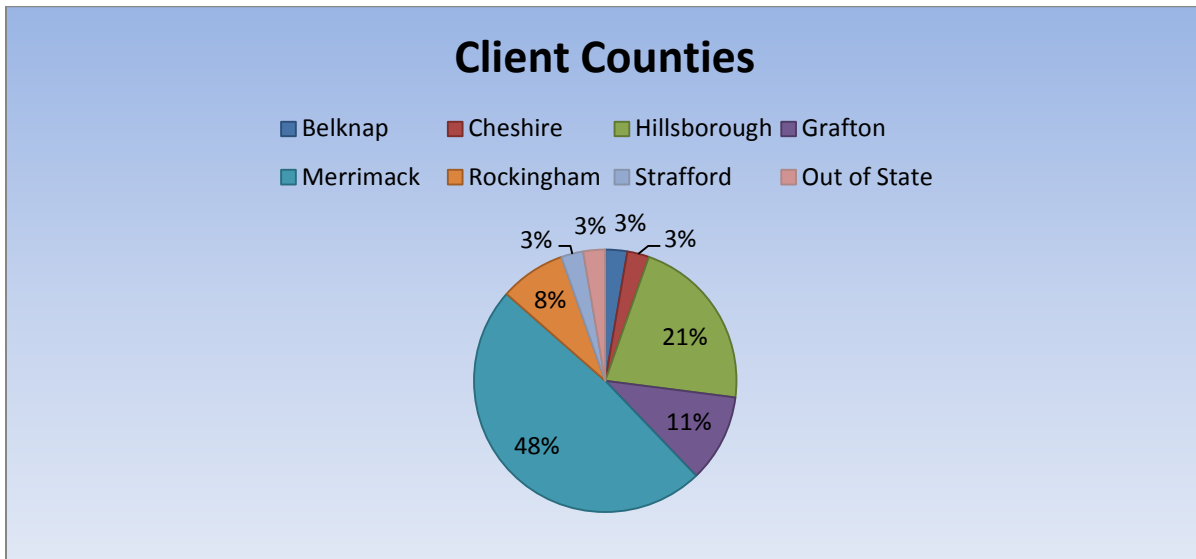


New Hampshire Lawyers Assistance Program

ANNUAL REPORT 2012-2013

Executive Director, Cecie Blakeslee Hartigan

New Hampshire Lawyers Assistance has a challenging and successful year in 2012-2013. Since its creation six years ago, we have helped over 200 colleagues address mental health, substance abuse, and other personal or professional issues. Experience has taught that left unattended, the issues can quickly lead to an adverse impact on the public as well as on personal and professional lives of lawyers. Our recent LAP experience has shown that by accepting assistance, lawyers can successfully address the issues that can befall us, and in many cases avoid the harsher consequences that may occur if we try to ignore or rationalize the problem away.



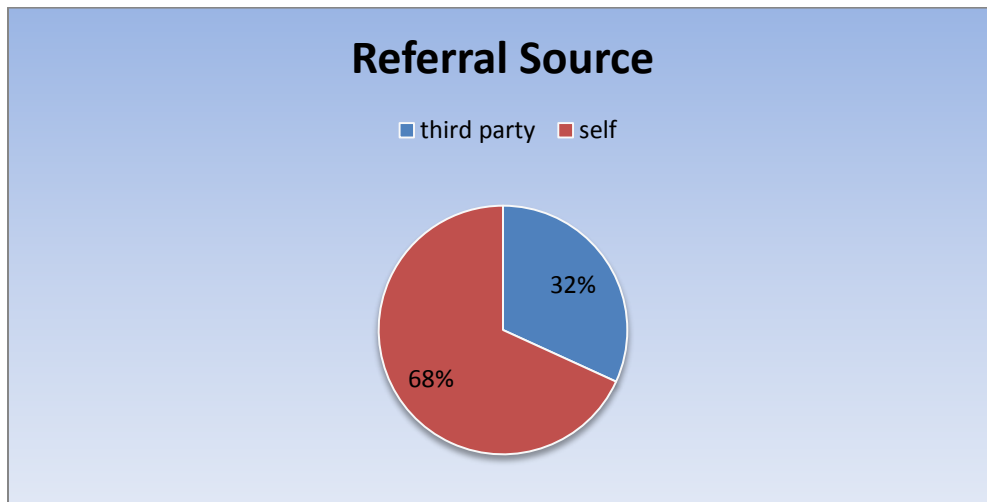
LAP will work this year to reach the northern and southern –most counties, which are underrepresented in the statistics (Coos, Carroll and Cheshire).

