



**LAWYERS CONCERNED FOR LAWYERS**

Confidential Support for Legal Professionals

**DIRECTORY**

**MISSION &  
BY-LAWS**

**BOARD  
MATERIALS**

**FINANCIAL**

**CONTRACTS**

**ANNUAL  
REPORTS**

**POLICIES &  
PROCEDURES**

**HISTORY**

**2550 UNIVERSITY AVENUE WEST**

**SUITE 313 N**

**ST. PAUL MN 55114**

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**[www.mnlcl.org](http://www.mnlcl.org)**

**[facebook.com/mnlcl/](https://facebook.com/mnlcl/)**

## **LCL BOARD AND OFFICERS, 2025-2026**

### **Officers**

Chair: Hon. Donovan Frank  
Chair-Elect: Ben Carpenter  
Secretary: Amanda Harrington  
Treasurer: Vincent Pham  
Past Chair: Jennifer Anderson  
Past-Chair: Andrew Mohring

### **One Year Term – ending 6/30/2026**

Jennifer Anderson (2)  
Hon. Martin Fallon (2)  
Hon. Donovan Frank  
Vincent Pham

### **Two Year Term – ending 6/30/2027**

Kendra Brodin(2)  
Amanda Harrington(2)  
Katherine MacKinnon(2)  
Andrew Mohring(2)  
Natalie Netzel

### **Three Year Term – ending 6/30/2028**

Howard Carp (2)  
Benjamin Carpenter (2)  
Edward Cassidy (2)  
Grace Chanin (2)  
Jonathan (Matt) Holson (2)  
Kathryn Koch  
Jeffrey Koerselman

### *Law student one-year terms*

Kenneth Cheek – (MH law student)  
Cate Eberhart -  
Bekah Muta – (U of MN law student)

(2) indicates 2<sup>nd</sup> 3-year term

### *Rotating off of the Board due to term limits*

Justin Page  
Jude Schmit  
Paul Cornick – law student

## **Lawyers Concerned for Lawyers Board Meeting Dates for 2025 – 2026**

This section includes:

LCL board meeting dates for 2025-2026:

Materials distributed at board meetings

- Agendas
- Minutes
- Financial Reports
- Executive Director Reports
- Committee and Task Force Reports

**Board Meetings – 7:30 a.m., Third Thursday of the month, odd-numbered months except as noted**

**July 17, 2025**

**September 25, 2025 (rescheduled due to CoLAP conference)**

**November 20, 2025**

**January 15, 2026**

**March 19, 2026**

**May 21, 2026**

**There may also be an additional planning meeting.**

**Membership Meetings – 11:30 a.m., Fourth Wednesday of the Month, except as noted**

We hold a calendar date and when we have a topic of interest a meeting will be held.

June 2026 – Annual Meeting (TBD)

# **LCL COMMITTEES – 2025-2026**

## **EDUCATION AND OUTREACH COMMITTEE**

The Education and Outreach committee provides strategic direction and advising to LCL staff regarding LCL's robust educational program. The Committee assists board members in serving as ambassadors and allies for LCL. The Committee may develop and maintain partnerships with legal education providers, bar associations, and other entities, and may provide training and development of the board and members. The committee also addresses policy and opportunities related to social media, promotion, publications, and community relations.

## **NOMINATIONS AND GOVERNANCE COMMITTEE**

The Nominations and Governance committee oversees the recruitment, selection, and training of LCL Board members. The committee will act consistent with the Board's Term Limits policy and Recruitment Guidelines. The committee monitors trends in nonprofit governance, provided by the Executive Director, to ensure the Board is using appropriate practices and makes recommendations to the full Board regarding compliance with bylaws and changes to them. LCL believes that the organization's strength and vitality will be advanced by a regular infusion of new board members who bring energy, diversity, and new ideas and interests. The LCL board includes mental health professionals, judges, law professors, law students, and those with expertise in other areas of interest.

## **CASES AND INTERVENTIONS COMMITTEE**

The LCL Cases and Interventions committee performs two related functions: it is a resource to LCL staff, the Board and the LCL community to assist concerned persons in planning, coordinating, and implementing substance use and compulsive behavior interventions and other outreach, and it oversees the organization and training of LCL volunteers in these activities. As with all other aspects of LCL's work, the Committee maintains the highest standards of confidentiality in its activities. **Members should identify as persons in recovery.**

## **FINANCE COMMITTEE**

The Finance committee oversees audits, budgeting, and accounting.

## **EVENTS AND FUNDRAISING COMMITTEE**

The Events Committee is involved in planning and executing annual events such as the LCL breakfast and oversees other strategic fundraising initiatives. The Committee adheres to a clear and consistent statement of LCL's mission and goals to educate potential donors about the importance of their support. The impact increased donations have on the quality of LCL programs and services and the consequent impact on client quality of life, is consistently relayed to our financial stakeholders. Judges may participate in an advisory capacity only.

## **FINANCE COMMITTEE**

The Finance committee, which may be only the treasurer, covers audits, funding, tax and accounting.

## **FUNDRAISING COMMITTEE**

This committee adheres to a clear and consistent statement of LCL's mission and goals to educate potential donors about the importance of their support. The impact increased donations have on the quality of LCL programs and services and the consequent impact on client quality of life, is consistently relayed to our financial stakeholders.

## **SOCIAL/ANNIVERSARY COMMITTEE**

This committee may be involved in planning and executing annual events such as the LCL picnic. It becomes more active closer to the date of each 5 year anniversary celebration.

*The mission of LCL is*

*To reach out and confidentially serve members of the Minnesota legal community experiencing conditions that impact the quality of their personal or professional lives, and to support their recovery, improve their lives, and further the delivery of justice.*

ARTICLES OF INCORPORATION  
OF  
LAWYERS CONCERNED FOR LAWYERS

We, the undersigned, for the purpose of forming a nonprofit corporation under the provisions of Chapter 317 of Minnesota Statutes, known as the Minnesota Nonprofit Corporation Act, do hereby associate ourselves as a body corporate and adopt the following Articles of Incorporation.

ARTICLE I

The name of this corporation shall be "Lawyers Concerned for Lawyers."

ARTICLE II

The corporation is organized exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954 to aid and assist chemically dependent lawyers and judges in the State of Minnesota to understand and arrest the disease which afflicts them. The corporation shall be organized and operated to:

- (a) Educate lawyers and judges in the State of Minnesota concerning the disease of alcoholism and chemical dependency, particularly as the disease affects them.

- (b) Identify chemically dependent lawyers in the State of Minnesota by receiving information from lawyers, judges, their spouses, and families, clients, and other volunteers.
- (c) Determine the possible chemical dependency of any lawyer or judge in Minnesota who is thus identified.
- (d) Arrange interventions in the lives of practicing chemically dependent lawyers and judges, using all of the resources available and appropriate in each case, including family, friends, law partners, other lawyers, judges, and chemical dependency counselors.
- (e) Sponsor informal treatment opportunities in the form of weekly meetings to be attended by recovering chemically dependent lawyers and judges as a vehicle for discussing common problems, feelings, attaining growth in the recovery process, and sharing in the problems occasioned by recovery from chemical dependency.

In the furtherance of its purposes, the corporation shall have power and authority to engage in any and all lawful activities that may be reasonably necessary or convenient for the accomplishment of any of its purposes, and to exercise all power and authority now or subsequently conferred upon nonprofit



corporations organized under the laws of the State of Minnesota.

### ARTICLE III

This corporation is organized as a nonprofit corporation, and, therefore, it shall in no way, directly or indirectly, incidentally or otherwise, afford pecuniary gain to any of its members, directors or officers, nor shall any part of the net earnings of the corporation in any way inure to the private benefit of any member, director or officer of the corporation or to any private person or individual within the meaning of Section 501(c)(3) of the Internal Revenue Code, except that the corporation shall be authorized to make reasonable allowance and payment for actual expenditures incurred or services rendered for the corporation.

No part of the activities of this corporation shall constitute the carrying on of propaganda or attempts to influence legislation, and the corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office, nor shall the corporation engage in any transaction or carry on any other activity not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954.

Dear LCL Members:

The Board of Directors has adopted the following amendment to the LCL Articles of Incorporation and recommends that you approve this amendment at the LCL Annual Member Meeting on June 28, 2017. The amendment will allow the LCL Board to take written action by the number of directors which would be sufficient to take the same action if the board members were assembled at a meeting and makes LCL Board governance more flexible and effective.

## **ARTICLES OF INCORPORATION OF LAWYERS CONCERNED FOR LAWYERS**

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### **ARTICLE VII**

The management of the corporation shall be vested in a Board of Directors consisting of such number of persons (but not less than three) as from time to time shall be established by the Bylaws of by the Board. Directors need not be members. Powers, authorities and duties of said Board, the time and place of its meetings, and all other regulations concerning the Board shall be prescribed by the Bylaws. Directors shall be elected annually after the year 1976. A new director may be elected to fill any vacancy, whether created by removal, death or resignation of any director or by reason of an increase in the number of directors authorized by the Board at any annual or special meeting of the Board. Any action, other than an action requiring member approval, may be taken by written action signed, or consented to by authenticated electronic communication, by the number of directors that would be required to take the same action at a meeting of the Board at which all directors were present.

#### ARTICLE IV

The duration of this corporation shall be perpetual.

#### ARTICLE V

The registered and head office of this corporation shall be in the City of Minneapolis, County of Hennepin, and State of Minnesota.

#### ARTICLE VI

The conditions, terms and qualifications for membership in the corporation shall be provided for in the Bylaws of the corporation.

#### ARTICLE VIII

The management of this corporation shall be vested in a Board of Directors consisting of such number of persons (but not less than three) as from time to time shall be established by the Bylaws or by the Board. Directors need not be members. Powers, authorities and duties of said Board, the time and place of its meetings, and all other regulations concerning the Board shall be prescribed by the Bylaws. Directors shall be elected annually after the year 1976. A new director may be elected to fill any vacancy, whether created by removal, death or resignation of any director or by reason of an increase in the number of directors authorized by the Board at any annual or special meeting of the Board.

#### ARTICLE VIII

No member, director or officer of this corporation shall have any personal liability for any obligation of the corporation.

#### ARTICLE IX

The corporation shall have no capital stock.

#### ARTICLE X

The property of this nonprofit corporation is irrevocably dedicated to charitable and educational purposes, as provided in these Articles. Upon dissolution of this corporation, all of the assets and property of the corporation shall, after payment of its just debts and obligations, be distributed to a nonprofit organization, the work of which is determined by a majority vote of the Board of Directors to be most in accord with the purposes of this corporation and which is then exempt from federal income taxation within the meaning of Section 501(c)(3) of the Internal Revenue Code. No distribution of the assets or property of this corporation shall ever be made to, or inure to the benefit of, any member, director or officer of this corporation or to any private individual, within the meaning of Section 501(c)(3) of the Internal Revenue Code.

#### ARTICLE XI

The Board of Directors may make such rules and regulations, not inconsistent with these Articles nor contrary to law, as may be deemed necessary or expedient for the management of the affairs of this corporation and to carry out its purposes.

#### ARTICLE XII

The members may amend these Articles of Incorporation of this corporation by a two-thirds vote of those present at a duly constituted meeting. Then, ten (10) days' prior written notice of the meeting and proposed amendment shall be given to each member.

#### ARTICLE XIII

The names and addresses of those comprising the first Board of Directors, consisting of twenty-three (23) persons, are:

Allen, Fred  
Suite 164B, Northwestern Financial Center  
7900 Xerxes Avenue South  
Minneapolis, Minnesota 55431

Isensee, Earl H. A., Jr.  
740 Southgate Office Plaza  
5001 West 80th Street  
Minneapolis, Minnesota 55431

O'Connor, David  
1190 North Federal Building  
Saint Paul, Minnesota 55102

Wright, Dick L.  
2124 IDS Tower  
80 South Eighth Street  
Minneapolis, Minnesota 55402

McLean, Daniels (Referee)  
557 Courts Tower  
Hennepin County Government Center  
Minneapolis, Minnesota 55487

Eustis, Warren P.  
4610 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402

Bierman, William  
202 Metro Square Building  
Saint Paul, Minnesota 55101

Meier, Robert H.  
200 South Robert Street  
Saint Paul, Minnesota 55107

Ticen, Thomas E.  
2400 Hennepin County Government Center  
Minneapolis, Minnesota 55487

Young, William J.  
A-400 Hennepin County Government Center  
Minneapolis, Minnesota 55487

Vavreck, Edward C.  
220 Grain Exchange Building  
Minneapolis, Minnesota 55415

Perry, Joseph  
805 Commerce Building  
Saint Paul, Minnesota 55101

Serstock, Ellsworth  
537 Nicollet Mall Building  
Minneapolis, Minnesota 55402

Freeman, Gerald R.  
500 Minnesota Federal Building  
Minneapolis, Minnesota 55402

Nelson, William R.  
601 Southgate Office Plaza  
Minneapolis, Minnesota 55437

McEachron, John  
One Appletree Square  
Minneapolis, Minnesota

Farrell, Eugene J. (The Honorable)  
Judge of Municipal Court  
Hennepin County Government Center  
7th Floor  
Minneapolis, Minnesota 55487

FitzGerald, R. J.  
4200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402

Fling, Paul V.  
2ECC, St. Mary's Hospital  
2414 South Seventh Street  
Minneapolis, Minnesota

Lowe, Robert  
2009 Humboldt Avenue South  
Minneapolis, Minnesota

Nygren, Robert  
First National Bank Building  
120 South Sixth Street  
Minneapolis, Minnesota 55402

Sedgwick, Suzanne (The Honorable)  
Judge of Family Court  
509 Hennepin County Government Center  
Minneapolis, Minnesota 55487

Welsh, Michael J.  
375 Jackson  
Saint Paul, Minnesota

#### ARTICLE XIV

The name and address of each incorporator is:

Mr. Fred Allen  
Suite 164B, Northwestern Financial Center  
7900 Xerxes Avenue South  
Minneapolis, Minnesota 55431

Mr. R. J. FitzGerald  
4200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402

Mr. William R. Nelson  
601 Southgate Office Plaza  
Minneapolis, Minnesota 55437

5. Fred Allen

R. J. Fitzgerald

William R. Nelson

Karen L. Novak

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**Amended and Restated**

**Bylaws**

**Of**

**Lawyers Concerned for Lawyers**

**Amended:**

**June 2000**

**June 2005**

**June 2012**

**June 2016**

**May 2017**

**May 2020**

**May 2024**

## **Section One - Specific Purposes**

**Section 1.01 Purposes.** This Corporation shall exist exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954, as amended. These shall include, without limitation, the purposes recited in these Bylaws.

