly refused to give up on my recovery from a dual diagnoses condition. As result, I have finally received the help I need. It has literally saved my life and made possible a quality of living I had only dreamed of experiencing. Thanks TLAP!

-2009 Recipient

Bill Cain was an inspiration to all judges. His determination to lead a healthy lifestyle has left us with a wonderful legacy.

-Judge Robert L. Childers
Circuit Judge 30th Judicial District

Confidentiality: Information and actions taken by TLAP shall be privileged and held in the strictest confidence and shall not be disclosed to any person or entity outside of TLAP pursuant to Rule 33 of the Rules of the Supreme Court of Tennessee.

Tennessee Lawyers Assistance Program © 2010.
TLAP Announces Creation Of The William B. Cain Fund

Tennessee attorneys, judges, and law students who lack resources to directly pay for treatment services may receive loan assistance through a new program, the William B. Cain Foundation.

Laura Gatrell, Executive Director of the Tennessee Lawyers Assistance Program (TLAP), said the revolving loan program was created recently by the Tennessee Supreme Court to assist the Tennessee Commission on Continuing Legal Education and Specialization. Both TLAP and the commission are funded by Tennessee licensed attorneys.

The foundation was named in memory of Judge Cain, who served on the Tennessee Court of Appeals from 1998 until his death in 2007. Judge Cain had been a member of the judiciary since 1986 when he was appointed circuit court judge for the 22nd Judicial District. He remained in that position until his 1998 appointment to the Court of Appeals.

"I am delighted that the family of Judge William B. Cain has allowed his name to be used for a project that so perfectly epitomizes Judge Cain’s commitment to the recovery of impaired members of the legal profession and his belief in the efficacy of the Tennessee Lawyers Assistance Program," said Chief Justice Janice Holder.

TLAP was established by the Tennessee Supreme Court to provide assistance to members of the legal community, including law students, lawyers, and judges. For more information or to request a loan, please contact TLAP at (615) 741-3238 or visit us on the web at www.tlap.org.

The Nashville Bar Association 100% Club is a special category of membership that demonstrates a commitment to the legal profession and our community from law firms, law departments and legal organizations with more than three attorneys that enroll 100% of their Nashville attorneys as members of the NBA.

Contact Vicki Shoulders at 615-242-9272 or send an email to vicki.shoulders@nashvillebar.org for full details.