

TLAP Performance: Updates A Year in Review - Tennessee Bar Journal



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TLAP Performance: Updates A Year in Review

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With great gratitude and dedication, the Tennessee Lawyers Assistance Program (TLAP) continues to refine its program as one of the top-tier professional clinical support and monitoring providers in the nation. TLAP's services are based upon clinical best practices that have been developed by leading, national medical authorities such as the American Society of Addiction Medicine (ASAM) and the Federation of State Physicians Health Programs (FSPHP).



TLAP's expertise saves lives and contributes to the protection of the public, thereby improving the integrity and reputation of the legal profession. Early intervention and confidential assistance to an affected lawyer or judge can prevent future ethical violations, thereby reducing the number of disciplinary actions. Since its founding, TLAP has provided hundreds of educational services to thousands of licensed attorneys and judges. The organization has also played a pivotal role in disseminating valuable information to law students across all six Tennessee law schools. Since 1999, TLAP has served and supported more than 3,700 clients.

Today's TLAP provides comprehensive cutting-edge clinical services and employs highly skilled licensed professional counselors (LPCs). TLAP's masters-level counselors specialize in supporting legal professionals and addressing any type of mental health issue that presents.

A misperception still exists, however, that TLAP only addresses alcoholism and addiction issues. This is understandable, considering TLAP's origins can be traced back decades to the 1980s when a "Lawyers Helping Lawyers" committee was formed to focus exclusively on alcoholism. It is very important that we all spread the word that today's TLAP is a professional clinical entity that addresses all mental health issues, not just alcohol and addiction issues.

That said, many new milestones were reached in the last year. Tennessee was instrumental in, and helped provide the foundation for, a new 2025 American Bar Association (ABA) Model Rule on Conditional Admission.¹ Crafted by the ABA Commission on Lawyers Assistance Programs (ABA CoLAP) and unanimously adopted by the ABA, this new Model Rule replaces a 17-year-old rule. Of particular interest, this new rule is fully compliant with the Americans with Disabilities Act (ADA) because it focuses exclusively

on identifying concerning conduct as opposed to any disability. Also, the new model rule acknowledges best medical practices for diagnosing, treating and monitoring conditionally admitted bar applicants whose conduct includes a current clinical situation. Appropriate clinical protocols are utilized at TLAP to reliably establish and support fitness to practice and protect the public.

Also last year, the Tennessee Attorney General successfully defended TLAP and Tennessee Board of Law Examiners (TBLE) against allegations from the Department of Justice (DOJ) of ADA violations by the TBLE and TLAP. Two bar applicants in Tennessee claimed they were referred to TLAP by the TBLE based upon diagnoses and disability when in fact these applicants were referred due to their histories of concerning conduct. The DOJ ultimately withdrew its allegations, closed its investigation and removed its Letter of Findings from the DOJ's website.

As for TLAP's operational metrics last year, in general and across the board, TLAP continues to witness a significant increase in mental health cases that do not involve any substance use issues. These higher acuity mental health cases present issues with conditions such as disruptive or problematic personality stylings, bipolar disorder, and schizophrenia spectrum disorders. These issues can be effectively treated with the correct combination of medications and therapy, and TLAP now offers specialized recovery monitoring support for those types of issues as well.

By the Numbers

TLAP's caseload last year was:

- 44% substance use disorders (that may also include co-occurring mental health issues)
- 39% mental health issues with no substance use component whatsoever
- 17% cognitive impairment, compassion fatigue, compulsive behaviors and other issues

As for referral sources last year, the vast majority of TLAP's cases remain confidential with no regulatory involvement. Pursuant to *Tenn. Code Ann. § 23-4-105* and Supreme Court Rule 33, all calls to TLAP are confidential, and confidential cases continue to be the majority of TLAP work:

- 45% confidential from self-referrals
- 22% Board of Professional Responsibility (concerning conduct that may result in discipline)

- 16% confidential from concerned third parties (such as friends, family or firm members)
- 15% law school deans, judges, Board of Judicial Conduct
- 2% Board of Law Examiners (concerning conduct that may result in denial)

TLAP's system and the court's rules are designed to promote confidential, early intervention and TLAP assistance before conduct issues ripen, the public is harmed and disciplinary issues result. Everyone wins when a person takes advantage of TLAP's services early on.

To that end, TLAP continues to perform professional interventions that successfully support families, law firms, courts and others in confronting addiction or dementia issues and getting an impaired person the help that they need. The person experiencing issues is routinely beset with impaired insight and cannot see how bad things have become. It often takes an intervention to convince the person suffering to accept help.

