



**2020**

## **Annual Report**

# **Tennessee Lawyers Assistance Program**

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## **I. MESSAGE FROM BUDDY STOCKWELL, TLAP EXECUTIVE DIRECTOR**

For all organizations, 2020 has been a very challenging year and TLAP is certainly no exception. While concurrently ensuring that its life-saving services to the profession have not been interrupted, TLAP recruited a new Executive Director, new professional clinical staff, and addressed office damage due to the downtown Nashville Christmas bombing. And of course, all of these challenges were met while also refining the new skills and protocols necessary to work remotely and deliver effective services in the midst of the COVID pandemic. Change is challenging even in ideal conditions; however, for TLAP and countless other organizations in the world, 2020 has tested our mettle on an unprecedented level.

While much of 2020's uncertainty has sparked fear about the future, it is also true that the winds of change carry new opportunities. TLAP and its staff continue to focus on taking stock and identifying opportunities to refine TLAP's professional clinical services to best meet the needs of judges, lawyers, and law students. I am very proud of TLAP's dedicated staff and grateful for their support.

Moving to Nashville in isolation and working remotely during a pandemic has been very strange indeed, but it has not attenuated the amazing level of welcoming support I have received from TLAP's leadership. Chief Justice Bivins, the Tennessee Supreme Court, TLAP Commission Chair Judge Spitzer, TLAP Foundation President Andy Branham, the TLAP Commissioners, TLAP Foundation Board Members, and TLAP volunteers have been wonderful. In addition, I am very grateful to Debi Tate, Sandy Garrett, Lisa Perlen, Judy Bond-McKissack, and Joycelyn Stevenson of the AOC, BPR, BLE, CLE, and TBA respectively (and their boards and employees). The legal profession in Tennessee has made me feel at home and I am thankful for the warm welcome.

As for the future of TLAP, experience has taught me that building an exceptional program cannot be accomplished in a vacuum. TLAP already receives strong support from its statewide network of TLAP volunteers and all stakeholders in the profession. Adding to those advantages, I am very fortunate to also bring with me my relationships with national leaders in monitoring and programming from all sectors, including sister state LAPs, state Physicians' Programs, and state Nurses Programs, etc. As we move forward, TLAP will keep abreast of the latest developments in the specialized clinical area of mental health and addiction peer-support services for licensed professionals. There are no plateaus. TLAP will not rest. TLAP will continue to strive to refine its services and provide the Tennessee legal profession with the most effective life and career-saving program possible.

All that said, we are all very excited about the future of TLAP and we remain dedicated to fulfilling its missions of protecting the public and saving lives. All necessary components are in place to ensure that TLAP continues to grow while adhering to clinical best-practices in supporting long-term recovery and fitness-to-practice among our peers. It is my humble honor to be a part of it, and I am ever so grateful to the Supreme Court for the opportunity to serve.

## **II. MESSAGE FROM JUDGE SPITZER, TLAP COMMISSION CHAIRMAN**

It is a great honor for me to serve as chair of TLAP and have the opportunity to be associated with Commissioners who are dedicated to our mission. We have had a turbulent last few years and yet we have weathered the storm and each of you have continued with an eye toward a more stable period.

Over the last two years, I have worked closely with Chief Justice Bivins whose love for TLAP and the lawyers and judges of this state is beyond reproach. His guidance and vision have helped us come to a point where we can now grow and begin a process of accountability that limits recidivism among our clients.

I have wanted to share a great deal with you, personally, about where we have been, our current state, and our vision for the future but COVID ended our “in-person” meetings making contact difficult, to say the least.

In conjunction with the AOC and Chief Justice Bivins, we have had to make numerous decisions that will hopefully lead us to the exemplary program we all have known we can be. Part of that plan included our new Executive Director, Buddy Stockwell.

