LAP LAWYERS' ASSISTANCE PROGRAM

Impairment Proofing Your Work Place

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Objectives

- Promote more efficient identification of employees needing help
  - Limited Workplace knowledge / awareness
  - uncertainty and ambivalence
  - unproductive responses (gossip)

- Support employees needing help

- Maintain work place integrity

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Process

1) Create a culture of awareness

2) Remove uncertainty and ambivalence from leadership

3) Establish guidelines for
  - Accountability
  - Structure
  - Support

4) Provide peer assistance

5) Monitor and track outcome process **LAP**

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Culture of Awareness

- Work place: use of 'human capital (HC)' to perform, monitor, improve work flow

- High correlation between impaired HC, and impaired work flow

- Identify level of impairment and awareness
  - Work place survey
  - Relevant (to work setting) literature review

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Culture of Awareness

- Survey management and workforce
  - Meet with leadership
  - Survey workforce

- Survey:

  - "How likely am I to recognize impairment…"

  - "How confident …know what to do…"

  - "…If I get help it is confidential…"

  - "How certain am I that the EAP will be helpful…"

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Surveys

Demonstrate Sincerity

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Culture of Awareness

- Educate entire work force
  - On EAP
  - Prevalence of problems
  - Types of problems
  - How to recognize co-workers needing help

- 2002 study: 86% of EAP clients suffered from <u>serious</u> mental illness/substance abuse issues

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Culture of Awareness

- Work place: use of 'human capital (HC)'

- … To perform, monitor, improve work flow

- Correlation between impaired HC, and impaired work flow

- Identify level of potential impairment
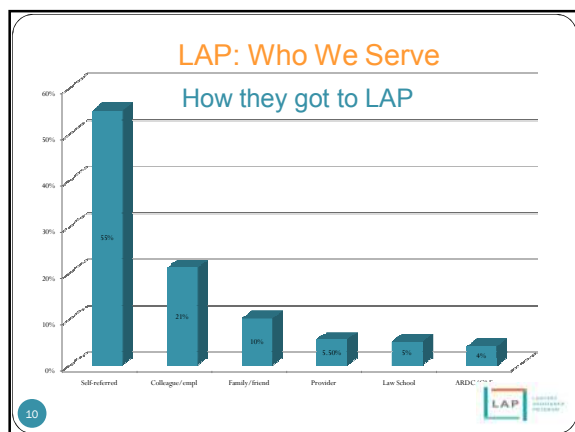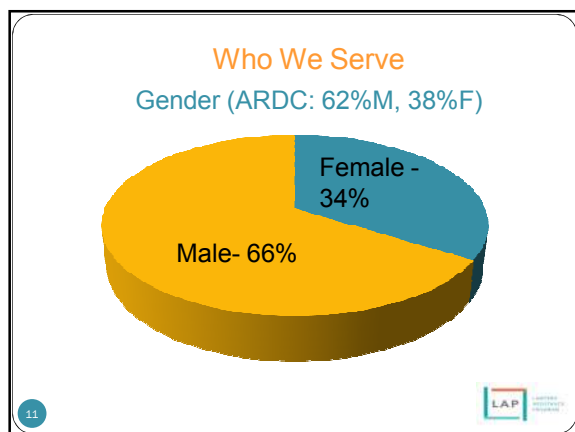 - Work place surveys
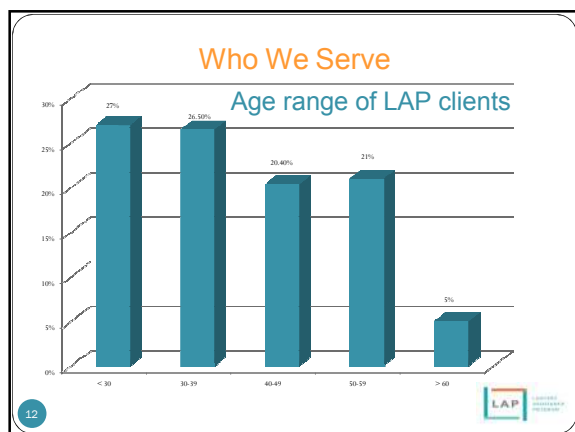 - Literature review

