

CELEBRATING LCL



A SHORT HISTORY OF MINNESOTA'S PREEMINENT LAWYER ASSISTANCE ORGANIZATION AS IT LOOKS TO ITS NEXT CHAPTER

BY JOAN BIBELHAUSEN ✉ jbibelhausen@mnlcl.org

If you attend Alcoholics Anonymous or another 12-step speaker meeting, you will hear a story of *how it was, what happened, and how it is today*. These stories of recovery provide hope for the person who is struggling and affirmation for others there to support their own recovery. That is also the story of Lawyers Concerned for Lawyers (LCL), the oldest lawyer assistance program in the country.

How it began

In the 1970s, 14 recovering lawyers met to support colleagues who were still suffering. One of those lawyers represented pilots with a local airline. The airline rules did not prohibit drinking, if controlled, and flying. But if you sought help for an alcohol problem, you could not fly. Another was a former police officer who now represented officers relieved of duty—not for drinking, but for seeking treatment. Policies like these seemed contrary to the principles of recovery, and the group wanted to see something different for lawyers. After much research, they found a California judge who favored treatment, not disbarment and punishment.

That California judge was Leon Emerson. For LCL's 35th anniversary, Ted Collins, a former MSBA president and LCL Board chair, wrote, "Judge Emerson's idea, unsuccessful in California, was transplanted to Minnesota in 1976. It involved lawyers in recovery reaching out to help chemically dependent lawyers, to the great benefit of the lawyers, clients, and the profession."

Lawyers Concerned for Lawyers (LCL) was incorporated as a nonprofit organization in 1976. The guiding principles of LCL became: to help alcoholics become sober before they lost their license to practice law, their jobs, their marriage partners, and their status in the community and the profession; to do so with utter confidentiality; and to provide assistance to suffering alcoholics and their families at no cost to them.

In the first 20-plus years of LCL's existence, many lawyers as well as judges were guided to recovery by dedicated volunteers. Initially, the MSBA provided administrative support. Then LCL raised enough funds to hire an administrative director with substance use experience, but those funds were often out of the members' own pockets. LCL volunteers received training on interventions and would put together teams to approach lawyers who needed assistance.

One beneficiary who became a long-time LCL volunteer described one of those visits. "Others were noticing my drinking and one of my partners reached out to a colleague who had been quoted in a story about LCL. Two lawyers I knew came to vis-

it me, described what others were seeing, told me their story of recovery, and offered help. I was not ready. I thanked them and assured them I would get it under control. For five years I began leaving bar events early or no longer attending at all so I could drink privately instead of there, withdrawing personally and professionally to protect my drinking, and resenting the unfairness of it all. I was miserable. Finally, I called one of those lawyers and reluctantly agreed to attend a regular LCL gathering at Charlie's Café in Minneapolis. That was the first day of my life of sobriety."

Relationships developed and thrived around recovery, and many successful lawyers credited LCL for their ability to return to or remain in practice (and sometimes for saving their lives). LCL members gathered for monthly lunches in both Minneapolis and St. Paul. Each meeting included a speaker, often from a treatment center, and LCL built relationships with facilities and other treatment professionals that continue to this day.

What happened and why it did

Because AA was a peer-support model, LCL adopted this framework to assist colleagues with alcohol and, increasingly, other substance use problems. But if a lawyer reached out with another issue, such as depression, LCL did not feel able to help that lawyer.

Minnesota studied expansion to a "broad-brush" model for expanding services to include other mental health issues, such as depression, and realized that additional funding and expertise would be necessary. The initial petition to the Supreme Court to support funding for a program was not successful. Later, MSBA president Lew Remele found himself moved by the experiences of a colleague who struggled with depression. He brought these concerns to the MSBA Life and the Law Committee and created a depression task force within the committee.

In order to gauge the situation and buttress the argument for increased services, the MSBA and LCL facilitated a confidential, peer-led depression support group. The stories and experiences shared in the group were not reported, but they helped form the foundation of a joint petition with LCL to establish a Lawyer Assistance Program (LAP) funded in part by lawyer registration fees and the remainder through donations (including generous contributions from the Minnesota State Bar Association and its foundation). The Supreme Court approved the joint petition in 1999, and LCL began building relationships with a broader range of behavioral health providers, with the intention of being ready to provide expanded services when the program became official.



