

## Modern Rule on Conditional Admission



On February 11, 2008, the American Bar Association's House of Delegates voted to adopt the Modern Rule on Conditional Admission to Practice Law.

The Modern Rule permits a bar applicant to be conditionally admitted to practice, with conditions required as a safeguard for the applicant's sustained ability to practice without impairments.

An applicant who currently satisfies all essential eligibility requirements for admission to practice law, including fitness requirements, and who

possess the good moral character required, may be conditionally admitted if the applicant demonstrates recent rehabilitation from chemical dependency or successful treatment for mental or other illness, or from other conditions that have resulted in behavior that would otherwise have rendered the applicant unfit to practice law, and such conduct, if it would recur, would impair the applicant's ability to practice law or pose a threat to the public.

The Model Rule has three purposes:

- 1) To protect the public by ensuring that an applicant's rehabilitation will be sustained by placing conditions that the applicant must meet and be assigning a monitor to verify that the applicant is meeting these conditions;

- 2) To give bar examiners an additional tool to make the difficult decision of whether to admit an otherwise qualified bar applicant whose past raises concerns about recurrence of a dependency, mental illness, or similar condition that might impair the applicant's ability to practice law;
- 3) To encourage law students to seek early assistance for such problems without fear that doing so would disqualify them from acquiring a license to practice law.

The Modern Rule provides for confidentiality form public disclosure of the status of conditional admission.

### ABOUT THIS ISSUE

We are excited to issue the first of what will soon be a quarterly publication. We also have all new brochures and a revamped web page that will be unveiled by fall.

TLAP is committed to making this the "Year of the Volunteer." We are recruiting volunteers for CAMP TLAP 2009, and for other committees currently chaired by TLAP Commissioners. If you are interested in participating, or if you'd like to contribute an article for an upcoming issue, please call us at

1-877-424-TLAP.

- Laura Gatrell,

Executive Director



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Montgomery Bell State Park

### CAMP TLAP 2009

#### Montgomery Bell State Park

March 13-15th

Saturday night speaker:

John "Jack" P. Corderman

Call for reservations toll free: (800) 250-8613 or (615) 797-3101.

For registration information:  
Emily.mcclendon@tncourts.gov



**Letter from the Chair**

*It is with great pride and anticipation that I embark upon my tenure as Chair of the Tennessee Lawyers Assistance Program. Having been a member of the Commission since it was established, I know full well the responsibilities and importance of this position, and cherish the opportunity to serve. My first six year term ended in 2005. My reappointment by the Court in 2007 was welcomed as an opportunity to*

*Attend seminars, workshops and affiliations with others in the recovery community provided the education and background necessary to function on the Commission. The benefit of their wisdom and experience has been invaluable.*

*My understanding of the importance of TLAP to the legal community and the anticipation of any small role I might be able to play in its success humbles me. I regard it a duty and privilege to advance the policies of TLAP as established pursuant to rule 33 of the rules of the Supreme Court of Tennessee. Awareness of the magnitude of this office and a sincere desire to discharge the duties of the Commission will be my guide over the next two years.*

-Teresa Jones

Chief City Prosecutor

City of Memphis Law Division

*continue serving the legal community.*

*Initially, I felt a bit like a fish out of water. My exposure to the illness of addiction and recovery issues was limited to say the least. But, from day one, I was greeted and accepted with open arms by other members of the Commission and the Court.*

**Announcing the Revolving Loan Fund**



In July 2007, the Tennessee Supreme Court appointed a Blue Ribbon Commission for the Tennessee Commission on Continuing Legal Education and Specialization (CLE Commission) to recommend to the Supreme Court how to utilize and disperse reserve funds that had accumulated as a result of late fees paid by lawyers to the CLE commission.

From this fund TLAP received a grant of \$103,597.00 to establish a revolving loan to provide treatment services to impaired lawyers without resources. The TLAP Commission developed policies and procedures for this fund, and is currently accepting applications.

Should you or someone you know need financial assistance for substance abuse or mental health treatment,



please email the TLAP office:  
laura.gatrell@tncourts.gov

*Although it might seem a bit melodramatic, I think that it is an accurate statement to say that if the people at TLAP had not been there when I needed them a year and a half ago, I would not be here today.*

TLAP Participant



**2008 National Conference on Lawyer Assistance Programs**

Little Rock, Arkansas will host the 2008 National Conference on Lawyer Assistance Programs from Tuesday, October 21 through Friday, October 24. The theme of "Working Together – Educating the Legal Community" will feature sessions of interest to judges, disciplinary staff, bar leaders, law school administrators and law firm managers.

The program will feature varied topics including "From the Clinical to the Spiritual," "Cultural Competence – Diversity and Inclusion," "Problem Gambling," "Process Addictions," "Mental Health Issues – the Perspective from Discipline," "Judicial Programs" and "Aging Well in the Practice of Law." All seminars will be presented by nationally

recognized experts. The sessions truly represent a unique opportunity to learn about impairment issues in the legal community and the operation of lawyer assistance programs.

**For up-to-date information about the conference, please visit Co-LAP's website at:**

<http://www.abanet.org/legalservices/colap/conference.html>



## RAM Team Member Spotlight: *Andrew C. Branham*



Andy Branham recently hosted the May meeting of the ABA's Commission on Lawyers Assistance Programs (COLAP), which was held in Memphis this year. Andy did an exceptional job entertaining and inviting dignitaries to attend the events. He even booked Elvis for the Thursday night barbeque at the world famous "Rendezvous." He was

assisted by members of RAM Team Region One.