Buddy comes to us as another piece of the puzzle the Supreme Court planned for TLAP and we are excited about his proven performance in the LAP field. I ask for your continued trust in the decisions that are being made with an understanding that no plan is formulated in a haphazard fashion or without heartfelt concern for the lawyers, judges, and law students of the State of Tennessee.

Your continued support of myself, Buddy, and the TLAP staff, along with the Supreme Court is the foundation that will carry us through any period. It has done so in the past and I want to thank each of you from the bottom of my heart for your love of our program and continued trust and support. Once again, it is an honor for me to be associated with Commissioners whose hearts, as the Scripture says, have been changed from hearts of stone to hearts of flesh!

## **III. MESSAGE FROM ANDY BRANHAM, TLAP FOUNDATION CHAIRMAN**

As Chair of the newly formed TLAP Foundation, I would like to welcome Buddy Stockwell as the new TLAP Director. I had the pleasure of knowing Buddy when he was Director of JLAP in Louisiana, and I know that he will serve us well here in the Volunteer State.

I also want to thank Judge Spitzer as Commission Chair and Chief Justice Bivins and his colleagues on the Court for the trust they have shown in asking me to serve as Chairman of the Board and President of the TLAP Foundation.

The TLAP Foundation was organized in 2019 as a 501(c)(3) accredited Tennessee not-for-profit corporation in order to fulfill the mission of raising and managing funds to assist clients of the Tennessee Lawyers Assistance Program.

The Foundation is the successor in interest to the Cane Foundation, which previously operated under the umbrella of the TLAP Commission. The Foundation now has its own Board of Directors consisting of current and past TLAP Commissioners, private practice as well as in-house attorneys, and a non-lawyer fundraiser and marketing person from the legal field.

As Chairman of the Board, I'm happy to report that, in spite of the difficult challenges of the past year, the Foundation has moved forward, nonetheless. The TLAP Foundation now stands ready to discharge its obligation to help provide financial support to the struggling lawyer in need.

Many times, a lawyer or judge suffering from mental health or substance use issues may not have the financial resources necessary to obtain the best life and career-saving clinical services available through TLAP. The TLAP Foundation is here to help in those types of cases. The TLAP Foundation will also directly support TLAP as well in its mission in any way appropriate.

The bottom line: we are very excited to announce that the TLAP Foundation currently has funds available and is now accepting applications from those who are participating in TLAP and in need of financial help to access the clinical help they need to succeed.

Also, the TLAP Foundation will soon be launching various fundraising initiatives in order to enhance our reserves to help ensure that funds will be available when someone in serious need reaches out. If you or someone you know would like to assist in this fundraising effort, or has fundraising ideas that might help support the TLAP Foundation, please let me know.

Please stay tuned as we start to unveil our various outreach efforts and we look forward to speaking with many of you about this important work in the near future.

#### **IV. 2020 TLAP STATISTICAL DATA**

The Tennessee Lawyers Assistance Program is a free, confidential assistance program providing consultation, referral, intervention, and crisis stabilization for law students, bar applicants, lawyers, and judges, who are experiencing substance use disorders, stress, or emotional health issues.

TLAP's work contributes to the protection of the public and improves the integrity and reputation of the legal profession. Statistics support that assistance to an affected lawyer often prevents future ethical violations, thereby reducing the number of disciplinary actions. Since our inception, TLAP has provided educational services to over seventy percent (70%) of all licensed attorneys and judges and has made presentations to every student in the six Tennessee law schools. Since 1999, TLAP has served over 3200 clients.

In 2020, TLAP opened 140 new client files and reopened 60 client files, for a total of 200 cases.

## **1. PRESENTING CLINICAL ISSUE**

In 2020, thirty-six-point five percent (36.5%) of intake calls pertained to issues of Substance Use Disorder, and forty-six-point five percent (46.5%) pertained to behavioral health issues, such as depression and anxiety. The other seventeen percent (17%) of intake calls presented with issues such as marital conflict, financial distress, performance productivity, cognitive impairment, stress, eating disorder, domestic abuse, and compulsive behaviors. These statistics reflect TLAP's success as a full spectrum behavioral health service for Tennessee's legal profession.