Reflection:

Well-being and the legal profession in 2025

In 2023, the meme “You are online 24/7” dominated the legal press. The phrase went viral after the leak of an internal presentation at a Top 50 law firm where associates were offered a list of “non-negotiable expectations.” Among these expectations: The client is always first and always right, no questions—and everything must be done perfectly. There are no exceptions. And there are no excuses for failing to be online 24/7. The reaction in the legal community? The presentation and approach may have been a little harsh, but there was little surprise. The firm, I should add, is a signatory to the ABA Well-Being Pledge. Where is the disconnect? Or is there one?

As someone who hears from our colleagues who are struggling, we see the distress caused by 24/7 thinking and its sometimes-tragic results. One heartfelt example is recounted in “Big Law Killed my Husband,” a 2018 American Lawyer article written by Joanna Litt, the widow of LA attorney Gabriel MacConaill, who died by suicide. Litt, an attorney herself, described the maladaptive perfectionism that drove her husband to perform beyond what anyone else would consider reasonable, coupled with intense self-criticism for failing to meet impossible standards.¹

As we consider the meaning of “You are online 24/7,” which was soon rebranded as an over-enthusiastic senior associate’s inappropriate tone, what can we learn? First, we must recognize that sometimes this is the reality. Many areas of law sometimes require attention above and beyond. Trial lawyers know this. Transactional lawyers know this. When it is necessary, we step up. The danger lies in

thinking this is in any way normal. If there is a time for 24/7, there must be times that aren’t 24/7. This episode provides a great example for leaders to communicate about the importance of asking for support and building a workload that allows colleagues to offer their best thinking. Without a buffer, your ability to see and recognize options and offer your best advice is increasingly limited.

Second, where can our profession’s well-being movement contribute? The ABA well-being pledge campaign offers conferences and resources within a seven-point framework.² The goal of the pledge is to reduce mental health distress and substance use in the legal community, but it has expanded to provide additional support and resources and can be a launchpad to the next level.

Third, are we supporting the best lawyer-client relationship if we fail to attend to attorneys’ emotional health? Do clients want the lawyer’s best thinking or their burned-out thinking? Without attention to how to support that best thinking, it will not exist. Can there be a dialogue about the relative urgency of legal matters, so there is not an immediate sense of emergency every time a piece of work comes in? Can there be a dialogue about providing the best service—and the fact that does not always mean the fastest (though sometimes it does)? Legal profession initiatives like the U.S. Bank Outside Counsel Well-Being Guidelines provide a model for communication and collaboration.³

Fourth, embracing a warrior mentality puts us at risk. Where is the cool-down period, the scheduled maintenance that systems require? A lawyer may feel that

they are letting their team down if they engage in self-care, ask for help, or challenge a toxic environment. This is not just a problem of Big Law firms. Every environment runs the risk of burnout and flameout. In the public sector and the public interest world, where the need is always great, a victory may be dismissed as not enough. We lose sight of what was accomplished—the difference we made today. In any area of practice, we may lose sight of justice, seeing a big win as the only victory. Problem-solving courts have taught us that there are other ways, and that the best deal may not be a matter of securing everything you can get.

Fifth, we are a community. In her article, “Better Together: Toward a Mutual-Care Approach to Practicing Law,”⁴ Professor Natalie Netzel reminds us that well-being in the practice of law depends on how we treat each other, not just the quality of our self-care. Our colleagues’ well-being is our business as well. Lawyers who treat other lawyers poorly are seldom doing well themselves. ▲

¹ Joanna Litt, “Big Law Killed My Husband”: An Open Letter from a Sidley Partner’s Widow,”

<https://www.law.com/americanlawyer/2018/11/12/big-law-killed-my-husband-an-open-letter-from-a-sidley-partners-widow/>.

² https://www.americanbar.org/groups/lawyer_assistance/well-being-in-the-legal-profession/well-being-pledge-campaign/

³ <https://www.bloomberglaw.com/external/document/X612PE9K000000/legal-profession-professional-perspective-the-u-s-bank-law-divis>

⁴ Netzel, Natalie, “Better Together: Toward a Mutual-Care Approach to Practicing Law,” Bench & Bar of Minnesota, November 2023.