This year we are happy to report that we have given direct, personal assistance to many New Hampshire lawyers, judges and law students. Our ongoing work has been steady, and we have continued to see people reaching out for help. One indication of the positive effect of our outreach is that lawyers have sought help early, thereby avoiding potentially greater crisis in their lives and families. We have had many referrals to evaluation and to treatment. In addition, many Program participants have utilized continuing assistance available through support groups, monitoring contracts, and ongoing counseling.

It has become increasingly clear that early and continuing assistance has a positive impact on preventing future harm to the public. We continue to educate the bar, bench and law school to recognize the need for help and seek assistance before their problems cause significant harm to themselves and others.

LAP Mission Statement

The New Hampshire Lawyers Assistance Program (LAP) is a *confidential*, independent organization created for the sole purpose of providing *confidential, immediate and continuing assistance* to New Hampshire lawyers, judges and law students who are suffering from physical or psychological illness, substance abuse or emotional distress, age-related issues, or other personal or professional crisis.



As in most states, self-referrals make up the majority of LAP clients.

Because of the sensitive nature of addiction and psychological problems, law students, attorneys, or judges who need help -- or want to assist someone else who might need help -- are often reluctant to seek assistance. Recognizing this concern, and in order to foster early and confidential contact, LAP treats each request for help with *confidentiality, as provided under Supreme Court Rule 58*. Rule 58.8 protects the confidentiality of all contacts between those who utilize the program and the employees and volunteers of LAP. Any information between LAP employees and volunteers, and a lawyer, judge or law student who seeks assistance is protected and will not be disclosed except upon express authority of the affected person.

LAP Presentations and Attendances

Sponsor and Panelist for 2013 NHBA Annual Meeting Program: ***Grey Matters – Issues and Answers for Aging Lawyers and Their Colleagues***

NH Bar CLE Sponsor and Exhibitor:

- Trusts and Estates
- Workers Compensation
- Sentencing Law
- Employment Law

Rockingham Inns of Court: Table Presented Elderly Clients Issues

NH Bar 2013 Mid- Year Meeting Exhibitor, Manchester

Brown Bag Lunch Presentations Concord Circuit Court:

- Juvenile law
- Criminal law

Brown Bag Lunch presentations:

- Strafford County Update Session
- Hillsborough South Update Session

Practical Skills Seminar Presenter with Tom Trevethick, Attorney Discipline Office

Developments in the Law Sponsor/Presenter

NHBA 2013 Annual Meeting Exhibitor, Portsmouth

University of New Hampshire Law School

- Character and Fitness process presentation with Sherry Hieber, Character and Fitness Coordinator

- Discipline Presentation with Sara Greene, Attorney Discipline Counsel

ABA 2013 mid -year meeting Dallas

ABA Commission on Lawyer Assistance Programs (CoLAP) Regional Planning Meeting at NJ LAP on Senior Issues and Law Student Issues

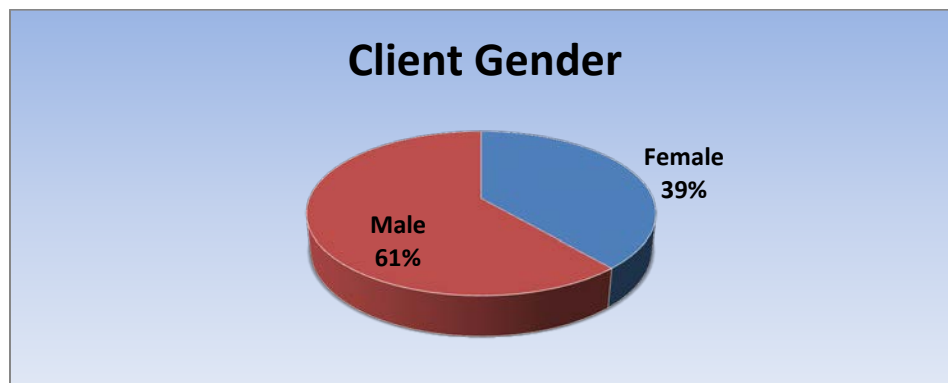
CoLAP Conference in Grand Rapids, National Planning Committee member