## **2. GEOGRAPHIC REGIONS**

In 2020, forty-four-point-five percent (44.5%) of new referrals were from Middle Tennessee, thirty-two percent (32%) from East Tennessee, seventeen-point five percent (17.5%) from West Tennessee, five percent (5%) from out-of-state, and one percent (1%) unknown.

## **3. GENDER**

In 2020, seventy-one-point five percent (71.5%) of TLAP referrals were male, twenty-eight percent (28%) were female, and point five percent (.5%) unknown.

## **4. REFERRAL SOURCES**

In 2020, twenty percent (20%) of referrals to TLAP were from concerned third parties (such as friends, family, or firm members), forty-five percent (45%) were self-referrals, seventeen percent (17%) were from the Board of Law Examiners (BLE), ten percent (10%) were from the Board of Professional Responsibility (BPR), two-point five percent (2.5%) were from law school deans, four-point five percent (4.5%) were from Judges, point five percent (.5%) were from BOJC, and point five percent (.5%) were from other LAPs.

## **5. LAW STUDENTS, LAWYERS & JUDGES**

In 2020, sixty-eight-point five percent (68.5%) of TLAP cases involved lawyers, twenty-seven percent (27%) involved law students or bar applicants, and four-point five percent (4.5%) involved members of the judiciary.

## **V. 2020 TRAVEL AND PRESENTATION HISTORY**

### **JANUARY 2020**

Nashville-TLAP Presentation for Williamson Co Court  
Nashville-Site Visit to Journey Pure  
Nashville-CLE Panel for Belmont Inns of Court  
Nashville-Agency Meeting with AOC  
Nashville-Virtual Monitor Training with JLAP  
Nashville-Marketing Meeting with Cumberland Heights  
Nashville-Enneagram Training at Cumberland Heights  
Sewanee-TLAP Commission Retreat

### **FEBRUARY 2020**

Nashville-Marketing Meeting with Cottonwood Tucson  
Nashville-TLAP Presentation for Belmont School of Law  
Nashville-Marketing Meeting with Rolling Hills  
Nashville-Marketing Meeting with Onsite  
Nashville-Agency Meeting with AOC  
Memphis-Inns of Court Presentation

### **MARCH 2020**

Nashville-Marketing Meeting with Focus Recovery Centers  
Nashville-Agency Meeting with AOC  
Nashville-Agency Meeting with BPR  
Nashville-Volunteer Training and Recruitment Committee Meeting  
Nashville-Rural, Small Firm and CLE Committee Meeting

### **APRIL 2020**

American Bar Association Webinar  
Virtual Foundations Innovations in Recovery Conference  
Virtual TLAP Rural, Small Firm, and CLE Committee Meeting  
Virtual TLAP Volunteer Training and Recruitment Committee Meeting  
Virtual TLAP Commission Meeting  
Telehealth Webinar hosted by Cottonwood/Summit  
Virtual Meeting with Nashville Bar Association  
Virtual TBA HealthyBar Podcast  
Virtual Marketing Meeting with Focus Integrative Care  
Virtual Marketing Meeting with Journey Pure

## **MAY 2020**

NBA Webinar on Communication Skills  
Virtual TLAP Rural, Small Firm, and CLE Committee Meeting  
NBA Mindfulness Webinar  
Virtual Marketing Meeting with Cottonwood  
Virtual Young Lawyers Division Wellness Roundtable  
Virtual TBA Wellness Committee Meeting

## **JUNE 2020**

Virtual Meeting with AOC  
Virtual Meeting with BLE  
Virtual TBA Wellness Committee Meeting  
Virtual BLE Hearings  
Virtual TBA Convention Presentation  
Virtual LAW Presentation

