

THE SENIOR LAWYER TRANSITIONING WITH DIGNITY

ABC'S OF HELPING THE SENIOR LAWYER

IDENTIFY THE PROBLEM

(be alert for small changes to intervene early)

- Denial of any problem
- Cannot function without an assistant present
- Frequent irritability
- Changes in work routine or behavior
- Deteriorating performance at work
- Memory decline, consistently forgetful
- Increasingly misplacing everyday objects
- Perfunctory answers
- Loss of control of emotions, crying at work
- Grievances or suits for malpractice

APPROACHING THE SENIOR LAWYER

- Consult TLAP at (800) 343-8527
- Meet in a non-confrontational manner
- Partner with someone the lawyer trusts
- Include a witness
- Get the lawyer to talk
- Listen not lecture
- While listening, add responsive and reflective comments
- Express concern with gentleness and respect
- Talk about what other people are saying
- Review the lawyer's good qualities and happy memories
- Respect the lawyer's dignity and privacy
- Be yourself, not an authority figure
- Suggest assessment by a specific professional and have contact information ready
- Offer assistance and make recommendations for a plan that provides oversight (such as a buddy system or part-time practice with co-counsel)
- Remember that this is a process, not a one-time event

Starters:

"I am concerned about you because..."

"We have worked together a long time, so I hope you won't think I'm interfering when I tell you I am worried about you..."

"I've noticed you haven't been out much lately, and am wondering if you're okay..."

DO'S & DON'TS

Do's

- Be direct, specific, and identify the problem
- Speak from personal experience; state your feelings
- Report what you actually see
- Be respectful and treat the lawyer with dignity
- Act in a non-judgmental, non-labeling, non-accusatory manner
- Offer to call the lawyer's doctor with observations

- Refer for evaluation, have resources at hand
- Suggest alternatives: inactive status, disability leave
- Suggest the potential consequences: grievance investigation or disability proceedings

Don'ts

- Ignore and do nothing
- Include family, unless requested
- Insist if lawyer says "back off" (attempt to discuss again at a later date)



TEXAS LAWYERS' ASSISTANCE PROGRAM
Confidential. Respectful. Voluntary.

(800)343-8527 | [TexasBar.com/TLAP](https://www.texasbar.com/TLAP)