**Section 1.02 Chemical Dependency.** This Corporation shall exist to aid and assist Minnesota lawyers, judges, law students, other legal professionals, and immediate family members who suffer, or who may suffer, from chemical dependency and/or substance misuse, including alcoholism.

**Section 1.03 Mental Illnesses.** This Corporation shall exist to aid and assist Minnesota lawyers, judges, law students, other legal professionals, and immediate family members who suffer, or who may suffer, from mental illness, including depression and anxiety.

**Section 1.04 Education.** This Corporation shall exist to educate lawyers, judges, law students, and others about chemical dependency, compulsive behaviors, mental illness, and other aspects of well-being, including stigma, bias, and related ethical considerations.

**Section 1.05 Vigilance.** This Corporation shall exist to aid and assist in the identification of lawyers, judges, and law students who *may* suffer from chemical dependency, substance misuse, or mental illnesses. To this end, the Corporation shall serve as a confidential repository for information provided by lawyers, judges, law students, their spouses, families, clients and other concerned persons.

**Section 1.06 Evaluations.** This Corporation shall exist to aid and assist in promoting, arranging, and procuring evaluations, assessments, and other diagnostic services for lawyers, judges, law students, other legal professionals, and immediate family members who may suffer from chemical dependency, substance misuse, or mental illnesses.

**Section 1.07 Interventions.** This Corporation shall exist to aid and assist in performing interventions in the lives of lawyers, judges, and law students, when deemed appropriate.

**Section 1.08 Case Management.** This Corporation shall exist to aid and assist in performing case management and other services, incidental to professional services rendered by health care, chemical treatment and mental health providers.

**Section 1.09 Sponsorship.** This Corporation shall exist to aid, assist, develop and support: (a) informal treatment opportunities, including those in the form of weekly meetings for those who desire to recover from alcoholism, chemical dependency and substance misuse; (b) informal meetings for lawyers, judges, and law students who are directly or indirectly affected by mental illnesses; and, (c) volunteers who seek to provide time and resources to advance the purposes of the Corporation.

**Section 1.10 Powers.** This Corporation shall have all powers conferred by the Minnesota Nonprofit Corporations Act (“MNCA”), as amended, including MNCA §317A.161. This Corporation shall have all powers necessary or convenient to effect or engage in any lawful purpose.

## **Section Two - Board of Directors**

**Section 2.01 Board of Directors.** The business and affairs of the Corporation must be managed by or under the direction of the Board of Directors. All directors are entitled to vote and have equal rights and preferences, except as otherwise provided in the Articles or Bylaws.

**Section 2.02 Number.** The Board of Directors must consist of three or more individuals. Before each Annual Meeting, the Nominations and Governance Committee appointed by the Board shall determine and recommend to the members, the number of directors to be elected at the Annual Meeting. The Board of Directors may increase the number of directors, and fill resulting vacancies at any time.

**Section 2.03 Qualifications and Election.** Directors must be natural persons of legal age. The Board of Directors may establish qualifications for directors, at any time and from time to time. The Bylaws may provide for *ex officio* directors who serve as directors by virtue of their holding other offices or positions. The members shall elect directors at each Annual Meeting.

**Section 2.05 Specific Qualifications. [Reserved]**

**Section 2.06 *Ex Officio* Directors. [Reserved]**

**Section 2.07 Nominations and Governance Committee.** A Nominations and Governance Committee appointed by the Board shall recommend a list of candidates for election by the members to the Board of Directors.

**Section 2.08 Terms. Staggered Terms and Limits.** Directors shall be elected by the members to hold office for staggered terms and each director shall be elected to serve a term of three years. One or more law students may be elected to serve successive one-year terms. An *ex officio* director serves as long as the director holds the office or position designated in the Articles or Bylaws. Except as otherwise provided in the Articles or Bylaws, a director holds office until the expiration of the term for which the director was elected or appointed and until a successor is elected and qualified, *or* until the earlier death, resignation, removal or disqualification of the director. A decrease in the number of directors or term of office does not shorten an incumbent director's term. The term of a director filling a vacancy expires at the end of the unexpired term that the director is appointed to fill. No director may serve more than two consecutive three-year terms, nor more than six years of continuous service as a director. Time served as a director and Chair-elect, Chair and/or immediate Past-Chair will not count against the six-year limitation. A person may rejoin the Board after a hiatus of not less than one year.

**Section 2.09 Compensation.** The Board of Directors may fix the compensation of directors. The Board of Directors shall fix no compensation for directors that would impair or jeopardize the tax-exempt status of the Corporation under Section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

**Section 2.10 Classification of Directors.** Directors may be divided into classes; provided that, the directors may not vote by class except when the Articles or Bylaws provide that only one class of directors may vote on a particular matter.

**Section 2.11. Cumulative Voting.** Unless otherwise provided in the Articles, there shall be no cumulative voting for directors.

**Section 2.12. Resignation of Directors.** A director may resign at any time by giving written notice to the Corporation. The resignation is effective without acceptance when the notice is given to the Corporation, unless a later effective time is specified in the notice.

**Section 2.13 Removal of Directors.** A director may be removed at any time, with or without cause, by a two-thirds vote of the remaining directors. A director who was named by the Board of Directors to fill a vacancy may be removed, with or without cause, by an affirmative vote of a majority of the remaining directors present, unless the members have elected directors in the interval between the time of appointment and the time of removal.

**Section 2.14 Vacancies.** The members or the remaining members of the Board of Directors, though less than a quorum, may fill any vacancy on the Board of Directors, including a vacancy resulting from an increase in the number of directors. A vacancy that will occur at a specific later date may be filled before the vacancy occurs, but the new director may not take office until the vacancy occurs.

**Section 2.15 Board Meetings.** Meetings of the Board may be held as provided in the Articles or Bylaws in or out of this state. If the Board fails to select a place for a meeting, the meeting must be held at the registered office. The Board of Directors shall hold regular meetings as determined by the Board.

**Section 2.16 Electronic Communications.** A conference among directors by a means of communication through which the directors may simultaneously hear each other during the conference is a Board meeting, if the same notice is given of the conference as would be required for a meeting and if the number of directors participating in the conference is a quorum. Participation in a meeting by this means is personal presence at the meeting. A director may participate in a Board meeting by any means of communication through which the director, other directors participating, and all directors physically present at the meeting may simultaneously hear each other during the meeting. Participation in a meeting by this means is personal presence at the meeting.

**Section 2.17 Call and Notice of Meetings.** Unless the Articles or Bylaws provide otherwise, a director may call a Board meeting by giving five days' notice to all directors of the date, time, and place of the meeting. The notice need not state the purpose of the meeting unless the Articles or Bylaws require it. If the day or date, time, and place of a Board meeting have been provided in the Articles or Bylaws or announced at a previous meeting of the Board, notice is not required. Notice of an adjourned meeting need not be given other than by announcement at the meeting at which adjournment is taken.

**Section 2.18 Waiver of Notice.** A director may waive notice of a meeting of the Board. A waiver of notice by a director entitled to notice is effective whether given before, at, or after the

meeting, and whether given in writing, orally, by authenticated electronic communication, or by attendance. Attendance by a director at a meeting is a waiver of notice of that meeting, unless the director objects at the beginning of the meeting to the transaction of business because the meeting is not lawfully called or convened and does not participate in the meeting.

**Section 2.19 Quorum.** A majority, or a larger or smaller proportion or number provided in the Articles or Bylaws, but not less than one-third of the directors currently holding office, is a quorum for the transaction of business. In the absence of a quorum, a majority of the directors present may adjourn a meeting from time to time until a quorum is present. If a quorum is present when a duly called or held meeting is convened, the directors present may continue to transact business until adjournment, even though the withdrawal of directors originally present leaves less than the proportion or number otherwise required for a quorum.

**Section 2.20 Action by the Board.** The Board shall take action by the affirmative vote of a majority of directors with voting rights present and entitled to vote at a duly held meeting, unless this chapter or the Articles or Bylaws require the affirmative vote of a larger proportion or number.

**Section 2.21 Action without a Meeting.** An action required or permitted to be taken at a Board meeting may be taken by written action signed, or consented to by authenticated electronic communication, by all of the directors. To the extent provided in the Articles, any action, other than an action requiring member approval, may be taken by written action signed, or consented to by authenticated electronic communication, by the number of directors that would be required to take the same action at a meeting of the Board at which all directors were present.

**2.21.1 Effective time.** The written action is effective when signed, or consented to by authenticated electronic communication, by the required number of directors, unless a different effective time is provided in the written action.

**2.21.2 Notice; liability.** When written action is permitted to be taken by less than all directors, all directors must be notified immediately of its text and effective date. Failure to provide the notice does not invalidate the written action. A director who does not sign or consent to the written action is not liable for the action.

**Section 2.22 Committees.** A resolution approved by the affirmative vote of a majority of the Board may establish committees having the authority of the Board in the management of the business of the Corporation to the extent provided in the resolution. Committees are subject at all times to the direction and control of the Board. Committee members must be natural persons. Unless the Articles or Bylaws provide otherwise, a committee must consist of one or more persons, who need not be directors or members.

**Section 2.23 Standard of Conduct.** A director shall discharge the duties of the position of director in good faith, in a manner the director reasonably believes to be in the best interests of the Corporation, and with the care an ordinarily prudent person in a like position would exercise under similar circumstances. A person who so performs those duties is not liable by reason of being or having been a director of the Corporation.

**Section 2.23.1 Reliance.** A director is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, in each case prepared or presented by: (a) one or more officers or employees of the Corporation whom the director reasonably believes to be reliable and competent in the matters presented; (b) counsel, public accountants, or other persons as to matters that the director reasonably believes are within the person's professional or expert competence; or, (c) a duly established committee of the Board upon which the director does not serve, as to matters within its designated authority, if the director reasonably believes the committee to merit confidence; provided that, this Section does not apply to a director who has actual knowledge concerning the matter in question that makes the reliance unwarranted.

**Section 2.23.2 Presumption of Assent; Dissent.** A director who is present at a meeting of the Board when an action is approved by the Board is presumed to have assented to the action approved, unless the director: (a) objects at the beginning of the meeting to the transaction of business because the meeting is not lawfully called or convened and does not participate in the meeting, in which case the director is not considered to be present at the meeting for purposes of this chapter; (b) votes against the action at the meeting; or (c) is prohibited from voting on the action by the Articles or Bylaws or as a result of a decision to approve, ratify, or authorize a transaction pursuant to MNCA §317A.255 or a conflict of interest policy adopted by the Board.

**Section 2.23.3 Not considered trustee.** A director, regardless of how identified, is not considered to be a trustee with respect to the Corporation or with respect to property held or administered by the Corporation, including without limit, property that may be subject to restrictions imposed by the donor or transferor of the property.

**Section 2.24 Conflicts of Interest.** A contract or other transaction between the Corporation and: (a) its director or a member of the family of its director; (b) a director of a related organization, or a member of the family of a director of a related organization; or (c) an organization in or of which the Corporation's director, or a member of the family of its director, is a director, officer, or legal representative or has a material financial interest; is not void or voidable because the director or the other individual or organization are parties or because the director is present at the meeting of the members or the Board or a committee at which the contract or transaction is authorized, approved, or ratified, if a requirement of MNCA §317A.255, Subd. 1(b)(1) through (4) is satisfied.

**Section 2.25 Unpaid Directors; Liability for Damages.** Except as otherwise provided by law, a person who serves without compensation as a director, officer, member, or agent of an organization exempt from state income taxation under section 290.05, subdivision 2, is not civilly liable for an act or omission by that person if the act or omission was in good faith, was within the scope of the person's responsibilities as a director, officer, member, or agent, and did not constitute willful or reckless misconduct.

**Section 2.25.1 Limitation.** This Section does not apply to: (a) an action or proceeding brought by the attorney general for a breach of a fiduciary duty as a director; (b) a cause of action to the extent it is based on federal law; (c) a cause of action based on the person's express contractual obligation; or, (d) an action or proceeding based on a breach of public pension plan fiduciary responsibility. Nothing contained in these Bylaws shall limit an individual's liability for

physical injury to the person of another or for wrongful death that is personally and directly caused by the individual.

**Section 2.25.2 Definition.** For purposes of this Section, the term "compensation" means anything of value received for services rendered, except: (a) reimbursement for expenses actually incurred; (b) a per diem in an amount not more than a lawful per diem; or, (c) payment by an organization of insurance premiums on behalf of a person who is or was a director, officer, member, or agent of an organization, or who, while a director, officer, member, or agent of the organization, is or was serving at the request of the organization as a director, officer, partner, employee, or agent of another organization or employee benefit plan against liability asserted against and incurred by the person in or arising from that capacity.