Coordinator of Annual Director's Retreat for LAP Directors

Re-Appointed as ABA CoLAP Advisory Commission Member

Monthly Lawyers Concerned for Lawyers (LCL) Meeting, Manchester

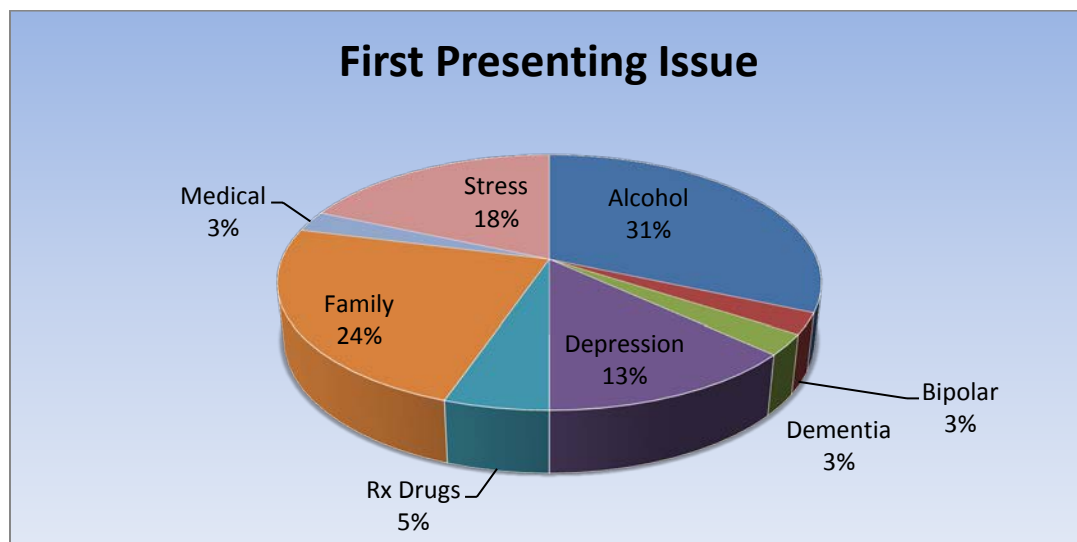
New monthly LCL Meeting, Concord



LAP's gender participation statistics have remained consistent in our 6 years, and generally correspond to the Bar's gender membership demographic

CLE: Ethical Obligations and the Problem of Attorney Impairment

LAP has developed a Continuing Legal Education course that outlines NH and ABA rules and cases regarding the circumstances under which an attorney may be held responsible for the professional conduct of a colleague. The course also presents a description of addiction and depression from a neurobiological perspective. This course is available through the volunteer efforts of Russell Hilliard, Esq., Richard Uchida, Esq., and Lisa Houle, MA, LMHC, LADC; Please contact LAP to schedule a program or for more information.



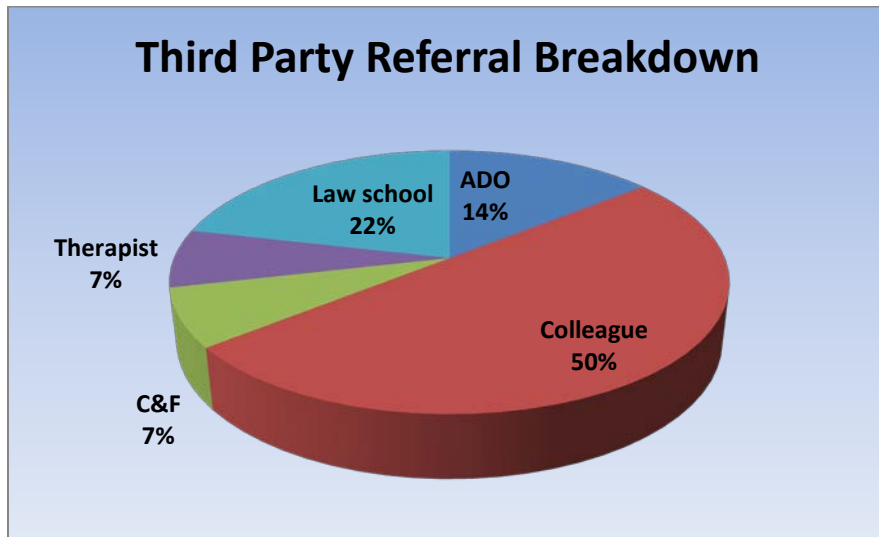
The greatest increase in issues presented to LAP was in family issues. In 2010 we recorded this category as “marital” since the cases we encountered were spousal issues; it then accounted to 4% of cases. Last year it accounted for 9% of cases, and included some extended family. This year family issues accounted for 24% of cases. This may reflect the fact that demographically a majority of Bar members are now responsible for both parents and children in some cases; many lawyers have requested help in finding resources for family members for whom they are responsible. LAP maintains many resources for this purpose and gladly shares them when asked. It can be extremely stressful, and much time can be lost assisting a spouse, child or parent with substance, mental health or related issues. The statistic also may be due to greater awareness of LAP and what it offers.