## **JULY 2020**

Virtual Meeting with BPR  
Virtual Meeting with BLE  
Virtual Meeting with TMF  
Virtual Meeting with Affinity Online Solutions  
Virtual Bass Berry Summer Associate Presentation  
Virtual Association of Corporate Counsel Presentation

## **AUGUST 2020**

Virtual BPR Hearings  
Virtual Marketing Meeting with Talbott  
Virtual TLAP Commission Meeting  
Virtual TBA Wellness Committee Meeting

## **SEPTEMBER 2020**

Nashville-Butler Snow Crisis Intervention  
Virtual Knoxville Bar Lunch and Learn CLE  
Virtual Meeting with BPR  
Virtual TBA Wellness Committee Meeting  
Virtual Meeting with CPE  
Virtual Presentation for Vanderbilt Law School  
Virtual TLAP Ambassador Training



## OCTOBER 2020

Virtual Marketing Meeting with Cottonwood  
Virtual TBA Wellness Committee Meeting  
Virtual CLE IV-D Child Support Magistrates  
Virtual BPR Hearings  
Virtual Napier Looby Bar Presentation  
Virtual Presentation for Cecil C. Humphreys School of Law  
Virtual LAW Presentation

## NOVEMBER 2020

Virtual Presentation for Belmont 1L Inns of Court  
Virtual ABA CoLAP Conference

## DECEMBER 2020

Virtual CLE for Chattanooga Bar  
Virtual CLE for Attorney General's Office  
COVID Related Stress and the Connection to Substance Use and Mental Health Issues Webinar  
Virtual Meeting with AOC  
Virtual Meeting with Colorado LAP  
Virtual Meeting with Kentucky LAP  
Virtual Meeting for Shelby County Public Defenders  
Virtual AOC Workplace Discrimination & Harassment Training  
Virtual CLE for Administrative Law Judges  
Virtual TBA Wellness Committee Meeting

### SAMPLES OF POPULAR TLAP CLE PRESENTATIONS

#### **The Professional Duty of Self-Care**

This presentation focuses on wellness and mindfulness, mental health challenges lawyers experience while offering real solutions on strategies to lower the risk of developing mental health issues.

#### **Compassion Fatigue in the Legal Profession**

This presentation highlights a relatively new syndrome "Compassion Fatigue" and offers solutions. Different from burnout, Compassion Fatigue is not caused not by task repetition but instead by encountering disturbing evidence and stressful clients.

#### **Depression and Anxiety in the Legal Profession**

This presentation examines the signs and symptoms of Depression and Anxiety Disorders in the legal profession along with solutions, including suicide prevention.

#### **The Senior Tsunami**

This presentation identifies challenges that will be presented by the "tsunami" of Baby Boomer lawyers who will soon enter retirement age in record numbers, how to identify symptoms of cognitive decline, and how to address issues with compassion and dignity.

## **VI. 2020 TLAP COMMISSION**

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## **VII. 2020 HIGHLIGHTS**

### **1. NEW CLINICAL STAFF**

In addition to a new Executive Director in July of 2020, at the end of 2020 TLAP also hired a new Clinical Director, Holly Wade, LCSW. Her complete credentials are available online at [www.TLAP.org](http://www.TLAP.org). Holly brings a tremendous amount of clinical expertise to TLAP, and very importantly, she also brings an unprecedented level at TLAP of experience in the legal profession. Having worked at a young age in her mother's Knoxville law firm, and also interacting with her Uncle, former Tennessee Supreme Court Justice Gary Wade, she has an unusual insight into the legal profession and the challenges lawyers, judges, and law students face. We are very excited to have such a talented Clinical Director on the team at TLAP!

### **2. ONLINE LAWYER IN RECOVERY AND COMMUNITY MEETINGS**

In the age of COVID, everyone has adapted to online services. In order to support recovery from substance use issues, TLAP initiated online Lawyer in Recovery (LIR) meetings. Also, to support general mental health, TLAP facilitates an online Legal Community Mental Health Meeting. These Zoom-based meetings are confidential, secure and have been effective in providing uninterrupted support to TLAP's volunteers and monitoring participants during the COVID pandemic.