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Awareness- LAP's Role

- Support judges, attorneys and law students

- Evaluate, assess, recommend

- Educate the legal community and peer support volunteers

- Provide referrals, interventions, manage & monitor clients in treatment

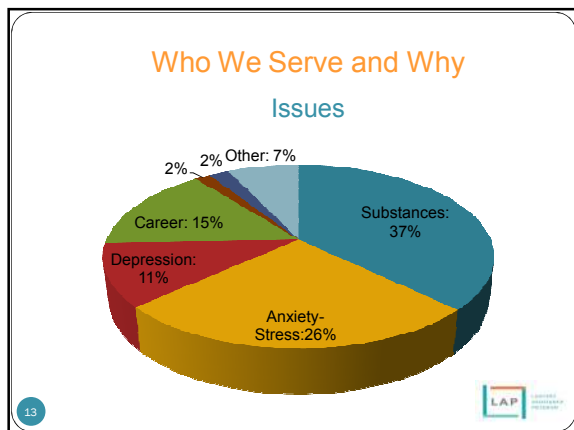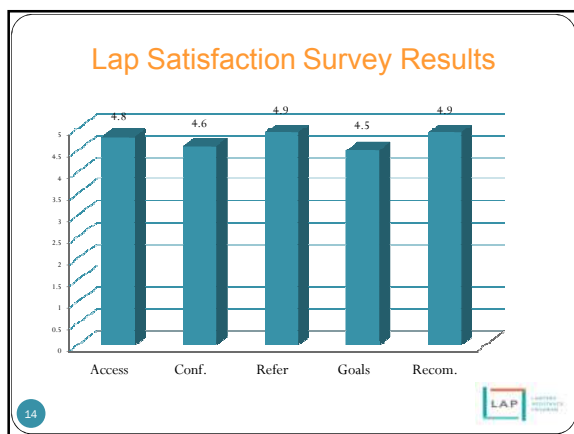- Identify and evaluate treatment resources

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LAP: Who We Serve
How they got to LAP

Who We Serve
Gender (ARDC: 62%M, 38%F)

Female - 34%

Male- 66%

Who We Serve
Age range of LAP clients

Who We Serve and Why
Issues

Substances: 37%
Anxiety-Stress: 26%
Depression: 11%
Career: 15%
2%
2%
Other: 7%

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Lap Satisfaction Survey Results

4.8   4.6   4.9   4.5   4.9

Access   Conf.   Refer   Goals   Recom.

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2016 National Study – Lawyers
(JAM, Feb 2016)

- 12,825 responses: % <u>meeting clinical criteria-</u>
- 20.6 % problems with alcohol v. 10% general population
- 28% depression v. 3% - 9% general population
- 19% anxiety
- 23% stress
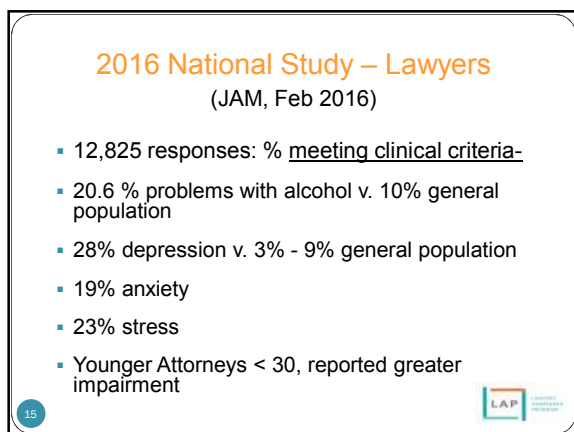- Younger Attorneys < 30, reported greater impairment

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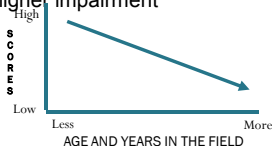## Self Reporting of Mental Health Concerns
(JAM, Feb 2016)

- Anxiety 61%
- Depression 45.7%
- Social Anxiety 16.1%
- ADHD 16.1%
- Panic Disorder 8.0%
- Bipolar Disorder 2.4%

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age, position and years in the field (JAM, Feb 2016)

- Age 30 and under higher scores-more hazardous drinking
- Less years working in the field = higher impairment
- Working in a private firm or for a bar association yielded higher impairment