UNH Law School Initiative

LAP works with University of New Hampshire Law School staff and students to provide support to students while in law school and during application to the Bar. Presentations on LAP Law Student Services and the Bar application process were presented during the fall semester with Character and

Fitness Coordinator Sherry Hieber and LAP director Cecie Hartigan. Later in the year, a LAP attorney volunteer shared his story of crisis and recovery with students in a joint program with LAP and the NH Office of Attorney Discipline, represented by ADO Chief Counsel Sarah Greene. Confidentiality is always emphasized; in our relationships with these “sister” Supreme Court entities, LAP accepts referrals and assists in any way we can, but we never, ever make referrals or communicate with the other entity without the express consent of the affected student/applicant or lawyer.

Also, LAP has facilitated a connection between the Dave Nee Foundation and UNH law. The Dave Nee Foundation is named in memory of a beloved law student who suffered silently for many years from depression and committed suicide in 2005. Family and friends of Dave Nee have come together to provide law schools across the country with resources for student wellness. The Foundation’s website provides links to many resources, including www.lawlifeline.org, a free and confidential resource for law students about a wide range of emotional health issues.

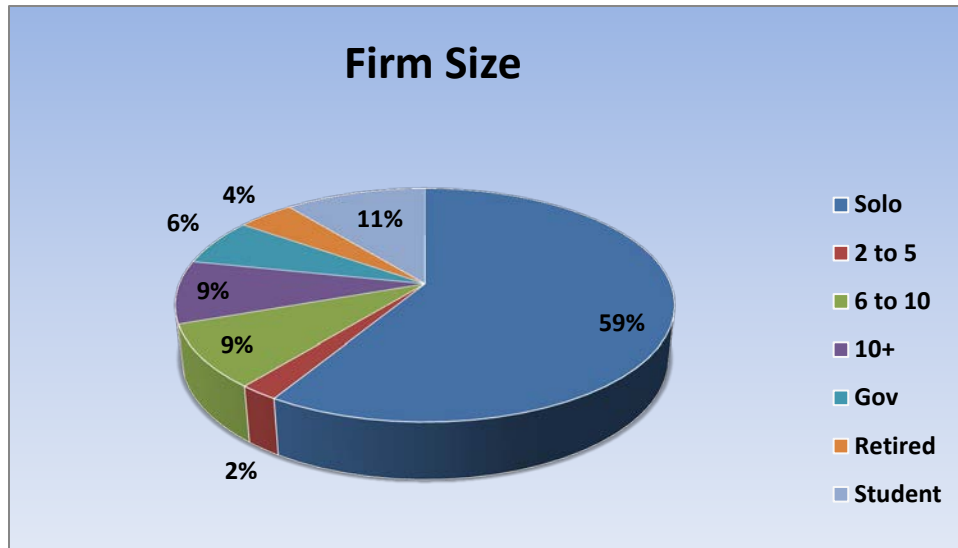


Of the roughly one-third of referrals that come to LAP from third parties, half of these are from a concerned colleague.