### **Section Three - Officers**

**Section 3.01 Required Officers.** The Corporation shall have one or more natural persons exercising the functions of the following executive offices: the Chair of the Board of Directors; the Chair-elect; the Past-chair; the Secretary; and the Treasurer. At each Annual Meeting, the members shall elect a Chair-elect. The Board of Directors shall elect or appoint other officers, except those who are elected at the discretion of the members.

**Section 3.02 Duties of Officers.** Except or to the extent provided otherwise in the Articles, these Bylaws or a resolution by the Board of Directors consistent with same, the executive officers have the following duties and responsibilities:

**Section 3.02.1 Chair.** The Chair shall serve the statutory and ordinary functions of the president and chief executive officer of the Corporation. The Chair shall: (a) have general active management of the business of the Corporation; (b) when present, preside at meetings of the Board and of the members; (c) see that orders and resolutions of the Board are carried into effect; (d) sign and deliver in the name of the Corporation deeds, mortgages, bonds, contracts, or other instruments pertaining to the business of the Corporation, except in cases in which the authority to sign and deliver is required by law to be exercised by another person or is expressly delegated by the Articles or Bylaws or by the Board to another officer or agent of the Corporation; (e) maintain records of and, when necessary, certify proceedings of the Board and the members; and, (f) perform other duties prescribed by the Board.

**Section 3.02.2 Chair-elect.** The Chair-elect shall serve the functions of the Vice-Chair. The Chair-elect shall perform the functions of the Chair, in the Chair's absence, and such other functions as the members or Board may request.

**Section 3.02.3 Treasurer.** The Treasurer shall serve the functions of the chief financial officer. The Treasurer shall: (a) keep accurate financial records for the Corporation; (b) deposit money, drafts, and checks in the name of and to the credit of the Corporation in the banks and depositories designated by the Board; (c) endorse for deposit notes, checks, and drafts received by the Corporation as ordered by the Board, making proper vouchers for the deposit; (d) disburse corporate funds and issue checks and drafts in the name of the Corporation, as ordered by the Board; (e) upon request, provide the Chair and the Board an account of transactions by the

Treasurer and of the financial condition of the Corporation; and (f) perform other duties prescribed by the Board or by the Chair.

**Section 3.02.4 Secretary.** The Secretary shall assist the Chair in performing the Chair's duties, including the responsibilities to: (a) see that orders and resolutions of the Board are carried into effect; (b) sign and deliver in the name of the Corporation deeds, mortgages, bonds, contracts, or other instruments pertaining to the business of the Corporation, except in cases in which the authority to sign and deliver is required by law to be exercised by another person or is expressly delegated by the Articles or Bylaws or by the Board to another officer or agent of the Corporation; (c) maintain records of and, when necessary, certify proceedings of the Board and the members; and, (d) perform other duties prescribed by the Board. The Secretary shall take and keep minutes of all meetings of the members and the Board of Directors and shall maintain all other books and records required by the Board.

**Section 3.03 Other Officers and Duties.** Except to the extent that the Articles or Bylaws provide that the members may exercise the powers under this section, the Board may elect or appoint, in a manner set forth in the Articles or Bylaws or in a resolution adopted by the Board, other officers or agents the Board considers necessary for the operation and management of the Corporation, each of whom has the powers, rights, duties, responsibilities, and terms in office provided for in the Articles or Bylaws or determined by Board of Directors.

**Section 3.04 Multiple Offices.** Any number of offices or functions of those offices may be held or exercised by the same person. If a document must be signed by persons holding different offices or functions and a person holds or exercises more than one of those offices or functions, that person may sign the document in more than one capacity, but only if the document indicates each capacity in which the person signs.

**Section 3.05 Officers considered elected.** In the absence of an election or appointment of officers by the Board or the members, the person exercising the principal functions of the Chair or the Treasurer is considered to have been elected to the office.

**Section 3.06 Contract Rights.** The election or appointment of a person as an officer or agent does not, of itself, create contract rights. The Corporation may enter into a contract with an officer or agent for a period if, in the Board's judgment, the contract would be in the best interests of the Corporation. The fact that the contract may be for a term longer than the terms of the directors who authorized or approved the contract does not make the contract void or voidable.

**Section 3.07 Resignation from Office.** An officer may resign by giving written notice to the Corporation. The resignation is effective without acceptance when the notice is given to the Corporation, unless a later effective date is specified in the notice.

**Section 3.08 Removal from Office.** Except as otherwise provided in the Articles or Bylaws, an officer may be removed, with or without cause, by a resolution adopted by the Board or by the members, whichever elected or appointed the officer. The removal is without prejudice to contractual rights of the officer.



**Section 3.09 Vacancies.** A vacancy in an office because of death, resignation, removal, disqualification, or other cause may, or in the case of a vacancy in the office of Chair or Treasurer must, be filled for the unexpired part of the term in the manner provided in the Articles or Bylaws, or as determined by the Board or under Section 3.05.

**Section 3.10 Delegation.** Unless prohibited by the Articles or Bylaws or by a resolution adopted by the Board, an officer may, without the approval of the Board, delegate some or all the duties and powers of an office to other persons. An officer who delegates the duties or powers of an office remains subject to the standard of conduct for an officer with respect to the discharge of the delegated duties and powers.

**Section 3.11 Standard of Conduct.** An officer shall discharge the duties of an office in good faith, in a manner the officer reasonably believes to be in the best interests of the Corporation, and with the care an ordinarily prudent person in a like position would exercise under similar circumstances. A person exercising the principal functions of an office or to whom some or all of the duties and powers of an office are delegated under MNCA §317A.351 is considered an officer for purposes of this section and MNCA §§317A.467 and 317A.521. An officer is not considered to be a trustee with respect to the Corporation or with respect to property held or administered by the Corporation, including without limit, property that may be subject to restrictions imposed by the donor or transferor of the property.

## **Section Four - Members**

**Section 4.01 Existence.** The Corporation shall have one or more classes of members.

**Section 4.02 Eligibility.** Lawyers, judges, law students, other legal professionals, and immediate family members who would be eligible for services are eligible for membership in the Corporation. Other persons may become members only upon recommendation by the Board and approval by the members.

**Section 4.03 Application and Confidentiality.** As a condition of membership, each candidate shall submit an application in the form prescribed by the Board and agree to preserve the confidentiality of information so identified by the members, whether that information is identified as "confidential" by the members, a director or the Board of Directors, any officer, any committee member or any other authorized agent of the Corporation, and whether such designation is made in writing, electronically or orally.

**Section 4.04 Admission.** Upon a nomination made and seconded by two members or two directors, either the members or the Board may admit, by an affirmative, majority vote of those members or directors present at a duly held meeting, any eligible candidate who submits an application and agrees to the Confidentiality provisions described in Section 4.03. The Articles or Bylaws may establish additional criteria or procedures for admission. A person shall not be admitted as a member without the person's express or implied consent.

**Section 4.05 Membership Rights.** Members are of one class unless the Articles establish, or authorize the Bylaws to establish, more than one class. Members are entitled to vote and have equal rights and preferences except to the extent that the Articles or Bylaws have fixed or limited

the rights and preferences of members or different classes of members or provide for nonvoting members. The Articles or Bylaws may fix the term of membership. A member of the Corporation may not transfer a membership or a right arising from it.

**Section 4.05.1 Voting Rights.** Attendance at any meeting entitles the member to vote at that meeting.

**Section 4.05.2 Voting Members.** The Corporation shall record the attendance of each member at each meeting.

**Section 4.06 Membership Certificates.** The Corporation may issue certificates showing membership in the Corporation.

**Section 4.07 Dues, Assessments and Fees.** When authority to do so is conferred by the Articles or Bylaws and subject to any limitations, the Corporation may levy dues, assessments, or fees upon its members. The dues, assessments, or fees may be imposed upon all classes of members alike or differently upon different classes of members. Members of one or more classes may be exempted. The Articles or Bylaws may: fix the amount of the levy and the method of collection of dues, assessments, or fees; or, authorize the directors to fix the amount from time to time and determine the methods of collection. The Articles or Bylaws may provide for: enforcement or collection of dues, assessments, or fees; cancellation of membership, on reasonable notice, for nonpayment of dues, assessments, or fees; or reinstatement of membership.

**Section 4.08 Resignation.** A member may resign at any time. The resignation of a member does not relieve the member from any obligations the member may have to the Corporation to maintain and preserve confidential information or for dues, assessments, or fees or charges for goods or services.

**Section 4.09 Termination.** The members or the Board of Directors may terminate a membership pursuant to a procedure specified in the Bylaws, or a policy and procedure adopted by resolution of the Board of Directors. A member may not be expelled or suspended, and a membership may not be terminated or suspended except pursuant to a procedure that is fair and reasonable and is carried out in good faith. This section does not apply to the termination of a membership at the end of a fixed term.

**Section 4.09.1 Standards.** A procedure is fair and reasonable when it is fair and reasonable taking into consideration all of the relevant facts and circumstances. In addition, a procedure is fair and reasonable if it provides: not less than 15 days' prior written notice of the expulsion, suspension, or termination, and the reasons for it; and, an opportunity for the member to be heard, orally or in writing, not less than five days before the effective date of the expulsion, suspension, or termination by a person authorized to decide that the proposed expulsion, termination, or suspension not take place.

**Section 4.09.2 Time limit to challenge.** A proceeding challenging an expulsion, suspension, or termination, including a proceeding in which defective notice is alleged, must be begun within one year after the effective date of the expulsion, suspension, or termination.

**Section 4.09.3 Member liability.** The expulsion, suspension, or termination of a member does not relieve the member from obligations the member may have to the Corporation for dues, assessments, or fees or charges for goods or services, or for liability resulting from any breach of confidentiality.

#### **Section 4.10 Termination Procedure [Reserved]**

**Section 4.11 Liability of Members.** A member of the Corporation is not, as such, personally liable for the acts, debts, liabilities, or obligations of the Corporation.

**Section 4.12 Annual Meeting.** The Corporation shall hold an Annual Meeting in June at the registered office, unless the Board of Directors otherwise fixes a different time or place.

**Section 4.13 Annual Agenda.** The Chair shall set the agenda for the Annual Meeting.

**Section 4.13.1 Agenda Items.** The agenda shall include: an election of successors for the Chair-elect and directors elected by members and whose terms have expired or whose terms expire at an annual meeting; a report on the activities and financial condition of the Corporation; and, consideration and action upon other matters as may be raised consistent with the notice of meeting requirements.

**Section 4.13.2 Member Proposals.** At an annual meeting of the members, only such business shall be conducted as shall have been properly brought before the meeting. To be properly brought before an annual meeting, business must be (a) brought before the meeting by the Corporation and specified in the notice of meeting given by or at the direction of the Board of Directors, (b) brought before the meeting by or at the direction of the Board of Directors, or (c) otherwise properly brought before the meeting by a member. Without qualification, for business to be properly brought before an annual meeting by a member, the member must provide written notice to the Chair of the Corporation, at the principal offices of the Corporation, not less than sixty (60) days nor more than ninety (90) days prior to the one-year anniversary of the preceding year's annual meeting, stating the business to be brought before the members and the reason for the proposal. In addition, if the proposal of the member involves the nomination of a candidate for election to the Board of Directors, the notice shall also include the name and address of the proposed candidate and the reasons why the nominating member proposes the candidate for nomination. The foregoing clause (c) shall be the exclusive means for a member to propose business to be brought before an annual meeting of the members, including any proposal involving the election of directors.

**Section 4.14 Periodic Meetings.** Unless otherwise determined by the Executive Committee of the Board of Directors, the Corporation may hold member meetings, usually on a monthly basis. These meetings are primarily for support and educational purposes. No action of the members binding on the Corporation, other than the admission of new members, shall take place at these meetings.

**Section 4.15 Special Meetings.** The Corporation shall hold a special meeting of members: on call of the Executive Committee of its Board or persons authorized to do so by the Articles or Bylaws; or, if at least 50 members with voting rights or ten percent of the members with voting rights, whichever is less, sign, date, and deliver to the Chair or the Treasurer one or more written demands for the meeting describing the purpose for which it is to be held.

**Section 4.15.1 Notice.** Within 30 days after receipt of a demand for a special meeting from voting members, the Board shall cause a special meeting to be called and held on notice no later than 90 days after receipt of the demand at the expense of the Corporation. If the Board fails to cause a special meeting to be called and held as required by this subdivision, a voting member making the demand may call the meeting by giving notice under MNCA §317A.435, at the expense of the Corporation.

**Section 4.15.2 Time; place.** Special meetings of members may be held in or out of this State at the place stated in or fixed in accordance with the Articles, Bylaws, or by the Chair or the Board. If a special meeting is demanded by the members, the meeting must be held in the county where the Corporation's registered office is located.

**Section 4.15.3 Notice requirements; business limited.** The notice of a special meeting must contain a statement of the purposes of the meeting. The notice may also contain other information required by the Articles or Bylaws or considered necessary or desirable by the Board or by another person calling the meeting. The business transacted at a special meeting is limited to the purposes stated in the notice of the meeting. Business transacted at a special meeting that is not included in those stated purposes is voidable by or on behalf of the Corporation, unless all of the members with voting rights have waived notice of the meeting.