As for current challenges in substance use disorder cases, TLAP is seeing an increase in polysubstance use disorders, meaning that the individual is abusing multiple substances such as cocaine, methamphetamines, marijuana and hallucinogens. The abuse of prescription medications such as opioid pain medications or stimulants is also an issue. Of course, alcohol is often a central issue in addition to the abuse of illicit drugs and/or prescription medications. Add in the deadly dangers of fentanyl and it is not an exaggeration to declare that never have so many dangerous drugs been so readily available.

Despite today's prevalence of widespread substance use and the disease of addiction having an upper hand accordingly, TLAP programming and support can virtually defeat the disease of addiction. This is imperative for licensed professionals who hold the public's trust. TLAP monitoring, coupled with diagnostics and treatment by third-party TLAP approved providers renders success rates that fully support legal professionals. Due to TLAP's dedication to best clinical practices, last year TLAP's participants benefitted from a 92% no-relapse rate.

TLAP's reliable recovery rates objectively confirm that TLAP's programming produces the "gold standard" recovery outcomes of clear and convincing evidence of fitness to practice.

These effective levels of care, however, can be costly in some cases. The new TLAP Foundation, a 501(c)(3) non-profit corporation, continues to provide financial support to a number of TLAP participants each year. This assistance helps with the cost of clinical evaluations and also the cost of any necessary treatment. The TLAP Foundation is delivering on its mission to help ensure that TLAP-approved diagnostics, treatment and monitoring support are available to all members of the bar despite financial hardship. With the support of the new TLAP Foundation, even more lives and careers are being saved in the profession.

Another new and popular service is the TLAP Resource Library. It is an important resource for lawyers, judges and their families experiencing mental health, substance use or practice-related challenges. Carefully selected and lawyer-focused publications are available to address issues such as anxiety, depression, substance use disorders, career stress and burnout. In cases of financial hardship, these books can be provided at no cost and are also made available at TLAP events and outreach activities, including CLE conferences and tabling efforts. When appropriate, materials are mailed directly to clients and family members based on recommendations from TLAP's professional clinical staff. TLAP's professional clinical staff will often follow up to offer further support if needed. Of course, all materials are distributed with strict confidentiality.

Feedback continues to demonstrate the TLAP library's effectiveness in reducing stigma and encouraging positive next steps, whether through self-guided improvement or further services. Access to these resources often serves as a critical point of support for individuals. TLAP's encouragement often provides a spark of hope that generates positive change.

In other news, TLAP has launched several surveys to gather valuable information from both monitoring participants and the legal profession. One hundred percent of survey respondents in TLAP's monitoring program indicated that they find TLAP's staff helpful and that staff communicated appropriately, explaining things in a way clients could understand. TLAP client comments included:

I have learned to establish boundaries with my clients and maintain a professional relationship with them.

I consider Buddy's testimony at my hearing as overwhelming and so appreciated.

TLAP provides a valuable service to those in need who take advantage of their services.

In summary, TLAP is delivering best-practices “gold-standard” services that fulfill its mission to: 1) help protect the public from the harm that impaired professionals can cause; 2) provide effective confidential and professional clinical assistance to lawyers, judges and law students; and 3) increase knowledge about mental health issues currently impacting the legal profession and offer solutions that are reliable.²

None of these accomplishments could be possible without the strong support of the Tennessee Supreme Court, TLAP Commission and Advisory Committee, TLAP volunteer peer monitors and lawyers in recovery. TLAP is extremely grateful for their dedication to TLAP’s progress.

If you think you have (or are concerned about someone else regarding) a problem with alcohol, drugs, depression, or any other mental condition, contact TLAP. Your call or email is confidential. You do not even have to give your name. Whether you need immediate help or want general information, TLAP is here for you! Call (615) 741-3238, email to Tlap@tncourts.gov or visit us online www.tlap.org. |||

BUDDY STOCKWELL was appointed by the Tennessee Supreme Court in July 2020 as executive director of the Tennessee Lawyers Assistance Program (TLAP). He comes from south Louisiana where he has been a volunteer and program monitor for the state’s Committee on Alcohol and Drug Abuse and the executive director of Louisiana’s comprehensive Judges and Lawyers Assistance Program (JLAP) peer professionals’ program. He is a certified clinical interventionist through “Love First” training at the Betty Ford Center and has personally been in recovery from alcoholism for over 38 years. Stockwell earned his law degree from LSU Law School in 1993. He practiced in both large and small firm settings, including a solo practice in Baton Rouge where he focused heavily on domestic litigation. Read more about him at tba.org/Stockwell.

NOTES

I. For complete information about the 2025 Model Rule on Conditional Admission, Tennessee’s prominent leadership in ADA compliance in the realm of conditional admission, and accurate information about the DOJ matter and TLAP’s vindication, visit

tlap.org/wp-content/uploads/2025/09/9-5-2025-TLAP-Newsletter-Public.pdf.

2. For additional information and a complete overview of TLAP's current operations, view TLAP's most recent Annual Report at tlap.org/annual-reports/.

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