Cooperation with the Committee on Character and Fitness

LAP cooperates with the New Hampshire Supreme Court Committee on Character and Fitness and its coordinator, Sherry Hieber, to assist applicants who may have conditions that, if left untreated, could impact the ability to practice law. LAP will assist to secure professional evaluations and assessments, when circumstances warrant or when requested to do so by the

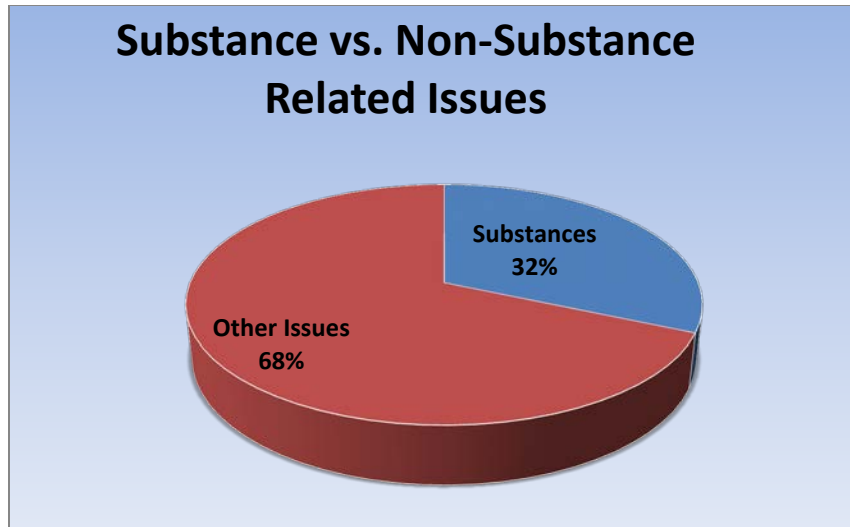
Committee. As with all LAP work, confidentiality is paramount in interaction with law students and applicants utilizing LAP services. No information is shared or released without the express written permission of the affected person.



Firm Size: the number of solos asking for help this year surged to 59%. In the past two years, the numbers were 25% (2012) and 29% (2011). When the solo practitioner number is combined with smaller firms (2 to 5 lawyers), the number has also increased each year: 41% in 2011, 54% in 2012, and this year 61%. This is commonly found among other states as well: smaller firms and especially solos have fewer resources when economic, personal, or other issues hit them and may turn to LAPs for help. It can be truly daunting to be a sole practitioner and occasionally the pressure is too great. LAP's message is that the key to moving forward is to ask for help before a crisis happens.

ABA Commission on Lawyer Assistance Programs

LAP is a part of the American Bar Association's Commission on Lawyer Assistance Programs (CoLAP). LAP's Executive Director, Cecie Hartigan, was recently re-appointed to CoLAP's Advisory Commission. In addition, she serves on CoLAP's Judicial Assistance Initiative, Senior Lawyers Committee, Life Balance Committee, and National Planning Committee.



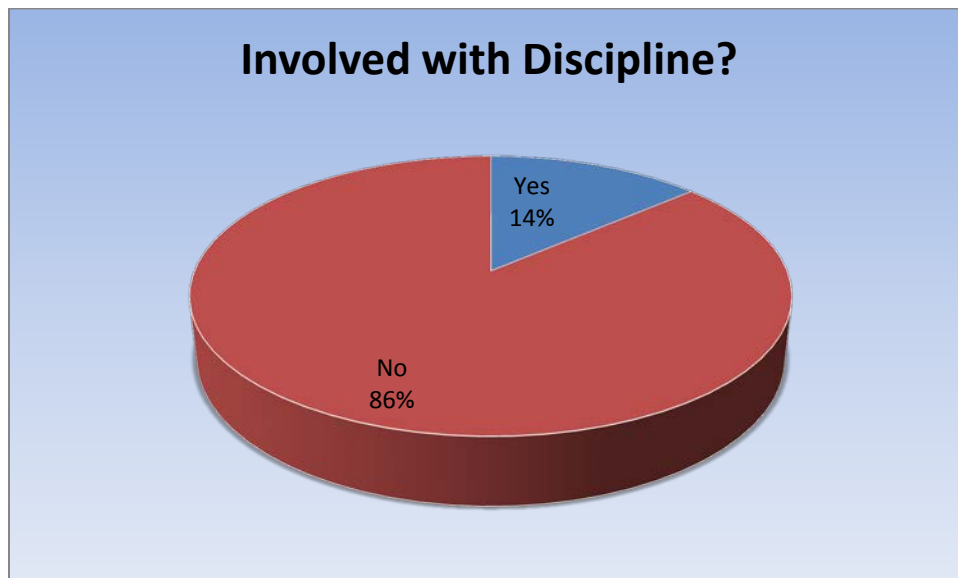
This chart shows substance abuse as a percentage of overall assistance. This number has held steady for the past 3 years at around 40%; it echoes a trend nationally that over the past 10 years shows a decline in alcohol cases relative to other types of cases. While LAPs began as substance abuse support for lawyers, they are increasingly asked to assist in other areas as well. We have responded by increasing resources for referral to evaluation, counseling and treatment. Note: a further breakdown of this statistic demonstrates that of the 32% substance abuse cases, 83% were for alcohol and 17% were for prescription drugs.