**Section 4.16 Notice of Meetings.** Notice of meetings of members must be given to every voting member as of the record date, if any is established. If the meeting is an adjourned meeting and the date, time, and place of the meeting were announced at the time of adjournment, notice is not required unless a new record date for the adjourned meeting is or must be fixed. In all cases where a specific minimum notice period has not been fixed by law, the notice must be given at least five days before the date of the meeting, or a shorter time provided in the Articles or these Bylaws, and not more than 60 days before the date of the meeting. The notice must contain the date, time, and place of the meeting, and other requisite information. If proxies are permitted at the meeting, the notice must so inform members and state the procedure for appointing proxies. Notice may be given by electronic means, including e-mail, if consented to by the member.

**Section 4.17 Waiver of notice; objections.** A member may waive notice of a meeting of members. A waiver of notice by a member entitled to notice is effective whether given before, at, or after the meeting, and whether given in writing, orally, or by attendance. Attendance by a member at a meeting is a waiver of notice of that meeting, unless the member objects at the beginning of the meeting to the transaction of business because the meeting is not lawfully called or convened, or objects before a vote on an item of business because the item may not lawfully be considered at that meeting and does not participate in the consideration of the item at that meeting.

**Section 4.18 Members List.** The Corporation shall prepare and maintain an alphabetical list of the names of its members who are entitled to notice and to vote. The list must show the address and number of votes each member is entitled to vote at the meeting.

**Section 4.18.1 Inspection.** The list of members must be available for inspection by a member with voting rights for the purpose of communication with other members concerning the meeting, beginning two business days after the meeting notice is given and continuing through

the meeting, at the Corporation's registered office or at a reasonable place identified in the meeting notice in the city where the meeting will be held. The list also must be available at the meeting. A member, a member's agent, or attorney is entitled on written demand to inspect and to copy the list, at a reasonable time and at the member's expense, during the period it is available for inspection and at any time during the meeting or an adjournment.

**Section 4.18.2 Improper Use Prohibited.** The membership list constitutes confidential information. A member, agent, or attorney who gains access to a membership list under this Section may not use or give to another or use the membership list for any purpose other than a proper purpose. Upon application of the Corporation, the district court may issue a protective order or order other relief necessary to enforce this Section.

**Section 4.19 Action by Members.** Unless the Articles or Bylaws require a greater vote or voting by class, if a quorum is present, or if a quorum has been present at a meeting, the affirmative vote of the majority of the members with voting rights present and entitled to vote, which must also be a majority of the required quorum, is the act of the members. The members may take action at a meeting by voice or ballot, by unanimous action without a meeting, by written ballot, by electronic communication, or by a combination of these methods.

**Section 4.20 Action without Meeting.** An action required or permitted to be taken at a meeting of the members may be taken without a meeting by written action signed, or consented to by authenticated electronic communication, by all of the members entitled to vote on that action. The written action is effective when it has been signed, or consented to by authenticated electronic communication, by all of those members, unless a different effective time is provided in the written action.

**Section 4.21 Action by Written Ballot.** Except as otherwise provided, an action that may be taken at a regular or special meeting of members may be taken without a meeting if the Corporation mails or delivers a written ballot to every member entitled to vote on the matter. A written ballot must: (a) set forth each proposed action; and, (b) provide an opportunity to vote for or against each proposed action. Approval by written ballot under this Section is valid only if the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action, and the number of approvals equals or exceeds the number of votes that would be required to approve the matter at a meeting at which the total number of votes cast was the same as the number of votes cast by ballot. Solicitations for votes by written ballot must: indicate the number of responses needed to meet the quorum requirements; state the percentage of approvals necessary to approve each matter other than the election of directors; and specify the time by which a ballot must be received by the Corporation in order to be counted. Except as otherwise provided in the Articles or Bylaws, a written ballot may not be revoked.

**Section 4.22 Electronic Communication.** A conference among members by a means of communication through which the participants may simultaneously hear each other during the conference is a meeting of the members, if the same notice is given of the conference as would be required for a meeting and if the number of persons participating in the conference is a quorum. Participation in a meeting by this means is personal presence at the meeting. A member may participate in a meeting of the membership by a means of communication through which the member, other persons participating, and all persons physically present at the meeting may

simultaneously hear each other during the meeting. Participation in a meeting by this means is personal presence at the meeting.

**Section 4.23 Quorum.** Unless otherwise provided by the Articles or Bylaws, a quorum for a meeting of members equals the number of members entitled to vote who are present at the meeting.

**Section 4.24 Proxies.** Attendance, voting or any other form of participation by proxy is prohibited.

## **Section Five - Contractual and Financial Matters**

**Section 5.01 Prohibition.** No director, officer or agent shall make or enter into any contract, transaction or act on the Corporation's behalf, or carry on any activity not permitted to be made, entered into or carried on by any organization exempt from tax under the Internal Revenue code of 1954, Section 501 (c)(3) of such Code. In addition, no director, officer or agent shall enter into or carry on any activity on behalf of the Corporation that would cause the Corporation to be deemed a private foundation within the meaning of Section 509 of such Code.

**Section 5.02 Authorization.** The Board may authorize any officer or officers, agent or agents, of the Corporation, in addition to the officers so authorized by these Bylaws or the MNCA, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

**Section 5.03 Deposits.** Any officer of the Corporation is authorized on behalf of the Corporation to endorse for collection checks, notes, or other obligations and shall deposit the same to the credit of the Corporation at such bank or depositories as the Board may designate.

**Section 5.04 Custodian of Assets.** The Treasurer shall have the custody of all funds, property, and securities of the Corporation, subject to such policies and procedures as may be established by the Board.

**Section 5.05 Compensation.** The compensation of all employees and agents of the Corporation shall be fixed by the Board and shall be reasonable in amount for the services rendered. No compensation, pay, or remuneration, direct or indirect, shall be paid to the Chair of the Board, the Chair-elect, the Treasurer, the Secretary, or any other officer for services rendered by them in such capacity.

## **Section Six - Loans and Obligations**

**Section 6.01 Instruments of Indebtedness.** All checks, drafts or orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents, of the Corporation and in such manner as from time to time be determined by resolution of the directors.

**Section 6.02 Loans and Guarantees.** Subject to the limitations and restrictions prescribed for tax-exempt, nonprofit corporations, the Corporation may lend money to, guarantee or pledge its assets as security for an obligation of, become a surety for, or otherwise financially assist a person, if the transaction, or a class of transactions to which the transaction belongs, is approved by the Board and: (a) is in the usual and regular course of activities of the Corporation; (b) is with, or for the benefit of, a related organization, an organization in which the Corporation has a financial interest, a person with whom the Corporation has a relationship in the course of its activities, or an organization to which the Corporation has the power to make donations; (c) is with, or for the benefit of, an officer, director, or employee of the Corporation or a related organization, and is authorized by law and by these Bylaws; or, subject to (b) of this Section, has been approved by two-thirds of the members.

**Section 6.03 Advances.** The Corporation may, without a vote of the Board, advance money to its directors, officers, employees, or agents to cover expenses that can reasonably be anticipated to be incurred by them in the performance of their duties and for which they would be entitled to reimbursement in the absence of an advance.

## **Section Seven - Indemnification**

**Section 7.01. Prohibitions and Limitations.** Notwithstanding any Bylaw to the contrary, the members or the Board of Directors may prohibit the indemnification or advances or reimbursement of expenses required under law or may impose conditions on indemnification, advances, or reimbursements, in addition to the conditions imposed by law. However, any additional conditions, including without limitation, monetary limits, shall apply equally to all persons or to all persons within a given class; and, no prohibition or limit on indemnification or advances or reimbursement of expenses shall apply with respect to any acts or omissions of the person occurring before the effective date of a provision in the Articles, or the date of adoption of a provision in the Bylaws which establishes the prohibition or limitation. As used in Section Seven, the terms "corporation," "official capacity," and "proceeding," shall have the same respective definition and meaning specified in the MNCA.

**Section 7.02. Mandatory Indemnification.** Subject to the prohibitions and limitations described in Section 7.01, the Corporation shall indemnify any person made or threatened to be made a party to a proceeding, by reason of the former or present official capacity of the person, to the fullest extent permitted by law.

**Section 7.03. Advances.** Subject to the prohibitions and limitations described in Section 7.01, a person who is made or threatened to be made a party to a proceeding is entitled, upon written request to the Corporation, to payment or reimbursement by the Corporation of reasonable expenses, including attorneys' fees and disbursements, incurred by the person in advance of the final disposition of the proceeding; upon receipt of the Corporation of a written affirmation by the person of a good faith belief that the criteria for indemnification established by Minnesota law, the Articles, these Bylaws, and any action by the Board have been satisfied; upon receipt by the Corporation of a written undertaking by the person to repay all amounts so paid or reimbursed by the Corporation, if it is ultimately determined that the criteria for indemnification have not been satisfied; and, after a determination that the facts then known to those making the determination would not preclude indemnification under Minnesota law.

**Section 7.04. Reimbursement to Witnesses.** Subject to the prohibitions and limitations described in Section 7.01, the Corporation shall reimburse reasonable and necessary expenses, including attorneys' fees and disbursements, incurred by a person in connection with an appearance as a witness, by reason of the former or present official capacity of the person, in a proceeding at a time when the person had not been made or threatened to be made a party to the proceeding.

**Section 7.05. Non-exclusivity.** The conditional rights to indemnification, advances, or payment of expenses incurred in participating in a proceeding shall not be exclusive of any other right which the person may have or subsequently acquire pursuant to any statute, common law, or administrative or judicial interpretation, provision of the Articles of Incorporation, provision of the Bylaws, agreement, vote of the members or the Board (excluding interested directors), or otherwise.

**Section 7.06. Insurance.** The Corporation may purchase and maintain insurance on behalf of a person in that person's official capacity against any liability asserted against and incurred by the person in or arising from that capacity, whether or not the Corporation would have been required to indemnify the person against the liability under Minnesota law, the Articles of Incorporation, or these Bylaws.

**Section 7.07. Disclosure.** If the Corporation indemnifies, advances, or reimburses expenses to a person pursuant to Minnesota law, the Articles, or these Bylaws, in connection with a proceeding by or on behalf of the Corporation, the amount of the indemnification, advance or reimbursement and the identity of the person to whom and on whose behalf payment was made shall be reported in writing to the members not later than the next meeting of the members.

**Section 7.08. Indemnification Agreements.** The Corporation may enter into agreements with its Directors or other persons regarding indemnification, advances, or reimbursement.

## **Section Eight - Confidentiality**

**Section 8.01 Confidential Information.** All personal or private information regarding each member shall be deemed confidential. All personal or private information regarding any third person that the Corporation or any members obtains in the course of carrying out any purpose or exercising any power under the Articles or Bylaws, shall be deemed confidential.

**Section 8.02 Nondisclosure.** Neither the Corporation nor any member shall disclose any confidential information to any other person except to the extent disclosure is: (a) actually or by reasonable inference, authorized by the person; (b) ordered by a court or other legitimate authority; (c) reasonable or necessary to carry out any purpose or exercise any power under these Articles or Bylaws; or, (d) reasonable or necessary to prevent bodily injury or harm to any person.

**Section 8.03 Member Pledge.** As a condition of admission to membership, each candidate must pledge to preserve and protect the confidentiality of personal and private information regarding the members and others, which is obtained or discussed at any meeting, and to refrain from any



unauthorized disclosure of this confidential information. The pledge shall be made or consented to in writing or by authenticated electronic communication. The Board of Directors may adopt a formal pledge or may use the following:

***I pledge that I will preserve and protect the confidentiality of personal and private information regarding the members of LCL and others that I obtain at any meeting or from any member; and, I pledge to refrain from disclosing any such confidential information, except as authorized by LCL, its Board of Directors or its Bylaws.***

**Section 8.04 Announcement at Meetings.** At each meeting of the members, the Board and any committees, the presiding officer will reiterate or recite the pledge of confidentiality taken by the members.

**Section 8.05 Sanctions.** Any member who violates the confidentiality provisions of this organization shall be held in abeyance and subject to expulsion from membership, subject to the provisions of these Bylaws and any *ad hoc* proceedings held by the Board. During the interim, any voting right shall be suspended. These sanctions, and any others determined by the Board of Directors, shall be in addition to any and all other remedies and actions afforded by law.

## **Section Nine - Amendments**

**Section 9.01 Amendment of Articles by Board and Members.** Amendments to the Articles must be approved by the affirmative vote of a majority of the directors and by the members with voting rights. If an amendment is initiated by the Board, proper notice of the proposed amendment must precede a member meeting at which the amendment will be considered and must include the substance of the proposed amendment. If an amendment is proposed and approved by the members, the members may demand a special Board meeting within 60 days for consideration of the proposed amendment if a regular Board meeting would not occur within 60 days.

**Section 9.02 Amendment of Articles by Board of Directors.** The members with voting rights may authorize the Board of Directors to exercise from time to time the power of amendment of the Articles without member approval.

**Section 9.02.1 Procedure.** When the members have authorized the Board of Directors to amend the Articles the Board of Directors, by a majority vote, unless the Articles, Bylaws, or the members' resolution authorizing the Board action require a greater vote, may amend the Articles at a meeting of the Board. Notice of the meeting and of the proposed amendment must be given to the Board.

**Section 9.02.2 Revocation of Authority.** The members with voting rights voting at a meeting duly called for the purpose may prospectively revoke the authority of the Board to exercise the power of the members to amend the Articles.

**Section 9.03 Approval by Class.** The Articles or Bylaws may provide that an amendment to the Articles also must be approved by the members of a class.

