

# From Judge to Judge

BY ANONYMOUS

As a child I dreamed of becoming an attorney and a judge. I dreamed of appearing in front of a panel of judges to accept awards for my accomplishments. I dreamed of being respected and admired by my colleagues. I did not dream of writing an article confessing that I am a recovering alcoholic.

But here I am — and yes, I am — a recovering alcoholic. I experience the joys and stress of being a judge every day. I have committed myself to spreading the Texas Lawyers' Assistance Program's message of hope. As judges, we are incredibly isolated. I'm not sure that the general public expects us to be perfect, but we — or, at least, *I* — expected that I should be perfect, and if I couldn't be perfect, I must at least *look* perfect. The result was that I was increasingly unwilling to talk about my feelings and my imperfections. I became even more isolated, until my life spun out of control.

As long as I could use my own definition of what an alcoholic was and what an alcoholic looked like, I continued to convince myself I was

not one. Alcoholics drank cheap liquor wrapped in brown paper bags. Alcoholics had no job, begged on the streets, and slept under bridges. I grew up in a loving family. I had a good job, a nice home, and a husband who loved me. I drank only when I deserved it, and that was often. I loved to drink! Drinking alcohol made me like who I was and made me feel as if I belonged wherever I was.

I loved alcohol and it loved me — until it turned on me. I went back to alcohol over and over, each time hoping for a different result, and each time alcohol beat me up until it almost killed me. I reached a point in my life where I couldn't live with alcohol and couldn't live without it. I wanted to die. Death would have brought welcome relief. I was drinking almost all the time and had reached the point in my drinking where I could no longer stop on my own. Alcohol was destroying my life, my family, and me. But it never occurred to me to that I could or should share this problem with anyone else. I even tried suicide. One day, though, it did occur to me — not that I was going to die — but that I *wasn't* going to die.

It was another judge who changed all of this. In 1999, I was released from a five-day stay in the hospital, where I never told the doctors what was really wrong because, well, that would have made me look imperfect. I went to a local bar luncheon and the featured speaker was a judge who talked openly about his alcoholism and his recovery. I admired his honesty and his

ability to talk freely before a crowd of his peers. He even seemed to be happy. What I took from that luncheon was a message of hope. I somehow found the courage to call him and he immediately rushed over to my office and offered a solution. He put me in touch with people who could help me. Knowing I would not go on my own, he picked me up at my office and took me where I needed to go. After about a month, I actually put down the drink. That was more than 10 years ago, and I have not had to have a drink since. Asking for and accepting help from others was the key that opened the door for me.

I had to learn to solve life's problems without taking a drink. The added benefit of having called another judge/lawyer for

help is that I became active in TLAP and Texas Lawyers Concerned for Lawyers (TLCL). I have gained many judge and lawyer friends who have also recovered from drug and alcohol addiction and depression. When I attended my first annual statewide TLCL convention, I saw how

other lawyers, just like me, had changed. These lawyers are *good* people — they will stop whatever they are doing to help a fellow lawyer who is in trouble, confident that to do so will keep them clean and sober. I only hope that, like them, I can give to others what was so freely given to me.

My life is pretty good now. My ailing relationship with my husband has been repaired. I love my work and no longer isolate myself when I am stressed. Regular exercise and a reasonably (but not always) healthy diet are key to my mental health. I seek out friends and try to help others. I have even become a reasonably competent triathlete.

As judges, we have a responsibility not to turn a blind eye when we spot an impaired lawyer. Judges are in a unique position to observe and help lawyers and fellow judges. We recognize when a lawyer is impaired because of drugs, alcohol, depression, or anxiety. When I suspect a problem, I can recess a case and bring the lawyers to my chambers. If I know or suspect that a lawyer has a substance abuse problem, I will share my story and offer to help. If I suspect depression or mental illness, I make sure that the person is aware of the available resources. If the lawyer declines help, I give him or her TLAP's toll-free telephone number and make a confidential referral to TLAP. We can do the same thing if we believe a fellow judge needs help. Reporting a lawyer suspected of having a problem to TLAP meets a lawyer's ethical obligation pur-



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suant to Disciplinary Rule 8.03 if the lawyer's conduct violates disciplinary rules.

TLAP contacts are confidential by law. In my years of working with TLAP, I have come to know and understand how fiercely TLAP protects those confidential communications. And state law provides more than just confidentiality. Reporting to TLAP gives the reporting person statutory immunity from suit and reports to TLAP are not discoverable. If a lawyer or judge wants help or wants to help another, he or she can make the TLAP call first, which will cloak all conversations and actions with statutory confidentiality and immunity. Even if a lawyer or judge does not want to confront a colleague or another lawyer, he or she can contact someone in the TLAP office, who will send a TLAP volunteer to speak to

that person. The identity of the reporting person always remains confidential, as the names of reporting persons are not disclosed to the TLAP lawyer. TLAP trains volunteers to make these contacts. I have attended training and have spent many hours on the phone with TLAP personnel who have helped me to prepare to make calls.

To prepare for this article, I spoke with a lawyer who is known in my local legal community as a TLAP volunteer. His advice to judges and lawyers is to get to know the local TLAP volunteers. He told me that his most effective attempt to help someone came when a judge who was holding a lawyer in her chambers called him, asking him to come *now*. He arrived and shared his story with the lawyer, who was impaired. Today, the attorney is a healthy recovering lawyer. ✪

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