High
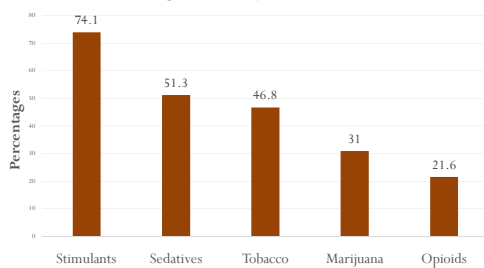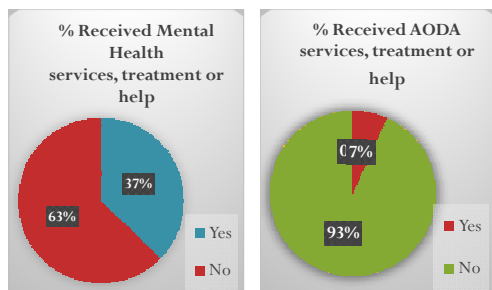S
C
O
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E
S
Low

Less   More
AGE AND YEARS IN THE FIELD

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Substances Used Weekly
(JAM, Feb 2016)

Percentages

74.1 — Stimulants
51.3 — Sedatives
46.8 — Tobacco
31 — Marijuana
21.6 — Opioids

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Reported Treatment Rates from Study

% Received Mental Health services, treatment or help

37%

63%

- Yes
- No

% Received AODA services, treatment or help

0.7%

93%

- Yes
- No

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Stressful Work Place

STRESS = "Event(s) requiring responses we can't provide"

- High stakes / expectations/accountability

- Time pressure

- Equivocal information: 'decisional ambivalence'

- Intense competition- business driven

- Zero-sum encounters

- Real or perceived

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Suicidal Thoughts
(JAM, Feb 2016)

- 11.5% reported suicidal thoughts during their career
- 2.9% reported self injurious behaviors
- 0.7% reported at least one suicide attempt
- C0-LAP Study – Nov 2014- May 2015
  - 36 states reporting
  - 19 states had 42 suicides
  - Tennessee had 6 suicides

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Suicide- What to do?

- Suicidal thinking warning signs:
  - Depression ("I don't feel right") +
  - Pessimism ("it won't get better") +
  - Overwhelmed / anxiety ("I can't cope")

- Listen, ask them if they are feeling suicidal

- Find out if they have a plan, or the means

- If they don't have a plan – encourage them to seek professional help/reach out to family. Call LAP

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Creating Awareness- What to Look For
"Follow the MAP"

(Pacione & Belleau, ABA Solo Practice Journal April, 2015)

- **M**ood or attitudinal disturbances

- **A**ppearance or physical changes

- **P**roductivity / quality of work issues

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Increase Certainty of Response

- Uncertainty, ambivalence, or denial?

- Appoint a CAO (Chief Assistance Officer)
  - A senior level executive
  - Liaison to EAP
  - Receives concerns, questions, and reports of impairment

- Confidential??

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The 'Right' Chief

"Hey . . . this could be the chief."

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**Increasing Certainty,
Eliminating Ambivalence**

LAP provides training for the CAO role:

- Confidentiality and immunity
- MH and SU disorders; suicide
- Peer assistance and boundaries
- Organizational and family dynamics
- Interventions and role play
- Working with LAP (EAP)

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Cover Your A.S.S.

- Establish guidelines for:
  Accountability (outcomes)
  Structure (process)
  Support (integration)

- Written Agreement

- Assign a work coach for peer review

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Accountability

Employer (Ensures)	Employee (Responsibilities)
✓ Confidentiality	✓ Compliance:
✓ Liaison with EAP	✓ UDS / medication
✓ Work accommodations	✓ Consents
	✓ Recommendations
	✓ PR / EAP meetings

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Structure

Employer (Obligations)	Employee (Schedule)
✓ Work schedule and number of hours	✓ Treatment and self help Meetings
✓ Set meetings with peer review	✓ Daily work schedule
✓ Bi-weekly updates with PR (4-6 months)	✓ Bi-weekly updates with EAP (4-6 months)

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Support

Employer (Provides)	Employee
✓ Access to TX/EAP	✓ TX/Support Group(s)
✓ Access to PR / LAP	✓ Regular meetings with PR/EAP

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Peer Review Supervisor

- Mentor client in daily work activities
- Review client's work frequently
- Same training as CAO
- Consultation with EAP
- Support / enforce written agreement
- Maintain confidentiality