**Section 9.04 Amendment of Bylaws by the Board.** The power to adopt, amend or repeal Bylaws is vested in the Board of Directors. The power of the Board is subject to the power of the members, as provided in Section 9.05.

**Section 9.05 Amendment of Bylaws by Members.** At least 50 members with voting rights or ten percent of the members with voting rights, whichever is less, may propose a resolution for action by the members to adopt, amend, or repeal Bylaws adopted, amended, or repealed by the Board. The resolution must contain the provisions proposed for adoption, amendment, or repeal. The limitations and procedures for submitting, considering, and adopting the resolution are the same as provided for amendment of the Articles, except that Board approval is not required. The Articles or Bylaws may impose different or additional requirements for the members to adopt, amend, or repeal the Bylaws.

## **Section Ten - Offices**

**Section 10.01 Registered Office.** The Corporation shall continuously maintain a registered office in the State of Minnesota.

**Section 10.02 Principal Executive Office.** The principal executive office of the Corporation need not be the same as the registered office. The principal executive office shall be the same as the registered office, unless a different address is designated by the Board of Directors.

**Section 10.03 Other Offices.** From time to time, the Corporation may open, establish, maintain, close, and eliminate other offices within or outside the State of Minnesota, as determined by the Board of Directors or as the business of the Corporation may require.

## **Section Eleven -[Reserved]**

## **Section Twelve - General and Administrative Matters**

**Section 12.01 Seal Abolished.** This Corporation shall have no corporate seal.

**Section 12.02 Books and Records.** The Corporation shall keep at its registered office correct and complete copies of its Articles and Bylaws, accounting records and minutes of meetings of members, Board of Directors, and committees having any of the authority of the Board of Directors for the last six years.

**Section 12.03 Computerized Records.** The records maintained by the Corporation may use any information storage technique, even though the technique makes them illegible visually, if the records can be converted accurately and within a reasonable time into a form that is legible visually and whose contents are assembled by related subject matter to permit convenient use by people in the normal course of business.

**Section 12.04 Plurals.** All references in the plural, where appropriate, shall include the singular and all references in the singular, where appropriate, shall include the plural.

**Section 12.05 Gender References.** Any references in these Bylaws to a party in the masculine shall include the feminine and neuter; any feminine references shall include the masculine and neuter; and, any neuter references shall include the feminine and masculine.



LCL Three-Year  
Strategic Plan

Goal 1: <b>Increase, diversify, and stabilize LCL's financial resources</b> – Fundraising Committee				
Strategic Area	Action Items	Next Steps	Responsible	Milestone Status Update
1.1 Strategic Area A: Develop a Fundraising strategic plan	1.1.1 Make strategic decisions about funding purpose	Growth Demands of well-being Decide if outside help is needed Founders Fund	BD, FR	1 Annual breakfast provides many funding opportunities
	1.1.2 Identify gaps in current plan/efforts	Compile FR plan Choose methods Identify new sources	FR, ED	No current fundraising plan
1.2 Strategic Area B: Fundraising campaign directed at legal and other organizations	1.2.1 Directly Solicit legal and other organizations	Create and send out solicitations Set up personal meetings Hold fundraising event and/or sponsorships Create repeat funders	FR, ED	Breakfast is becoming established
	1.2.2 Partnerships	Capitalize on ABA initiatives  Education honoraria Board members	FR, ED	Pledge signatories are recruited for CLEs and breakfast Requested when available Breakfast sponsors
	1.2.3 Grants	Regular annual Legal foundations, rolling	ED	Bar groups ongoing
	1.1.4			
	1.1.5			
1.2 <b>Strategic Area "C" Fundraising</b> campaign directed at individuals	1.2.1 Directly solicit individuals	Annual letter Give to the Max	ED	Ongoing ongoing
	1.2.2 Investment categories	Membership fee Sustaining members	FR, ED	3 3
	1.2.3	Retirement Distribution	ED	Noted in member mailing and in website
	1.2.4			

LCL Three-Year  
Strategic Plan

1.3 <b>Strategic Area “D”:</b> Engage board and others	1.3.1 Toolkit for past and current board members, allies	Create elevator speech/business case – cross reference with outreach Materials Training	BD, FR, ED	Elevator speech on board portal
	1.3.3 Board decision about donor recognition		BD	2 not done
	1.3.4 Board as funding focused?		BD	ongoing
	1.3.5			
	1.3.6			
1.4 <b>Strategic Area “E”:</b> LSAC Grant	1.4.1 Maintain and enhance a strong Supreme Court Relationship	Growth Liaison connection Return to \$16 fee	BD, ED	Ongoing, \$21 fee established
	1.4.2 Nurture and maintain LSAC relationship	Regular meetings	ED	Ongoing, new legal services board will change this
	1.4.3			
Measures of Success: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3				

LCL Three-Year  
Strategic Plan

Goal 2: Identify, provide, and direct quality professional services				
Strategic Area <b>"A"</b> Identify needs	Action Items	Next Steps	Responsible	Milestone Status Update
2.1 Identify actual needs	2.1.1 Identify the demographics	Older Younger D & I greater MN	ED	1, annual Surveys done during a pandemic might have limited utility.
	2.1.2 Identify the types of services – clinical, case management and groups	Current Potential	ED	1, annual 2,
	2.1.3 Identify the types of services - peer	Current Potential	ED	1, annual 2
	2.1.4 Explore options to conduct a survey	Make recommendation of next steps If recommended, develop and send out survey Explore outreach items to create awareness	BD, E & O	This has not been done – is it still appropriate?  2
	2.1.5 Identify on-line services	Current Potential	ED	2
2.2 Meet challenges of profession	2.2.1 Diagnoses		ED	ongoing
	2.2.2 Well-Being		ED, E & O, BD	ongoing
	2.2.3 Trends and on the horizon		BD	ongoing
2.3 Fund treatment services	2.3.1 Consider and define LCL role	Bd. Discussion	BD, FR	1
2.4 Staff activities	2.4.1 Competence	Response Follow up Training Volunteers	ED works with staff	ongoing
	2.4.4			

LCL Three-Year  
Strategic Plan

2.5 Referral sources - Employee Assistance Program and outside providers	2.5.1 Monitor Sand Creek relationship and services	Identify and evaluate outside referral sources	ED	ongoing
2.6 Client awareness and utilization of professional services (internal and external)	2.6.1 Evaluate and improve – operational See 2.1.4	Utilize survey results	ED	1
	2.6.2 Evaluate and improve ease of access - willingness		E & O, ED	
	2.6.3 Increase awareness of what LCL offers		E & O, ED	
Measures of Success: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3				
Goal 3: Maintain and Improve Outreach and Communication – Education & Outreach				
Strategic Area <b>“A”</b> Message content	Action Items	Next Steps	Responsible	Milestone Status Update
3.1 Substantive – develop and deliver message	3.1.1 Broaden message to include recovery and prevention focus without losing serious issue focus program content	Evaluate program focus	BD	ongoing
	3.1.2 Review programs to ensure key message components	Confidentiality <b>LCL as “go to” for serious issues</b> Faces of recovery Engage on well-being pledge	ED BD  E & O E & O	ongoing ongoing  3 – video for virtual breakfast ongoing
	3.1.3 partnerships	Examine and nurture current Identify additional	BD, ED  BD, ED	Ongoing  ongoing
	3.1.4			



LCL Three-Year  
Strategic Plan

9.2	9.2.1			
	9.2.2			
Measures of Success: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3				
Goal 3: Maintain and Improve Outreach and Communication				
Strategic Area <b>"B"</b> Message delivery	Action Items	Next Steps	Responsible	Milestone Status Update
10.1 Speaker network	10.1.1 CLEs etc.	Increase speaker network Increase staff capacity	E & O, ED BD	Ongoing complete
	10.1.2 PSA opportunities	Identify opportunities Increase access	All	ongoing
	10.1.3 Develop and promote elevator speech	Prepare and distribute and train	All	On board portal
	10.1.4			
10.2 Website and social media	10.2.1 better utilization of social media	More posts Emphasize confidentiality	ED ED	ongoing complete
	10.2.2 add communication methods – podcasts?	Explore and make decisions Implement decision	E & O ED	2 No podcasts yet, but we have a You Tube channel
	10.2.3 Create policy	Ensure policy is followed	E & O, BD	Completed, may need revision
	10.2.4 Identify best message delivery methods	Gather Review surveys	ED,	2 No surveys during pandemic
Measures of Success: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3				

LCL Three-Year  
Strategic Plan

Goal 3: Maintain and Improve Outreach and Communication				
Strategic Area <b>“C”</b> Relationships and partnerships	Action Items	Next Steps	Responsible	Milestone Status Update
11.1 Develop and enhance partnerships with CLE and other programming providers	11.1.1		ED, E&O	PSAs and tables at institutes
	11.1.3 Place insert in materials	Follow up with MN CLE	ED	complete
	11.1.4			
11.2 Identify and build/develop relationships with target audiences	11.2.1 Focus outreach on each constituency: bars, regulators, judiciary, law schools, constituent groups (e.g. legal services)	<b>Be a “go to” for programs</b> at institutes, etc. Presence on organizational websites	BD, ED BD, ED	ongoing
	11.2.2 Develop liaisons	Identify more opportunities and people	all	Should happen every board year
	11.2.3 Conferences	Identify opportunities Increase access Exhibit tables		Tabling opportunities returned after pandemic
	11.2.4 Better marketing regarding special credit availability	Create a plan	BD, ED	E & O initiative for 24-25?
11.3 Develop program model for individual employers	11.3.1 Menu	Create menu	E&O, BD	Menu sent in messages
	11.3.2			
Measures of Success: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3				
Goal 3: Maintain and Improve Outreach and Communication				
Strategic Area <b>“D”</b> Ensure capacity to deliver education and outreach	Action Items	Next Steps	Responsible	Milestone Status Update

LCL Three-Year  
Strategic Plan

12.1 Staffing	12.1.1	Add E & O staff		complete
	12.1.2			
12.2	12.2.1			
	12.2.2			
Measures of Success: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3				
Goal 4: Governance and Infrastructure Committee – N & G				
Strategic Area <b>“A”</b> Board	Action Items	Next Steps	Responsible	Milestone Status Update
13.1 Composition and structure	13.1.1 Committees	Review committee structure, compare with others	N & G	annual
	13.1.2 Diversity - demographics	Continue efforts	BD, N & G	ongoing
	13.1.3 Diversity - profession	Continue effort	BD, N & G	ongoing
	13.1.4			
13.2 Board duties and engagement	13.2.1 Charities review council principles	Review policies to ensure compliance every 3 years	ED, BD	Due in 2025, Joan will complete
	13.2.2 Council on Nonprofits standards	Continue to share Enhance new board training to better reflect Principles and Practices for Nonprofit Excellence		1 1
	13.2.3 Increase board engagement	Consider attendance policy Add attendance to board orientation	N & G	2024 Bylaw change complete
	13.2.4			

LCL Three-Year  
Strategic Plan

13.3 Relationships and partnerships	13.3.1			
	13.3.2			
Measures of Success: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3				
Goal 4: Governance and Infrastructure				
Strategic Area <b>"B"</b> Staff	Action Items	Next Steps	Responsible	Milestone Status Update
14.1 Optimum staffing plan	14.1.1 Evaluate staff functions and needs	Make decision	ED, Exec Comm.	Need with transition
	14.1.2 Growth areas - Outreach Fund Development	Evaluate specific needs, create justification	ED, Exec. Comm., BD	1
	14.1.3			
14.2 Succession planning	14.2.1 Understand ED duties	Contingency Long-term	EC, ED	ongoing – recruiter has been retained
	14.2.2			
	14.2.3			
	14.2.7			
14.3	14.3.1			
	14.3.2			
Measures of Success: <input type="checkbox"/> Year 1 <input type="checkbox"/> Year 2 <input type="checkbox"/> Year 3				
Goal 4: Governance and Infrastructure				



LAWYERS CONCERNED FOR LAWYERS  
BOARD MEETING AGENDA  
May 15, 2025, 7:30 a.m. – 9:00 a.m.

