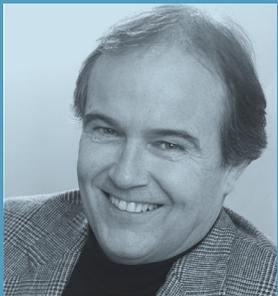


# LAP



LAWYERS  
ASSISTANCE  
PROGRAM



Derek LaCroix, Q.C.

As the Executive Director of the Lawyers Assistance Program, I have had the opportunity to speak directly with hundreds of lawyers throughout the province. The following observations may be of interest and value to everyone practicing in this demanding profession.

The Lawyers Assistance Program is an independent organization of members of the legal community (lawyers, judges, families and support staff). We provide peer support and referral services to help people deal with personal problems, including, alcohol and drug dependence, stress, anxiety, and depression. We are volunteers and staff committed to providing confidential, compassionate, and knowledgeable, outreach, support and education. We seek to foster collegiality among our peers and to promote health and well-being in our community.

You can reach LAP at 604-685-2171 or toll free 1-888-685-2171.

# LAP RAP

ISSUE #1 SPRING 07

## Recognizing and Helping a Distressed Colleague

The legal profession, particularly in British Columbia, has a long and noble tradition of helping one another. In my work with the Lawyers Assistance Program I am continually gratified by the willingness of the members of the legal profession to help one another. Now, more than ever, we need to look out for one another and be prepared to offer help where appropriate. There is an increase in the number of lawyers who are collapsing. At LAP we have helped more than 270 members in the 12-month period ending September 30, 2002 as against 179 for the same period the previous year. I increasingly hear of lawyers paralyzed and non-functional. I hear about many individuals who have run afoul of the Law Society or have gotten into some other serious trouble after the fact. How can we offer help to these individuals before they get into such serious trouble?

Do you know someone who is struggling? Have you and others been talking about and been concerned about a colleague? If so call LAP. We will offer help. Perhaps we can assist you to help that person. Perhaps we can do some form of outreach and offer assistance.

We at LAP are nonjudgmental and we suggest you be as well. It is not your duty, nor in anyone's best interest, to attempt to diagnose a fellow member's medical or personal problems. However, in a compassionate workplace, we must care about one another and distress will usually cause warning signs in attendance, performance, and behaviour. Here are some things to look for.

### Attendance

Whether due to chronic pain syndrome, depression, smouldering substance

dependence or chronic unrelieved stress (such as that experienced by a person living in an abusive alcoholic home or with a chemically dependant child), workers with these complex conditions will eventually begin to lose time from work. They will take more sick days. When off with an injury or illness they often take longer to return than other workers. There are often patterns of absence: seasonal, around weekends and holidays. They are more likely to be late. They may miss appointments.

### Performance

Erratic is the adjective to describe the worker with chronic biopsychosocial conditions. Some days their work will be excellent, other days it might be unacceptable. They forget things and make mistakes. They begin to make errors in judgment. They postpone or procrastinate to a serious degree. Look out for deterioration of performance. They may fail to return telephone calls or correspondence. They may ramble on and even lose their train of thought while talking or even making submissions.

### Behaviour

Others begin to avoid them because they are moody, volatile and irritable. They often look sick and tired. They are often needlessly hostile or perhaps erratic in their behaviour. They often choose to work in an isolated job where they can avoid interaction and supervision. They may have interpersonal problems, with fellow workers or supervisors and often they are more likely to file complaints about others. They gradually develop fat files: human resources files, files at the Law Society or with the Insurance Fund and medical files at the doctor's office. Again, pay particular

Confidentiality  
is a Cornerstone!



LAWYERS  
ASSISTANCE  
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Call today.  
We can help.

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attention when a colleague's behaviour changes, from once courteous to now rude or erratic.

Other risk factors and red flags of possible distress.

- Claims/litigation, excessive complaints by clients and/or staff, Law Society complaints, workplace discipline.
- Shift in status, (promotion, demotion, change in hours).
- Divorce/separation, deaths/grieving, financial difficulties, loss of job.
- Signs of "Stress" such as complaining of overwork and stress.

In talking with many lawyers I have found a lot of concern for our profession and a lot of goodwill among our members. There does, however, seem to be a reluctance to interfere in others lives. Perhaps there is a reluctance to risk confrontation. LAP is not asking you to interfere in anyone's life, subject yourself to an unwanted confrontation or to jeopardize anyone in any way. We want only to offer help to those who may need it, and perhaps even want it, but are unwilling to ask for that help.

If you find yourself talking about someone you think is having a problem or problems - be constructive and share your concerns with LAP - call us at 604-685-2171 or Toll Free 1-888-685-2171.

Each call we receive is treated as confidential. We treat each communication as having solicitor/client confidentiality.

Once we receive two (2) independent calls/referrals about a person who is exhibiting attendance, performance, and/or behaviours that are causing concern to others, we approach the person.

We are nonjudgmental; we do not prejudge or pre-assess the person. We are concerned with observations of behaviours and conduct, not with conclusions about the cause of those behaviours.

Our approach involves presenting information (without identifying the source) to the individual, asking them what is going on, and offering assistance and/or information.

This is all done in the strictest of confidence. We base our approach on empathy and compassion. We are non-disciplinary. And we are respectful of each person.

Once we have made contact with a distressed person we offer a wide variety of help including, short term counselling, practice assistance, pro bono counsel, referrals, assessments, information, and ongoing support. Sometime just a friendly and empathic person to talk to is just what the person needs and wants.

Remember the compassionate thing to do is to offer help. Many times I have called, to ask how a person is doing and to offer help, and have been greeted by a welcoming and sometimes even a relieved person.