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Written Agreement

Known as "Last Chance Agreements"
(Several elements recommended)

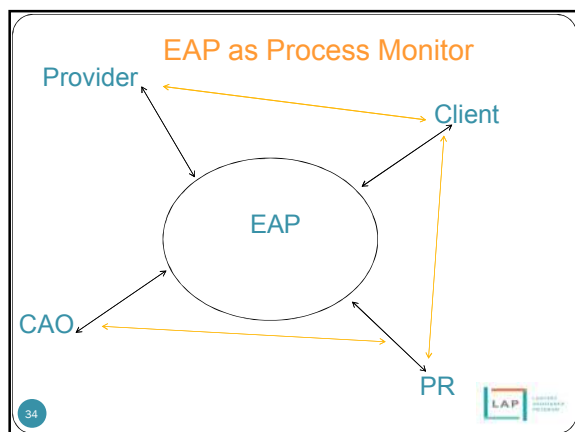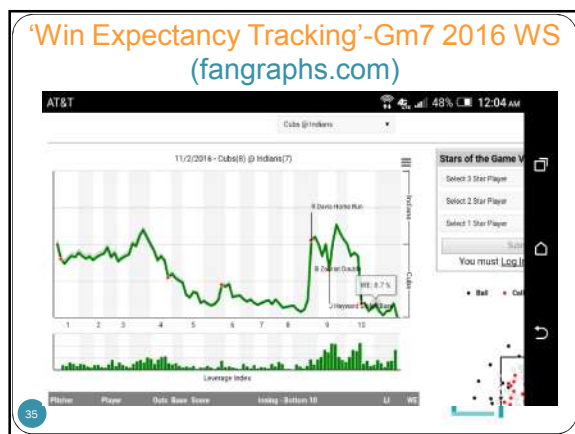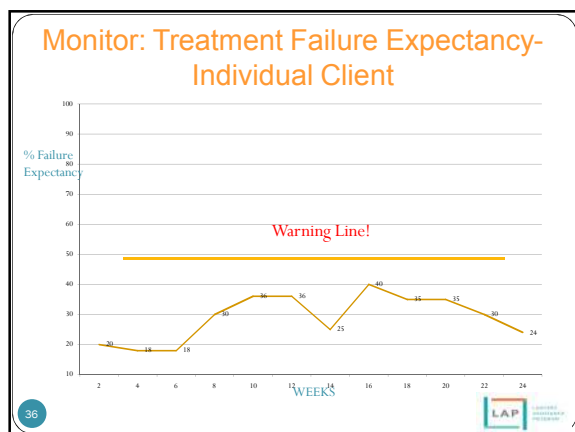We prefer "Best Chance Agreements"

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EAP as Process Monitor

- Monitors employer, employee, treatment provider
- Conference calls with PR and client
- Liaison to CAO and treatment provider
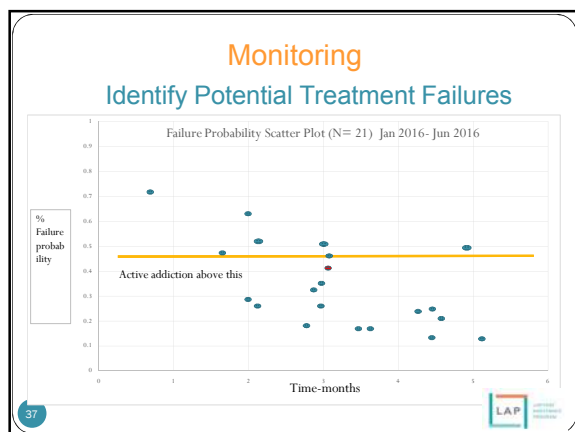- Responsible for getting consents

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EAP as Process Monitor

'Win Expectancy Tracking'-Gm7 2016 WS (fangraphs.com)

Monitor: Treatment Failure Expectancy-Individual Client

Monitoring
Identify Potential Treatment Failures

Failure Probability Scatter Plot (N= 21) Jan 2016- Jun 2016

% Failure probability

Active addiction above this

Time-months

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Getting Started in Your Work Place
1. Talk to management- 'sales pitch'
2. Survey Employees
3. Do your research
4. Become more visible
5. Train management
6. Train peer support
7. Get providers on board
8. Prepare your presentation
9. Talk and demonstrate confidentiality

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