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/81998356740?pwd=TjbhH0lo7KdHciMTU5sWvuUsYGIhjl.1>**

**Meeting ID:** 819 9835 6740

If you are unable to join via Zoom: call +1 312 626 6799

**Items Requiring Board Action/Discussion:**

Approval of Minutes

Financial Statements for March and April

LCL Breakfast

Strategic planning

Charities Review Council

Succession update

Committee reports

New members

1. Approval of the March 20, 2025 regular meeting and April 24 special meeting minutes
2. Chair's Report
  - 2.1 Succession
  - 2.2 Strategic Planning
3. Treasurer's Report
  - 3.1 Financial statements for March and April
4. Executive Director's Report
  - 4.1 Activity Report
  - 4.2 LCL Breakfast decisions – date, venue, planner
  - 4.3 Well-Being Initiatives
  - 4.4 New members
  - 4.5 Budget process update
  - 4.6 Charities Review Council
5. Committee & Task Force Reports
  - 5.1 Nominations and Governance
  - 5.2 Educations and Outreach
  - 5.3 Cases
  - 5.4 Events
6. Other Business and Upcoming Events

*Upcoming Events –*

- MN AG, Mental Health with a Focus on Trauma in the Legal Profession and in the Practice of Law, 5/15
- MJF Summer Fellowship program, 5/16
- Mental Health and Substance Use in the Legal Profession and in the Practice of Law, law firm, 5/20

- Supporting Lawyer Well-Being: Managing the Pressures of a Rapidly Changing, High Stake Employment Law Landscape, MN CLE Employment Law Institute, 5/20
- Lawyers: Learn to "partner" with your Nervous System for reduced stress, greater resilience, and enhanced performance, LCL CLE, 5/20
- Thriving in the Practice of Law-Women, Wellness and the Future, Warren E Burger Inns of Court, 5/21
- Perfecting without Perfectionism: How to Strive for Excellence Without Stressing Out Over Unrealistic Ideals, 5/22, MSBA New Lawyers
- Mental Health and Substance Use in the Practice of Family Law-Suicide Prevention and Awareness, 5/22, MN CLE
- Surviving and Thriving, SMRLS In-service, 5/22
- Shielding the Carer: Understanding and Managing Secondary Trauma in the Legal Profession, 5/28, OAH
- Help for Colleagues in Crisis, 5/28, law firm
- The Arc of Recovery and the Legal Profession, 5/28, MSBA, LCL, MDisBA, LCL Breakfast follow-up. Use ARCRecovery as promo code if not an MSBA member
- Help for Colleagues in Crisis, 5/29, Otter Tail County Bar, Fergus Falls
- Mental Health and Substance Use in the Legal Profession and in the Practice of Law, 5/30, 7<sup>th</sup> District Bar
- Secondary Trauma and Empathy Distress Fatigue in Legal Professionals, 5/30, AILA MNDAA
- Hennepin Bar Memorial, 5/30, 625 Building, Minneapolis
- Getting Your Bounce Back: Resiliency in the Face of Uncertainty, 6/3, OAH
- Mental Health and Substance Use in the Legal Profession and in the Practice of Law, 6/4, law firm
- Shielding the Carer: Understanding and Managing Secondary Trauma in the Legal Profession, 6/5, MCAA, Alexandria
- Shielding the Carer: Understanding and Managing Secondary Trauma in the Legal Profession, 6/6, HCBA
- Retirement on Trial, MSBA Senior Lawyers, LCL, 6/9
- Perfecting without Perfectionism: How to Strive for Excellence Without Stressing Out Over Unrealistic Ideals, 6/10, MN CLE webcast
- Perfecting without Perfectionism: How to Strive for Excellence Without Stressing Out Over Unrealistic Ideals, 6/11, law firm
- Understanding Stress, Trauma, Substance Use and Mental Illness in the Legal Profession. 6/12, SBAND, Bismarck
- LCL meeting with MN Supreme Court, 6/12
- Interrupting Bias While Surviving and Thriving in Challenging Times, 6/17, law firm
- Suicide Prevention, including QPR, with NAMI, 6/18
- Secondary trauma program, 6/18, law firm
- Mental Health & Substance Use in the Legal Profession and in the Practice of Law, 6/20, MSCJ
- Understand Stress, Trauma, Addiction and Bias in the Legal Profession, 6/30, MN CLE
- LCL Annual Meeting, June 23 or 27
- Perfecting Without Perfectionism: How to Strive for Excellence Without Stressing Out over Unrealistic Ideals, 7/23, law firm
- Mental Health and Substance Use in the Practice of Law, 7/25, MN CLE
- From Isolation to Connection, 7/28, MN CLE webcast
- MN CLE Solo Small Conference, Duluth, 8/4-5

***Groups – all are remote until further notice unless otherwise indicated – contact LCL for further details***

- Bar None AA Meetings: Tues & Thurs, 12:30 p.m., via Zoom – see LCL website – in-person location not currently in place. Mon., 12:15 p.m., **via phone** and in-person – **seeking trusted servant volunteers for substitutions.**
- Therapist facilitated Well-Being Support Groups: Thursday noon, via Zoom
- Family Support Group: Twice monthly via Zoom
- Lawyers in Transition – future uncertain
- Discipline in Practice – Monthly, hybrid
- AD/HD Support Group – Twice monthly via Zoom
- MWL cosponsored Parenting Group – once monthly
- Solo/Small group – monthly via Zoom
- Retirement group – planning stages

<https://www overeaters.org/>

<https://www.caminnnesota.org/>

<https://saa-recovery.org>

<https://www.gamblersanonymous.org/ga/>

<https://www.al-anon-alateen-msp.org/>

<http://www.minnesotarecovery.info/OtherMN12StepGroups.htm>

<https://www.allinahealth.org/health-conditions-and-treatments/grief-resources>

<https://www.naminnnesota.org/>

<https://www.aaminneapolis.org/> – includes links to St. Paul and greater Minnesota sites

<https://allonehealth.com/allone-health-locations/sandcreekeap/>

## 7. Adjourn

Next Regular Meeting: July 17, 7:30 a.m.



# **LAWYERS CONCERNED FOR LAWYERS**

## **MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS**

**MARCH 20, 2025**

**7:30 A.M.**

**VIA ZOOM VIDEOCONFERENCE AND AT THE LCL OFFICE**

Directors in attendance: Chair Jennifer Anderson, Chair-Elect Hon. Donovan Frank, Secretary Amanda Harrington, Treasurer Kate MacKinnon, Past-Chair Andrew Mohring, Kendra Brodin, Howard Carp, Benjamin Carpenter, Edward Cassidy, Grace Chanin, Kenneth Cheek, Paul Cornick, Hon. Martin Fallon, Kris Fredrick, Matt Holson, Bekah Muta, Natalie Netzel, and Vincent Pham.

Directors excused/absent: Justin Page, Jude Schmit.

Executive Director Joan Bibelhausen and Office Manager Annette Erbst were also present.

Chair Anderson called the meeting to order at approximately **7:30 a.m.** A quorum was reached at that time.

### **Items Requiring Board Action/Discussion:**

Approval of Minutes

Financial Statements for January and February

LCL Breakfast

Strategic Planning

LCL 25-27 Budget

New members

### **ITEMS OF BUSINESS**

1. **APPROVAL of January 16, 2025, REGULAR MINUTES.** Upon a motion made by Brodin, seconded by Mohring, January 16, 2025, regular meeting Minutes were approved.

2. **CHAIR'S REPORT**

2.1 Succession. Chair Anderson turned the floor over to task force chair Andrew Mohring. The executive director position has been posted, is circulating and applications are coming in. The task force is scheduled to meet in April to begin screening applicants. A set of questions has been prepared by the task force to get to know and evaluate the applicants. Board members are strongly encouraged to send the position description to people who may be interested in and a good fit for the position.

2.2 Strategic Planning. Chair Anderson is scheduling the third strategic planning session with Judge Reyes with a mid-to-late June anticipated date, with hopes that the successor ED will be able to attend.

2.3 Budget Considerations. The two-year budget for fiscal years 2025-2027 is due to be delivered to LSAC at the end of April. Chair Anderson opened a discussion regarding staff salaries and presented information regarding comparable salaries in the legal profession. After lengthy discussion, Cassidy made a motion to increase staff salaries so that they are competitive and address the risks going forward by bringing in donations to support these increases. Second by Carpenter. Friendly amendment to put in the budget beginning July 1. Following discussion, a motion to table and undergo a full budget discussion on another date was made by Mohring, Seconded by Carpenter. The motion carried. The board agreed to meet on April 24 at 7:30 a.m. for a full budget discussion.

### **3. TREASURERS REPORT**

3.1 Treasurer MacKinnon reported that everything looks good for January and February and moved that the financial reports be approved. Second by Jennifer Anderson. Motion carried.

### **4. EXECUTIVE DIRECTOR'S REPORT**

4.1 Activity Report. Bibelhausen reported that there were 22 distinct, substantive presentations in February.

4.2 LCL Breakfast. We have met our sponsorship goal for the 2025 Stepping Up Breakfast with additional sponsors and supporters possible.

4.3 Well-Being Initiatives. Bibelhausen will be meeting with Justice Moore to discuss several matters in the next few weeks.

4.4 New Members – Bibelhausen presented one individual for membership. Motion to admit by Brodin, seconded by Holson. Motion carried.

### **5. Committee & Task Force Reports.**

5.1 Nominations and Governance. Carpenter reported that the committee met and is in the process of establishing a slate of officers and potential new board members.

5.2 Education and Outreach. Bibelhausen reported as board member Netzel had to leave the meeting. The committee met and discussed ways to make the most of what board members are interested in. MacGillis has been meeting with those who have completed the outreach survey. The committee also talked about ways that LCL could promote events that members of the board are involved in or presenting at.

5.3 Cases. Chanin reported that the committee met in February with 12 attendees. They discussed cases, updates to the Bar None meeting, treatment center visits, and topics for future meetings.

5.4 Events. Brodin reported that the committee has been having regular planning meetings and encouraged everyone to attend the Stepping Up Breakfast. Sponsorships are available.

### **6. Other Business and Upcoming Events.**

6.1 Joan highlighted the Upcoming Events listed on the agenda.

### **7. Motion to Adjourn.** Motion to adjourn by Mohring, second by Brodin. The meeting was adjourned at 9:00 a.m.

Respectfully submitted by

Amanda Harrington, Secretary

Minutes recorded by Annette Erbst, Office Manager

Special Session: April 24, 2025, 7:30 a.m. - Zoom

Next Regular Meeting: May 15, 2025, 7:30 a.m. – Hybrid

**LAWYERS CONCERNED FOR LAWYERS**

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS**

**APRIL 24, 2025**

**7:30 A.M.**

**VIA ZOOM VIDEOCONFERENCE**

Directors in attendance: Chair Jennifer Anderson, Chair-Elect Hon. Donovan Frank, Secretary Amanda Harrington, Treasurer Kate MacKinnon, Past-Chair Andrew Mohring, Kendra Brodin, Howard Carp, Benjamin Carpenter, Edward Cassidy, Kenneth Cheek, Hon. Martin Fallon, Matt Holson, Bekah Muta, Natalie Netzel, and Vincent Pham.

Directors excused/absent: Jude Schmit, Hon. Martin Fallon, Paul Cornick, Grace Chanin, Justin Page

Executive Director Joan Bibelhausen and Office Manager Annette Erbst were also present. Erbst left the meeting prior to the vote.

Chair Anderson called the meeting to order at approximately **7:30 a.m.** A quorum was reached at that time.

**Items Requiring Board Action/Discussion:**

LCL 2025-2027 Budget

**ITEMS OF BUSINESS**

1. **APPROVAL of Proposed 2025 – 2027 budget.** The LCL Board considered a budget proposal that included staff salary increases, and other items related to expected normal increases. The proposed budget includes a 1.5% increase in the LSAC grant and an assumption that some money will need to be spent from LCL's very healthy reserve. After a robust discussion, Mohring moved that the budget prepared by staff be submitted to LSAC for approval by the Minnesota Supreme Court. Seconded by Holson. Motion approved.
2. Motion to Adjourn. Motion to adjourn by Mohring, second by Brodin. The meeting was adjourned at 9:00 a.m.