### **3. ENHANCEMENT OF MONITORING COMPLIANCE EFFICACY**

TLAP's new professional staff is taking TLAP's monitoring program to new levels of reliability in saving lives and careers in the legal profession. Now guided by nationally established best-practices in clinical approaches, TLAP is facilitating levels of diagnostics and treatment that are specialized to meet the needs of lawyers, judges, and law students. This level of support, coupled with recovery monitoring via TLAP, provides objective and reliable evidence of fitness-to-practice at clear and convincing levels. These protocols generate no-relapse success rates in the range of 85% to 95%. Due to the dependability of TLAP's services, TLAP compliance can be considered as a mitigating factor in bar admissions and disciplinary matters.

As part of TLAP's ongoing development, it and several other State Lawyers Assistance Programs (LAPs) that provide formal monitoring have now become members of the Federation of State Physicians' Programs (FSPHP). This has facilitated a new level of collaboration between programs that monitor recovery and certify fitness-to-practice to licensing bodies and regulatory authorities. Of highest utility, TLAP's membership in the FSPHP facilitates direct relationships with the top addiction psychiatrists, psychologists, and treatment providers in the nation to ensure that TLAP's resources and clinical protocols represent the "gold standard" in professionals' programming and monitoring for legal professionals.

#### **4. TENNESSEE BAR JOURNAL INTERVIEW WITH BUDDY STOCKWELL**

In the Tennessee Bar Journal, you can read about Buddy Stockwell and his personal and professional experiences leading up to his new position as the Executive Director of TLAP. Stockwell was interviewed by Suzanne Craig Roberts in her article “Stress, Law & Happiness: New TLAP Director Offers Hope Past the Pain.” The article appears in the January-February 2021 Issue, and also online: <https://www.tba.org/?pg=TennesseeBarJournal&pubAction=viewIssue&pubIssueID=7986&pubIssueItemID=9753>

#### **5. TLAP FOUNDATION**

Formerly known as the Cain Fund, the new TLAP Foundation has received status as a 501(c)(3) non-profit corporation and is now funded and operational. With formal application protocols in place, the TLAP Foundation can now offer financial support in the form of loans or scholarships for those in need of funds to complete TLAP-recommended clinical diagnostics, treatment, and monitoring for fitness-to-practice, etc. The mission is to help ensure that TLAP-approved diagnostics, treatment, and monitoring support are available to all members of the bar and despite financial hardship. With the support of the new TLAP Foundation, even more lives and careers can be saved in the profession.

#### **6. ABA COLAP**

Originally planned as a multi-day convention in Boston, Massachusetts for 2020, the in-person seminar was cancelled due to COVID. Instead, on Nov. 11-12 the ABA hosted the national convention on a very sophisticated virtual platform. TLAP staff attended the event and benefitted from many programs offering the latest developments in operating state LAPs.

Topics included:

- Well-Being Across the C's: Coups, Catches, and Challenges in the Developing Global Legal Well-Being Movement
- Amending Bar Character & Fitness Questions to Promote Law Student Well-Being
- Improving Your LAP's Outreach and Impact – Promoting Diversity, Equity, and Inclusion
- How to Improve the Relationship Between Your LAP and Lawyer Regulatory Agency

#### **7. TLAP OPERATING SYSTEMS UPGRADE**

With new leadership, professional staff, and enhanced goals, TLAP has also focused on updating its hardware, software, and office systems to support the staff in delivering the best possible services to the profession. While accomplishing these goals, TLAP strives to continue to operate within budget and is fiscally conservative.