The Minnesota Supreme Court, through the Lawyers Trust Account Board, issued a request for proposals (RFP) to operate the LAP. The initial RFP envisioned a program that included employee assistance services, but not the peer support and knowledge of the legal profession that were the heart of LCL. Two Supreme Court justices, Hon. Paul Anderson and Hon. James Gilbert, recognized the value of services that LCL had provided for decades and directed that a new RFP include those elements. LCL was awarded the contract and has administered the program under the auspices of the Supreme Court since 2001.

Under this grant agreement, LCL prepares a budget for approval by the Supreme Court, but also commits to raising the additional funds necessary to operate a successful and effective program. LCL hired an executive director, giving it a staff of two plus a strong volunteer base.

None of this growth and acceptance would have happened without LCL's cornerstone—confidentiality. Nothing made known to LCL is ever disclosed to any authority or to persons outside the organization, and all information within the organization is kept strictly confidential.

The model LCL proposed endures to this day. LCL provides a portal for lawyers, judges, law students, other legal professionals, and their family members to request help. Those concerned for themselves, or another, contact LCL and are offered a menu of services and resources. This includes referrals for four sessions of free counseling through a partnership with an Employee Assistance Program (EAP). If the caller needs longer-term support, the EAP operates as a triage provider—identifying concerns and goals and developing a plan and resources for appropriate continuing care. Several of the counselors have developed a strong understanding of the challenges and issues specific to the legal profession.

Now LCL helps on just about any issue that causes stress or distress in our profession. Helping with addiction to drugs, alcohol, and compulsive behaviors such as gambling as well as mental illnesses such as depression is and will continue to be the core of LCL services. But these things do not happen overnight. This is a stressful profession, both for us and because of what our clients are going through. There are predictors for the types of problems we experience, and LCL encourages both awareness and professional help for difficulties before they may become disabilities. Many calls come in for general stress, grief, family, financial, or career issues.

LCL's work in reaching the profession is supported by research demonstrating the level of impairment in our profession and its effects. Well-being initiatives have grown out of that research, and LCL's work in this area has expanded as there are more opportunities to reduce stigma.

LCL educational initiatives

LCL created its first CLE in 2000, while working to expand services to all areas of mental health and well-being. William Moyers, who recently served as the keynote speaker at LCL's 2025 Stepping Up for Well-Being breakfast, was the main speaker, followed by a panel of lawyers in recovery. After being awarded the contract to administer the LAP, LCL created a two-hour CLE that qualified under the new Elimination of Bias CLE credit rule because it provided information about disabling mental health conditions in our profession. LCL volunteers took this program statewide, to every bar association or other lawyer group that would have us.

The demand for LCL CLE programs has continued to grow. LCL now offers over 100 substantive programs every year and is constantly adding content or creating new programs to address issues like trauma and burnout. The 2024 expansion of CLE requirements to include substance use and mental health means that those requests have multiplied. LCL programs offer not only substantive content about the very serious illnesses that can impact careers, relationships, and lives, but the ways in which we can reduce our risk and build resilience. (Simply promoting well-being practices is not enough. This further stigmatizes the one who is truly suffering and feels less able to ask for help; they may be further distressed and feel at fault for not practicing well-being well enough.)

Those disabilities can be serious. In February 2016, the Journal of Addiction Medicine published the results of a landmark study conducted by the American Bar Association Commission on Lawyer Assistance Programs and the Hazelden Betty Ford Foundation. *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*¹ provided national figures on issues of concern in the legal profession. Among the findings:

- 20.6 percent of respondents met the criteria for hazardous alcohol use.
- Men reported higher rates of depression and women reported higher rates of anxiety and stress.
- Overall, the rate of depression was 28 percent and anxiety was 19 percent.
- 11.5 percent reported suicidal thoughts at some time during their careers.
- Surveys of judges and law students also indicated higher-than-average rates of unhealthy substance use and mental health issues.²

Much of the work of the well-being movement is about individual resilience, resources, and change. LCL has always been available to the person who needs help for themselves or someone they care about. But LCL has long been committed to supporting firms and other organizations in the legal profession as well.

