



# Negligence Law Section

## *Negligence Law Section Quarterly*

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### **“Lawyers and Judges Assistance Program Offers Assistance on a Broad Range of Concerns”**

Tish Vincent, LMSW, Esq.

Proactive, expansive, and confidential are all words that describe a very important State Bar member service. The Lawyers and Judges Assistance Program (LJAP), one of the oldest Lawyers’ Assistance Programs in the country, employs a total wellness approach in assisting individuals who are faced with issues related to depression, gambling, substance use disorders, stress, marriage and family issues, career transition, life stage adjustment, and other general wellness issues. Since 1979, the program has been a confidential source of guidance and support to attorneys, judges, and law students throughout the State of Michigan.

Through the LJAP’s confidential toll-free Helpline lawyers, or those concerned about them, can receive information about ways to address substance abuse and other mental health issues impacting a lawyer’s ability to ethically practice law. Information given can include referral information and/or the opportunity to schedule an in person conversation that may lead to assessment and treatment recommendations.

In recent years the LJAP has shifted its focus from merely reactive to preventative. By providing education and support for individuals, families, law schools, court officers, employers and others, the LJAP can assist in circumventing trouble, and/or begin to assist program participants toward health through difficult times, minimizing harm to individuals, families, and the community.

Highly skilled professionals, experienced in dealing with substance use and mental health disorders as well as general wellness issues, are working to ensure that bar members and students are supported, and the public is protected. The LJAP staff of Program Director Tish Vincent,

Program Coordinator Jennifer Clark, and Clinical Case Managers Molly Ranns, Jeff Zapor, and Tom Grden are devoted to helping individuals get back on track before they begin to experience formal consequences related to difficulties that they face.

Where formal consequences have come to fruition, the LJAP is ready to provide assistance via its Attorney Monitoring Program. MCR 9.114 (C) allows a lawyer who has been investigated for professional misconduct relative to a mental health and/or substance use disorder, to enter

into “contractual probation”, which is an agreement with the attorney in question that is implemented by the Attorney Grievance Commission and facilitated in cooperation with the LJAP. Every attorney referred by the Attorney Grievance Commission to the LJAP has an opportunity to address what may be the underlying cause of the misconduct. For many, the probationary/monitoring experience results in lasting and positive transformation.

Similarly, law students sometimes incur legal infractions that may be related to substance use and/or mental health disorders. Some students get referred to the LJAP as a result of reporting these infractions to their law schools. Others may be referred once they have begun the bar application process and learned that those offenses will impact their character and fitness evaluation. Because law students are the future of the legal profession, the LJAP has sought to extend its preventative education to this population. By continuing to develop and deliver preventative educational programming for students, the LJAP seeks to support the students’ strengths and help them to eliminate any budding difficulties before those difficulties can impact their abilities as lawyers representing clients.

The LJAP is a service for State Bar members that is supported by member dues. The LJAP staff recognizes that the issues that bring lawyers, judges, and students to the program are deeply personal and must be handled with the utmost discretion. All inquiries and services are handled in accordance with applicable federal and state privacy guidelines. For more information about the LJAP program and its services, view our website at [www.michbar.org/generalinfo/ljap/home](http://www.michbar.org/generalinfo/ljap/home) or call our confidential helpline: 1-(800) 996-5522.

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