#### **8. TLAP CLE PRESENTATIONS**

TLAP continues to develop its library of CLE Presentations. Whether a bar association, judicial conference, law firm, law school, or otherwise, TLAP offers a diverse array of educational products to support the health of the profession. The overarching mission is to increase the profession's understanding of TLAP as a comprehensive professionals' program with highly specialized clinical services. Most importantly, TLAP encourages people to reach out confidentially to TLAP's professional staff early on and before a health issue ripens into a disciplinary issue.

Here is a sampling of 2020 TLAP CLE feedback:

“This TLAP presentation offered a lot of useful resources that I was unaware of. The current, stressful climate of the world is a lot to deal with. It was reassuring to know that help is out there.”

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“I really like how Buddy Stockwell shared his personal experience and opened up; I think it made it more “real” for those who think it's “far off.”

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“The TLAP presentation today was up to date on current growing issues facing many attorneys not only in Tennessee but potentially nationwide, even though we meet our educational requirements, today's teleconference also included personal & growing problems many attorneys face in practice. Buddy not only shared personal experiences, but other useful books & resources.”

#### **9. 2020 ANONYMOUS CLIENT FEEDBACK SAMPLES (reprinted with permission)**

“Last year, my life imploded. I lost my job, had no future prospects, and my home life was a mess. I knew I had two choices: give up or get some help.

I've never been one to ask for help, and it was one of the hardest things I've ever done. When I reached out to TLAP, I was terrified that it would negatively affect my professional licensure and that I would be quietly cordoned off from productive society and any hope of future success or stability. But something very different happened. Buddy Stockwell and his team embraced me wholeheartedly, and over the course of the next few months, they spent countless hours communicating with me, helping educate me about my substance use disorder, and ultimately, helping me get treatment so that I could start a journey of recovery.

There were several times during those early days when I wanted to give up, tell TLAP that their recommendations seemed excessive or too time consuming, and try to find my own way. Each time I started to get cold feet, Buddy called me up directly and talked me through the reason for the recommendations in great detail and told me exactly what I could expect from different types of treatment. On one occasion, I told TLAP I just couldn't afford the kind of help they expected me to get; Buddy told me to stand by and made calls to find financial aid options that made the best treatment in the world accessible to me. In other words, TLAP's staff supported me, removed every barrier, and ultimately led me down a path of recovery in spite of myself.

Today, I'm sober, employed, and have the support of a loving family. I still work with my TLAP support crew on a regular basis in order to maintain my sobriety. My one wish in writing these words is this: if you have any concern about reaching out to TLAP, please know that they care; they will bend over backwards to help you, and in doing so, they will maintain your anonymity and treat you with respect. They did it for me.”

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"I wanted to take a moment to let you know how much I appreciate what TLAP has done for me -- both professionally and personally. My participation with TLAP has truly improved my life in many ways and has brought me so much insight about myself and how I can develop new coping mechanisms and strategies to deal with life in general. I just really wanted you to know how humbled and thankful I am for the positive influence that you and TLAP have had in me."

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## **VIII. CONCLUSION**

In the last three years, TLAP has weathered a myriad of truly unprecedented challenges. In 2020 alone, TLAP navigated substantial leadership and professional clinical staff adjustments, a global pandemic that still requires the staff to work remotely to-date, and also the Christmas Bombing that damaged TLAP's offices downtown. It is a fact that without the strong support and leadership of the Tennessee Supreme Court, the TLAP Commission, TLAP's dedicated volunteers, and all stakeholders in the profession, TLAP's future could have been placed in true peril. The Tennessee legal profession's commitment to TLAP is exceptional and we all are extremely grateful. Due to the unwavering support it receives, TLAP has been able to successfully emerge from the recent challenges. There is much work to do, but we are all very excited that TLAP is now poised to grow and provide the best and most effective life and career-saving services possible to the lawyers, judges, law firms, and law students of Tennessee.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Buddy Stockwell". The signature is fluid and cursive, with the first name "Buddy" and last name "Stockwell" clearly legible.

J.E. "Buddy" Stockwell III  
Executive Director