Office of Attorney Discipline

In some cases, the Attorney Discipline Office (ADO) or the Professional Conduct Committee (PCC) may refer an attorney to LAP for assistance. In these cases, there may be an opportunity for a lawyer facing disciplinary action to take responsibility for actions and seek assistance for impairments and conditions that, if not addressed, may lead to repeated conduct in the future. This past year, LAP worked with several clients involved with discipline and entered two new monitoring agreements. As previously stated, confidentiality is the LAP priority. LAP will not report or share any information regarding a program participant without the express written consent of the participant. For obvious reasons, in cases of referral from discipline where a contract is entered, such consent is required. LAP emphasizes that while we receive referrals from discipline in order to assist lawyers, we never refer or report to, or otherwise communicate with discipline without the consent of the affected lawyer.

The relationship with Discipline is vitally important, from LAP's perspective, for two reasons. One, by working together we ensure that lawyers who return to practice are healthy and do not continue to suffer from issues underlying the unethical behavior. Second, by helping

lawyers when the need arises, we protect the public. This shared goal of professionalism drives both discipline and LAP. By ensuring lawyer accountability while also addressing and monitoring behavior when necessary, we ensure public protection.



This graphic reflects all clients who are involved with discipline, or who become involved with discipline, while clients of LAP. It includes those who have been formally referred from discipline.

Lawyers Concerned for Lawyers (LCL)

LCL is a twelve-step group for lawyers made up of men and women who are willing to help a colleague struggling with substance abuse. This year, 34% of LAP cases involved alcohol and/or other substance abuse. All lawyers who want help with substance abuse are welcome at LCL for support. Membership in LCL stretches from the northern part of the state, to the seacoast, to southern New Hampshire. Each month, attorneys meet in Manchester to share their experience, strength and hope as lawyers in recovery. LCL members offer practical and compassionate support in dealing with issues of substance abuse and recovery, as those issues intersect with the practice of law. We have just started a second monthly meeting in Concord. For further information please see our website, www.lapnh.org.

501(c) (3) Status

Although it is a committee of the New Hampshire Supreme Court, LAP operates as a non-profit organization with exempt status from Federal income tax under section 501(c)(3) of the

Internal Revenue Code. Contributions to LAP are deductible, and we are qualified to receive bequests, devises, transfers and gifts.

Website: www.lapnh.org

Please check out our new site at www.lapnh.org. It is our hope that it may provide an avenue for support to any attorney, judge or law student seeking information or help with depression or other mental health issues, substance abuse, or other personal or professional crisis. The site lists numerous resources for lawyers, judges and law students who feel that they or a colleague may be in need of assistance.

LAP Commission

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Portsmouth, NH

To call someone or something a "lifesaver" is often said as a lighthearted bit of hyperbole, but in my case, the New Hampshire Lawyers Assistance Program has been a lifesaver for me, in the fullest sense of the word. Approximately a year and a half ago, I reached a very low point in my life and my career, due to personal mental health issues and family stresses. I was drowning and desperately in need of help. I felt isolated and terrified. Remembering the PSA's that I had seen, I called the number for the LAP...this turned out to be the best possible thing I could have done for myself, my mental health, and my career. I cannot say enough about the help LAP has given, and continues to give, me. Without it, I would not have been able to put my life back on track. Now, I feel confident that my life is moving in the right direction, and that I can go forward to be a service to my community as an attorney. I am deeply thankful the LAP is available to help lawyers like me, who find ourselves in need of that LIFESAVER. LAP participant