Mr. Branham directs and oversees the Memphis office of Counsel On Call. Prior to joining Counsel On Call, Mr. Branham was Division Counsel at International Paper Corporation and Associate General Counsel at Dunavant Enterprises. He was Of-Counsel to the Memphis office of Williams & Prochaska.

Mr. Branham is an honors graduate of the University of Memphis School of Law and Rhodes College. Upon graduation from law school, he served as a judicial law clerk to the Honorable Robert M. McRae, United States District Judge for the Western District of Tennessee.

Mr. Branham is licensed to practice law in Tennessee. He is

the Chair of the Tennessee Bar Association Attorney Well-Being Committee, Member and Immediate Past Chair of the Tennessee Bar Association Access to Justice Committee, Board Member and past President of Memphis Area Legal Services, Board Member of the Memphis Community Legal Center, Founder and past Chair of the Memphis Bar Association Access to Justice Committee, is a Fellow with the Memphis and Shelby County Bar Foundation and Master Member of the Leo Bearman Sr. Inns of Court.

Mr. Branham works extensively with lawyers concerning balance of life issues and is a Charter Member of the Tennessee Lawyers Assistance Program's Regional Assistance and Monitoring Team for Memphis and West Tennessee.

## Report on Camp TLAP

CAMP TLAP 2008 began with a dramatic flair; an unexpected March snowstorm railed upon participants as they tried to make their way into Natchez Trace State Park. A couple of volunteers slid into ditches and a park ranger had to dig them out.

Some didn't dare make the trek at all, but most were inspired and challenged by the blinding snow, arriving with their adrenaline pumping.

Friday night's dessert reception was hosted by the Jackson area RAM Team, complete with coffee, hot-chocolate and a variety of cakes. Bill Ringger catered the event, and also led the "getting to know you" activities.

Unfortunately, the keynote speaker from Maryland was trapped by the ice in his hometown. Ken Shuttleworth, TLAP Commissioner, stepped to the plate and told his story instead. He did an exceptional job, as was expected. Marycarol McDonough

(MC) was crowned "Volunteer of the Year."

Saturday night was concluded by a bonfire with s'mores, a rousing game of Trivial Pursuit, and more snacks than could be consumed. After a gratitude meeting Sunday morning,



*Natchez Trace State Park, March 2008*

## Tennessee Lawyers Assistance Program Commissioners: Appointed by Supreme Court

- Teresa Jones- Chair, Memphis
- Ken Shuttleworth- Vice-Chair, Memphis
- Stephenson Todd- Secretary/Treasurer, Kingsport
- Dr. Howard Burley, Nashville
- Hon. Butch Childers, Memphis
- Chris Hall, Knoxville
- Dr. Kent Cox, Memphis
- Dr. Tim Davis, Chattanooga
- Jackie Dixon, Nashville
- Stafford McNamee, Nashville
- Tom Parsons, Manchester
- Elizabeth Collins, Memphis
- Hon. Ben Hooper, Newport
- Marnie Huff, Nashville
- Frank Pinchak, Chattanooga

## CAMP TLAP 2008

### Sponsors:

- Ridgeview Institute
- Cumberland Heights
- Discovery Place
- La Paloma
- Cornerstone of Recovery

200 4th Avenue North  
Suite 810  
Nashville, TN 37219  
(615) 741-3238  
Call toll free at:  
(877) 424-8527

**We're on the  
Web at:  
[www.tlap.org](http://www.tlap.org)**

**TLAP Offers  
Numerous Services:**

- Consultation
- Assessment
- Referral
- Intervention
- Education
- Peer Support Services
- ABA Networking & Outreach
- Anonymous Support Groups

**TLAP Can Help 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

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 Tennessee 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!**

*For my part TLAP has served to bridge the gap between stewardship of a profession for the public good, and recovery of individual professionals.*

TLAP Volunteer

### Attorney Well-Being Checklist

1. See your physician annually for a full physical.
2. Get your flu shot every fall.
3. Schedule 8 hours of sleep every night.
4. Eat 5 servings of fruits and vegetables every day.
5. Schedule time to exercise most days of the week.
6. Take time away from the office to be with family and friends.
7. Pursue a hobby.
8. Provide your community with Pro Bono work.
9. Recognize the importance of intrinsic values and internal motivation.
10. Treat others the way you would like to be treated.
11. Take time to celebrate life and living!

It pays to practice stress reduction techniques (yoga, prayer, meditation, exercise), as the attorney is able to maintain high levels of performance and productivity over time and not burn out. Substance abuse and depression in the attorney population are double the national average. "It has been estimated that 40-75% of the disciplinary action taken against lawyers involve practitioners who are chemically dependent or mentally ill." Integrating self-care into daily living improves our quality of life and protects our profession and the clients we serve.

*Klein, The Relationship of the Court and Defense Counsel: The impact on Competent Representation and Proposals for Reform,*

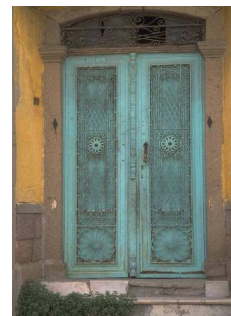
29(3) College Boston Law Review 531.

### Upcoming Conference Room Events

- WWG Women's Group on the 1st & 3rd Wednesday of every month

### **Coming Soon:**

- Self-Defense Seminar
- Dual Diagnoses Group
- Stage II Recovery



*I have been able to count on the staff at TLAP, who are always only a phone call away. Caring, loving support and gentle accountability are words that come to mind as I look back on my interaction with the program. In times of difficulty and pain, it has been a great comfort to know that there were people who understood and were willing to help.*

TLAP Participant

