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Assessing Substance Abuse and Mental Health among Lawyers

by Susan S. Grover and Mark R. Voss

A new study suggests that one in three Virginia attorneys have experienced adverse consequences as a result of substance abuse or mental health problems.

The study suggests that 27 percent of Virginia attorneys are unaware of the mental health and substance abuse assistance available to them through Virginia's Lawyers Helping Lawyers (LHL) program. In a time when stresses on the profession are mounting, this lack of awareness could be life threatening for attorneys.

The LHL study surveyed fourteen thousand Virginia attorneys about their perceptions of alcohol and drug use among lawyers, their personal alcohol and drug use, other mental health issues, and their awareness of Lawyers Helping Lawyers. The Virginia State Bar provided contact information for members, and the study was supported by Chief Justice Leroy R. Hassell Sr. and Manuel A. Capsalis, 2008-09 president of the Virginia State Bar.

Confidentiality protocols protected the identity of respondents. The nature of specific answers remains completely confidential and anonymous. The study is helping LHL better understand substance abuse and mental health issues within the legal community and ways in which LHL can effectively serve Virginia's lawyers.

LHL is a volunteer organization that offers help, education, and outreach to fellow attorneys in Virginia in complete confidence. LHL is not a moralistic organization that wants people to stop drinking. LHL wants to ensure that lawyers in trouble get the help they need. Many LHL volunteers have experienced substance abuse or mental health difficulties themselves; others have lived through

the experience through loved ones. LHL can be effective only if Virginia lawyers know that its services are available and understand that communications with LHL are held in the strictest confidence. In a profession where reputation is so important, and where traditional stigmas remain alive, understanding this confidentiality is essential.

Absolute Confidentiality

LHL's commitment to confidentiality is absolute. The study shows that some lawyers believe that requests to LHL for assistance may be reported to the Virginia State Bar. Nothing could be further from the truth. LHL's effectiveness depends entirely on lawyers believing the promise that nothing will be disclosed. Because attorneys fear damage to reputation from stigmas associated with alcohol and mental health issues, LHL depends on the legal profession's awareness and belief in the promise of absolute confidentiality. That promise is sacrosanct.

Do Attorneys Seek Help?

Lawyers in Virginia are doubtful about their colleagues' familiarity with LHL's services or their willingness to seek help from LHL or elsewhere. Eighty-one percent of those who responded to the questionnaire indicated that they believe that their fellow attorneys would not seek help for substance abuse or mental health issues. In contrast, those who responded to the questionnaire appear to be comfortable about contacting LHL to get help for themselves. Perhaps attorneys who chose to respond to the questionnaire best understand mental health and substance abuse issues.

Readers who would like more information about Lawyers Helping Lawyers may call (toll free and anonymously) (877) 545-4682 or e-mail info@valhl.org.

How Much Do Virginia Lawyers Drink?

There is a 5 percent difference between perceived and actual problems with alcohol. Nine percent of survey respondents self-reported current or past problems with alcohol. By contrast, responses to questions designed to measure actual practices indicate that 14 percent of respondents have problems with alcohol. This is higher than the national average. As might be expected, fewer attorneys than the national average report using illegal drugs or misusing prescription drugs than the national average.

The study validates the direction that LHL has taken in the past five years to expand services to attorneys for both substance abuse and mental health problems.