Respectfully submitted by

Amanda Harrington, Secretary

Minutes recorded by Joan Bibelhausen, Executive Director

Next Regular Meeting: May 15, 2025, 7:30 a.m. – Hybrid

Lawyers Concerned for Lawyers											
2024-2025 YTD Financial Report											
as of 4/30/2025											
(Preliminary before audit)											
	Actual April '25	Actual May '25	Actual June '25	Monthly Budget	Variance (Month)	Actual -YTD	Budget YTD	Variance YTD	YTD Budget vs. Actual - Percentage	24 - 25 Budget	Remaining Budget
<b>Ordinary Income/Expense</b>											
<b>Receipts</b>											
4010 - Grant from LSAC	26,040.75			\$ 52,083.33	\$ (26,042.58)	\$625,000.00	\$520,833.33	\$ 104,166.67	120.00%	\$ 625,000.00	\$ -
4100 - Contributions											
4111 - Member Contributions	26.50			\$ 1,416.67	\$ (1,390.17)	14,534.43	14,166.67	367.76	102.60%	17,000.00	2465.57
4112 - Non-Member Contributions	100.00			\$ 1,333.33	\$ (1,233.33)	17,250.83	13,333.33	3,917.50	129.38%	16,000.00	(1250.83)
4113 - Foundation Grants	-			\$ 1,666.67	\$ (1,666.67)	3,750.00	16,666.67	(12,916.67)	22.50%	20,000.00	16250.00
4114 - Firm Contributions	-			\$ 1,183.33	\$ (1,183.33)	2,525.00	11,833.33	(9,308.33)	21.34%	14,200.00	11675.00
4115 - Founders Memorial Fund	-			\$ 500.00	\$ (500.00)	7,600.00	5,000.00	2,600.00	152.00%	6,000.00	(1600.00)
4116 - Corporate Contributions	-			\$ 1,333.33	\$ (1,333.33)	37,935.01	13,333.33	24,601.68	284.51%	16,000.00	(21935.01)
4117 - Bar Associations	100.00			\$ 1,416.67	\$ (1,316.67)	7,075.00	14,166.67	(7,091.67)	49.94%	17,000.00	9925.00
Total 4100 - Contributions	\$ 226.50	\$ -	\$ -	\$ 8,850.00	\$ (8,623.50)	\$ 90,670.27	\$ 88,500.00	\$ 2,170.27	102.45%	\$ 106,200.00	\$ 15,529.73
4200 Investment Income											
4215 - Interest Income	208.01			\$ 41.67	\$ 166.34	2,492.44	416.67	2,075.77	598.19%	500.00	(1992.44)
Total 4200 Investment Income	\$ 208.01	\$ -	\$ -	\$ 41.67	\$ 166.34	\$ 2,492.44	\$ 416.67	\$ 2,075.77	598.19%	\$ 500.00	\$ (1,992.44)
4300 - Other Revenue											
4316 - Other Receipts	1,250.00			\$ 83.33	\$ 1,166.67	1,961.66	833.33	1,128.33	235.40%	1,000.00	(961.66)
4380 - Program Fees and Honoraria	-			\$ 458.33	\$ (458.33)	3,374.00	4,583.33	(1,209.33)	73.61%	5,500.00	2126.00
Total 4300 Other Revenue	\$ 1,250.00	\$ -	\$ -	\$ 541.67	\$ 708.33	\$ 5,335.66	\$ 5,416.67	\$ (81.01)	98.50%	\$ 6,500.00	\$ 1,164.34
Total Receipts	\$ 27,725.26	\$ -	\$ -	\$ 61,516.67	\$ (33,791.41)	\$723,498.37	\$615,166.67	\$ 108,331.70	117.61%	\$ 738,200.00	\$ 14,701.63
<b>Expense</b>											
5000 - Admin & Prog. Gen'l. Expenses											
5010 - Salaries & Benefits											
5011 - Salaries	39,565.02			\$ 38,645.83	\$ 919.19	395,654.76	386,458.33	9,196.43	102.38%	463,750.00	68095.24
5012 - Payroll Taxes	3026.72			\$ 2,991.67	\$ 35.05	30,501.14	29,916.67	584.47	101.95%	35,900.00	5398.86
5013 - Retirement	963.06			\$ 1,158.33	\$ (195.27)	9,630.60	11,583.33	(1,952.73)	83.14%	13,900.00	4269.40
5016 - Insurance-Work Comp/LTD/Life	265.58			\$ 291.67	\$ (26.09)	3,261.12	2,916.67	344.45	111.81%	3,500.00	238.88
5017 - Licenses	-			\$ 83.33	\$ (83.33)	915.00	833.33	81.67	109.80%	1,000.00	85.00
5018 - Medical Costs Reimbursement	3,625.00			\$ 3,625.00	\$ -	36,250.00	36,250.00	-	100.00%	43,500.00	7250.00
5020 - Payroll Expenses	87.36			\$ 125.00	\$ (37.64)	1,353.08	1,250.00	103.08	108.25%	1,500.00	146.92
Total 5010 - Salaries & Benefits	\$ 47,532.74	\$ -	\$ -	\$ 46,920.83	\$ 611.91	\$477,565.70	\$469,208.33	\$ 8,357.37	101.78%	\$ 563,050.00	\$ 85,484.30
5021 - Staff & Board Cont. Education											
5022 - Registration & Fees	91.00			\$ 250.00	\$ (159.00)	2,649.76	2,500.00	149.76	105.99%	3,000.00	350.24
5023 - Organizational Memberships	-			\$ 208.33	\$ (208.33)	2,767.33	2,083.33	684.00	132.83%	2,500.00	(267.33)
5024 - Educational Materials	-			\$ -	\$ -	-	-	-	-	-	-
Total 5021 - Staff & Board Cont. Education	\$ 91.00	\$ -	\$ -	\$ 458.33	\$ (367.33)	\$ 5,417.09	\$ 4,583.33	\$ 833.76	118.19%	\$ 5,500.00	\$ 82.91
5100 - Rent & Utilities											
5131 - Rent	5,697.22			\$ 5,625.00	\$ 72.22	55,923.66	56,250.00	(326.34)	99.42%	67,500.00	11576.34
5132 - Telephone and Internet	726.52			\$ 750.00	\$ (23.48)	7,448.79	7,500.00	(51.21)	99.32%	9,000.00	1551.21
Total 5100 - Rent & Utilities	\$ 6,423.74	\$ -	\$ -	\$ 6,375.00	\$ 48.74	\$ 63,372.45	\$ 63,750.00	\$ (377.55)	99.41%	\$ 76,500.00	\$ 13127.55
5200 - Office Expenses											
5219 - Meeting Expense				\$ 41.67	\$ (41.67)	181.05	416.67	(235.62)	43.45%	500.00	318.95
5230 - Copier Lease	232.67			\$ 233.33	\$ (0.66)	2,286.90	2,333.33	(46.43)	98.01%	2,800.00	513.10
5233 - Office Equip and Maint.	-			\$ 108.33	\$ (108.33)	73.72	1,083.33	(1,009.61)	6.80%	1,300.00	1226.28
5234 - Office Supplies	58.59			\$ 125.00	\$ (66.41)	924.83	1,250.00	(325.17)	73.99%	1,500.00	575.17
5235 - Printing-Office Supplies	-			\$ 41.67	\$ (41.67)	195.00	416.67	(221.67)	46.80%	500.00	305.00

		Actual April '25	Actual May '25	Actual June '25	Monthly Budget	Variance (Month)	Actual -YTD	Budget YTD	Variance YTD	YTD Budget vs. Actual - Percentage	24 - 25 Budget	Remaining Budget
	5236 - Postage - General	-			\$ 33.33	\$ (33.33)	146.00	333.33	(187.33)	43.80%	400.00	254.00
	5237 - Bank/Service Charges	24.08			\$ 12.50	\$ 11.58	369.42	125.00	244.42	295.54%	150.00	(219.42)
	5238 - Insurance-Dir Off & Gen'l Liab	1,592.00			\$ 658.33	\$ 933.67	5,470.74	6,583.33	(1,112.59)	83.10%	7,900.00	2429.26
	5241 - Service Recognition	-			\$ 41.67	\$ (41.67)	63.68	416.67	(352.99)	15.28%	500.00	436.32
	5255 - Miscellaneous	-			\$ -	\$ -	514.84	-			-	(514.84)
	5260 - Depreciation	491.92			\$ 416.67	\$ 75.25	4,618.16	4,166.67	451.49	110.84%	5,000.00	381.84
	5265 - Technology	910.78			\$ 208.33	\$ 702.45	3,065.52	2,083.33	982.19	147.14%	2,500.00	(565.52)
	5270 - Database Expense	417.00			\$ 408.33	\$ 8.67	4,170.00	4,083.33	86.67	102.12%	4,900.00	730.00
	Total 5200 - Office Expenses	\$ 3,727.04	\$ -	\$ -	\$ 2,329.17	\$ 1,397.87	\$ 22,079.86	\$ 23,291.67	\$ (1,726.65)	94.80%	\$ 27,950.00	5870.14
	5300 - Accounting											
	5301 - Accounting	\$ -	\$ -		\$ 916.67	\$ (916.67)	\$ 17,446.76	9,166.67	8,280.09	190.33%	\$ 11,000.00	(6446.76)
	5400 - Outside Professional Services	-			\$ 166.67	\$ (166.67)	-	1,666.67	(1,666.67)	0.00%	2,000.00	2000.00
	5400 - Outside Professional Services	\$ -	\$ -	\$ -	\$ 166.67	\$ (166.67)	\$ -	1,666.67	\$ (1,666.67)	0.00%	2,000.00	2000.00
	5500 - Travel Expense											
	5501 - Airline/hotel	-			\$ 625.00	\$ (625.00)	7,139.56	6,250.00	889.56	114.23%	7,500.00	360.44
	5502 - Meals	27.24			\$ 62.50	\$ (35.26)	495.20	625.00	(129.80)	79.23%	750.00	254.80
	5503 - Mileage-Parking	398.18			\$ 333.33	\$ 64.85	4,972.69	3,333.33	1,639.36	149.18%	4,000.00	(972.69)
	Total 5500 - Travel Expense	\$ 425.42	\$ -	\$ -	\$ 1,020.83	\$ (595.41)	\$ 12,607.45	\$ 10,208.33	\$ 2,399.12	123.50%	\$ 12,250.00	(357.45)
	5600 - Public Awareness											
	5601 - Website	175.00			\$ 100.00	\$ 75.00	1,797.80	1,000.00	797.80	179.78%	1,200.00	(597.80)
	5602 - Advertising/Marketing	1,537.48			\$ 250.00	\$ 1,287.48	2,019.98	2,500.00	(480.02)	80.80%	3,000.00	980.02
	5603 - Postage - Membership & Bulk	-			\$ 300.00	\$ (300.00)	3,814.84	3,000.00	814.84	127.16%	3,600.00	(214.84)
	5604 - Printing-Public Awareness	-			\$ 1,125.00	\$ (1,125.00)	12,047.15	11,250.00	797.15	107.09%	13,500.00	1452.85
	5605 - Education Outreach	-			\$ 8.33	\$ (8.33)	104.50	83.33	21.17	125.40%	100.00	(4.50)
	5606 - Conference /Institute Fees	50.00			\$ 10.42	\$ 39.58	50.00	104.17	(54.17)	48.00%	125.00	75.00
	5608 - Educational Materials	-			\$ 12.50	\$ (12.50)	-	125.00	(125.00)	0.00%	150.00	150.00
	Total 5600 - Public Awareness	\$ 1,762.48	\$ -	\$ -	\$ 1,806.25	\$ (43.77)	\$ 19,834.27	\$ 18,062.50	1,771.77	109.81%	\$ 21,675.00	1840.73
	Total 5000 - Admin & Prog. Gen'l. Expenses	\$ 59,962.42	\$ -	\$ -	\$ 59,993.75	\$ (31.33)	\$ 618,323.58	\$ 599,937.50	\$ 17,871.24	103.06%	\$ 719,925.00	\$ 101,601.42
	5700 - Direct Service Expense											
	5701 - Assmt & Short Term Counsel	3,866.00			\$ 2,883.33	\$ 982.67	27,266.00	28,833.33	(1,567.33)	94.56%	34,600.00	7334.00
	5702 - 24 Hour Crisis Line	1,200.00			\$ 1,100.00	\$ 100.00	12,000.00	11,000.00	1,000.00	109.09%	13,200.00	1200.00
	5703 - Group Therapy	1,300.00			\$ 1,200.00	\$ 100.00	13,000.00	12,000.00	1,000.00	108.33%	14,400.00	1400.00
	5704 - LCL Group Facilitation	600.00			\$ 600.00	\$ -	5,100.00	6,000.00	(900.00)	85.00%	7,200.00	2100.00
	5706 - Treatment Services	140.00			\$ 500.00	\$ (360.00)	6,705.06	5,000.00	1,705.06	134.10%	6,000.00	(705.06)



# Lawyers Concerned for Lawyers

## Balance Sheet

As of April 30, 2025

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
1014 Bremer Money Market	104,544.54
1015 Bremer Community Business	184,769.51
1016 Bremer CDs	300,000.00
1040 Petty cash	133.45
<b>Total Bank Accounts</b>	<b>\$589,447.50</b>
Accounts Receivable	
1110 Accounts Receivable	109,636.89
11200 Pledges receivable	50.00
<b>Total Accounts Receivable</b>	<b>\$109,686.89</b>
Other Current Assets	
1350 Prepaid Expenses	6,600.59
1510 PayPal	26.50
<b>Total Other Current Assets</b>	<b>\$6,627.09</b>
<b>Total Current Assets</b>	<b>\$705,761.48</b>
Fixed Assets	
1400 Computer Hardware	49,628.87
1425 Leasehold Improvements	2,147.49
1450 Office Equipment	18,230.30
1460 Website Development	11,249.50
1475 Accumulated Depreciation	-70,413.00
1480 ROU Asset	84,444.07
<b>Total Fixed Assets</b>	<b>\$95,287.23</b>
Other Assets	
1700 Security Deposit	3,786.00
<b>Total Other Assets</b>	<b>\$3,786.00</b>
<b>TOTAL ASSETS</b>	<b>\$804,834.71</b>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable	15,425.46
<b>Total Accounts Payable</b>	<b>\$15,425.46</b>
Other Current Liabilities	
2220 Accrued Vacation	6,788.75
2250 Long-Term Lease Liability	53,979.53
2260 Short-Term Lease Liability	33,019.31
<b>Total Other Current Liabilities</b>	<b>\$93,787.59</b>

	TOTAL
<b>Total Current Liabilities</b>	<b>\$109,213.05</b>
<b>Total Liabilities</b>	<b>\$109,213.05</b>
Equity	
3900 Unrestricted Net Assets	542,208.09
3905 Temp Restricted Net Assets	65,916.56
Net Revenue	87,497.01
<b>Total Equity</b>	<b>\$695,621.66</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$804,834.71</b>



# Lawyers Concerned for Lawyers

## Statement of Cash Flows

April 2025

	TOTAL
OPERATING ACTIVITIES	
Net Revenue	-54,861.59
Adjustments to reconcile Net Revenue to Net Cash provided by operations:	
1110 Accounts Receivable	-11,170.75
1510 PayPal	-1.50
2000 Accounts Payable	-676.07
<b>Total Adjustments to reconcile Net Revenue to Net Cash provided by operations:</b>	<b>-11,848.32</b>
<b>Net cash provided by operating activities</b>	<b>\$ -66,709.91</b>
INVESTING ACTIVITIES	
1475 Accumulated Depreciation	491.92
<b>Net cash provided by investing activities</b>	<b>\$ 491.92</b>
<b>NET CASH INCREASE FOR PERIOD</b>	<b>\$ -66,217.99</b>
Cash at beginning of period	655,665.49
<b>CASH AT END OF PERIOD</b>	<b>\$589,447.50</b>

**Lawyers Concerned for Lawyers**  
**Founder's Fund**  
**Income & Expense Statement**  
**April 30, 2025**  
*(Preliminary before audit)*

<b>Beginning Balance as of:</b>	<b>April 1, 2025</b>	<b>\$ 75,692.97</b>
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**Income:**

Contributions

Memorials

Grant

Other

<b>Total Income</b>	<b>\$ -</b>
---------------------	-------------

**Expenses:**

Medication Grant

Psychiatric/Counseling Visits

Rehabilitation Centers

Treatment related expenses

Other -

Services for one individual	\$ 140.00
-----------------------------	-----------

<b>\$ -</b>
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<b>Total Expenses</b>	<b>\$ 140.00</b>
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<b>April 30, 2025</b>	<b>\$ 75,552.97</b>
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**Lawyers Concerned for Lawyers**  
**2024 Stepping Up Breakfast**  
**Preliminary Income & Expense**  
**April 30, 2025**  
*(Preliminary before audit)*

**Income:**

Individual Ticket Sales	\$	4,534.40
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**Sponsors**

Platinum x1	\$	10,000.00
Gold x2		13,000.00
Silver x5		13,345.00
Bronze x14		32,500.00
Supporters x9		4,320.00
Supporters - Law Schools		1,560.00
Venmo donations		1,200.00
Barter amount - Bronze sponsor		2,500.00
Donations x9		1,485.00
<b>Preliminary Income</b>	<b>\$</b>	<b>84,444.40</b>

**Expenses:**

Event Planner	Ripple Events	\$	8,000.00
Catering and Venue	The Lofton	\$	22,289.78
Event - awards, swag & centerpieces	Luggage tags, awards, misc.	\$	2,564.71
Guest Speaker	Honorarium	\$	-
Marketing	Logo, Invitations, Heyzine	\$	1,778.00
Barter amount for advertising		\$	2,500.00
Platform fees	Qgiv	\$	452.74
	Venmo	\$	23.80
Staff expenses	Mileage	\$	14.56
Outstanding expenses (est.)		\$	325.00
	<b>Preliminary Expenses</b>	<b>\$</b>	<b>37,948.59</b>

**Preliminary Revenue \$ 46,495.81**

**Notes:**

Outstanding Pledges (included above)	\$	20,650.00
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**268 Registered Guests**

**29 No-Shows**

# Lawyers Concerned for Lawyers

## Outreach & Activity Report

### March 2025

LCL's March outreach included a new program presented to the MSBA Family Law Section, a trip to speak to the Range Bar in Chisholm, several programs for Minnesota CLE and other organizations, as well as a paralegal class and two law school classes.

#### 1. Education & Outreach

- LCL CLEs and major presentations
  - *Mindfulness for Lawyers and Avoiding Burnout as an Ethical Imperative*, LCL presents in-house CLEs with guest speakers
  - *Implicit Bias in the Legal profession: Mental health and Double Stigma*, MN CLE Constitutional Law Series
  - *From Isolation to Connection: Supporting Mental Health in the Legal Profession*(new), Range Bar, Chisholm
  - *Archetype of the Addictive Family*(new), MSBA Family Law Section
  - *Mental Health and Substance Use in the Legal Profession and in the Practice of Law*, MN CLE Auto insurance CLE and Minnesota Counties Computer Cooperative
  - *Using Personal leave to Promote Lawyer Well-Being--the How, when and Why of the New Rule 18*, MN CLE Litigation Update
  - *Perfecting Without Perfectionism: How to Strive for Excellence Without Stressing Out Over Unrealistic Ideals*, Minnesota corporate legal department
  - *Help for Colleagues in Crisis: Recognizing and Responding to Impairment and Other Challenges in the Legal Profession*, MN CLE Family Law Institute
  - *Clients in Crisis: Helping Yourself, Helping Your Client*, SMRLS staff
- Law school outreach
  - LCL spoke in judicial externship and professional responsibility classes at St. Thomas
  - LCL hosted exhibit tables at each law school
  - LCL offered *Secondary Trauma and Empathy Distress Fatigue in the Legal Profession* to paralegals at North Hennepin Community College.
- Short presentations and PSAs
  - Affinity Bar quarterly summit
  - MDisBA annual meeting
  - HCBA Board
- Networking and Connection Building
  - MHBA Gala
  - FBA Affinity Bar Meet and Greet
  - MN CLE post institute reception
- Exhibit tables
  - MN CLE Family Law Institute and Civil Litigation Update
  - All law schools

- Publications and social media
  - LCL offered a variety of well-being tips on social media platforms.
  - LCL published the blog post, Getting a Grip on Imposter Syndrome: Turning Self-Doubt into Self-Confidence.

## **2. Bar Associations and Professional Organizations**

- LCL attended meetings of various bar committees including the ABA CoLAP Law School and Conference committees, the Tri-Bar CLE and Well-Being committees, The FBA Diversity committee, and the planning committee for an annual Women of Color event.
- LCL is active in a national consortium on judicial well-being which will be issuing a new judicial survey.

## **3. Operations**

- The search for LCL's next Executive Director was activated.
- The LCL Breakfast Committee continued planning an April 2025 event.
- Other LCL committees met during the month.

## **4. Client Activity**

LCL helped 40 new clients in March. We assisted 12 people with substance use issues and 22 presented with mental health issues (including some overlap). General stress, career, and family/relationship issues were the most common personal concerns. We assisted 27 men and 13 women. We helped 33 lawyers, 7 law students, and 1 family member.

LCL's Family, ADHD, Solo Small, and Well-Being groups met remotely, along with a parenting group we are facilitating for Minnesota Women Lawyers. LCL's Discipline group met in a hybrid format. LCL also hosts a weekly open 12-step group. We do not include the 12-step group attendance in our monthly group attendance reports as it is not an LCL "sponsored" group.

# Lawyers Concerned for Lawyers Outreach & Activity Report April 2025

LCL's April programs included the annual Stepping-Up breakfast where keynote speaker William Moyers discussed the arc of recovery. LCL also traveled to Duluth for a presentation.

## 1. Education & Outreach

- LCL CLEs and major presentations
  - *Mental Health and Substance Use in the Legal Profession and in the Practice of Law*, 11<sup>th</sup> District Bar, Duluth, and MN CLE Environmental Law Institute
  - *Shielding the Carer: Understanding and Managing Secondary Trauma in the Legal Profession*, Ramsey County Law Library and the MSBA Civil Trail Specialist seminar
  - *Perfecting Without Perfectionism: How to Strive for Excellence Without Stressing Out Over Unrealistic ideals*, LCL In-House CLE and Hennepin County Attorney's Office
  - *Help for Colleagues in Crisis: Recognizing and Responding to Impairment and Other Challenges in the legal Profession*, Dakota County Bae Association
  - *Tools and Paths for Overcoming Substance Use for Legal Professionals*, MLM
  - *Clients in Crisis: Helping Yourself, Helping Your Client*, MN CLE webcast
  - *From Isolation to Connection: Supporting Mental health in the Legal Profession*, LCL In house CLE
  - *New Judge Orientation Program*
- Law school outreach
  - Community Justice Project class and a well-being lunch and learn at St. Thomas
  - U of M PR class
  - HCBA summer clerk orientation
  - LCL hosted exhibit tables at each law school
- Short presentations and PSAs
  - Advising the Disadvantaged client
  - Women of Color in the Law
  - Environmental Law Institute
  - Banking Law Institute
  - HCBA Board
- Networking and Connection Building
  - HCBA reception
  - Women of Color in the Law
  - Environmental Law Institute
  - RCBA Memorial
- Exhibit tables
  - Advising the Disadvantaged client
  - Women of Color in the law
  - Environmental Law Institute
  - Banking Law Institute

- Worker's Compensation Institute
- Publications and social media
  - LCL offered a variety of well-being tips on social media platforms.
  - LCL published the blog post, Navigating and Healing Trauma as a Lawyer.
  - What I've learned about loneliness, isolation, and the legal profession through my recovery was published in *Bench and Bar*.

## **2. Bar Associations and Professional Organizations**

- LCL attended meetings of various bar committees including the ABA CoLAP Law School and Conference committees, the Tri-Bar CLE, Diversity, and Well-Being committees, the FBA Diversity committee, and the planning committee for an annual Women of Color event.
- LCL is active in a national consortium on judicial well-being which will be issuing a new judicial survey and a national judicial well-being group.

## **3. Operations**

- The search for LCL's next Executive Director continues.
- Nearly 250 people attended LCL's Stepping Up for Well-Being breakfast.
- The LCL Nominations and Governance Committee finalized its 2025 slate.

## **4. Client Activity**

LCL helped 32 new clients in April. We assisted 6 people with substance use or compulsive behavior issues and 16 presented with mental health issues (including some overlap). General stress, career, and grief issues were the most common personal concerns. We assisted 15 men and 17 women. We helped 21 lawyers, 2 judges, 4 law students, 2 other legal professionals, and 2 family members.

LCL's Family, ADHD, Solo Small, and Well-Being groups met remotely, along with a parenting group we are facilitating for Minnesota Women Lawyers. LCL's Discipline group met in a hybrid format. LCL also hosts a weekly open 12-step group. We do not include the 12-step group attendance in our monthly group attendance reports as it is not an LCL "sponsored" group.

LCL / SAND CREEK GROUP  
FY 2024 - 2025, Year-To-Date Activity Report

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	YTD Clients	2023-2024
<b>Clients:</b>														
New	30	38	31	33	42	33	31	30	40	31			339	295
Open	497	469	483	472	422	446	459	449	467	462			462	483
Closed	21	66	17	44	92	9	18	40	22	36			365	246
<b>Who:</b>														
Self	22	37	24	28	35	28	26	25	29	24			278	239
Spouse/Partner	2			1				1		1			5	7
Child/parent/sibling	2		1			1			1				5	9
Partner/colleague	1	1	5	4	3	3	1	2	2	2			24	10
Friend/Other/unknown (incl. treatment)	3		1		4	1	4	2	3	4			22	29
<b>Status:</b>														
Lawyer	24	25	22	25	34	27	27	26	33	21			264	207
Judge	1	2	2	1		3				1			10	12
Law student	1	8	5	3	7	2	2	2	7	4			41	41
Law Graduate	1	1	1	1									4	3
U of MN		2	3	1					1	2			9	18
U St. Thomas			1	1				1	2				5	4
Mitchell Hamline	1	6	1	1		2	2	1	4	1			19	15
Other Law										1			1	4
Family member	3	1	1	2		1	1	2	1	3			15	22
Staff		1		1	1		1			2			6	7
Declined/other													0	0
<b>Gender:</b>														
Male	15	14	18	17	21	21	14	17	27	15			179	151
Female	15	24	13	16	21	12	17	13	13	16			160	144
Not specified/other													0	0
<b>Presenting Issue: Addiction/Behavioral</b>														
Alcohol	8	10	6	6	10	5	6	6	10	5			72	81
Drugs			2			1		1	2				6	8
Cocaine													0	0



LCL / SAND CREEK GROUP  
FY 2024 - 2025, Year-To-Date Activity Report

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	YTD Clients	2023-2024
Crack													0	0
Heroin													0	0
Marijuana			1						1				2	1
Methamphetamine						1			1				2	0
Opioids			1										1	1
Anti-anxiety													0	1
Stimulants													0	1
Eating					1			1					2	0
Gambling													0	2
Sex	1				1								2	2
Other Substance								1					1	0
Other Behavior	1												1	0
<b>Presenting Issue: Mental Health</b>														
Anxiety	5	8	8	9	8	9	6	8	9	7			77	68
Depression	5	7	4	8	5	4	8	6	6	3			56	44
ADD		4	1	2	3	3	1	3	4	3			24	20
Aging/Dementia			1	1					2				4	2
Trauma	3	3		2	4	1	2	1	2	3			21	17
Anger		1			2		1	2	2				8	3
Bi-Polar		1											1	0
Other Mental Health	2	1		1	1			1					6	2
<b>Presenting Issue: Life Issues</b>														
Stress	10	13	12	11	15	8	12	6	16	11			114	84
Financial	2	2		3	2	1	3	1	3	2			19	16
Job	9	7	5	8	17	7	7	5	12	10			87	60
Unemployment	2	1		4	4	1	1		2	1			16	8
Dissatisfaction	1	1		1	4	2	1	1	2	2			15	12
Job - Other	6	5	5	3	9	4	5	1	8	7			53	40
Retirement	1	1			1	1			3	1			8	2
Practice Management	3	3	2	3	4	4	6	5	4				34	33
Relationship	2	5	1	4	3	4		4	6	3			32	38

**LAWYERS CONCERNED FOR LAWYERS**  
**FINANCIAL STATEMENTS**  
**YEARS ENDED JUNE 30, 2024 AND 2023**



CPAs | CONSULTANTS | WEALTH ADVISORS

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**LAWYERS CONCERNED FOR LAWYERS  
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## INDEPENDENT AUDITORS' REPORT

Board of Directors  
Lawyers Concerned for Lawyers  
St. Paul, Minnesota

### **Report on the Audit of the Financial Statements**

#### ***Opinion***

We have audited the accompanying financial statements of Lawyers Concerned for Lawyers (a nonprofit organization), which comprise the statement of financial position as of June 30, 2024, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Lawyers Concerned for Lawyers as of June 30, 2024, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### ***Basis for Opinion***

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Lawyers Concerned for Lawyers and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### ***Other Matter***

The financial statements of the Organization for the year ended June 30, 2023, were audited by another auditor, who expressed an unmodified opinion on those statements on March 21, 2024.

### **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Lawyers Concerned for Lawyers ability to continue as a going concern for one year after the date the financial statements are available to be issued.

***Auditors' Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Lawyers Concerned for Lawyers internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Lawyers Concerned for Lawyers ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.



**CliftonLarsonAllen LLP**

Minneapolis, Minnesota  
November 21, 2024

**LAWYERS CONCERNED FOR LAWYERS  
STATEMENTS OF FINANCIAL POSITION  
JUNE 30, 2024 AND 2023**

	<u>2024</u>	<u>2023</u>
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Cash and Cash Equivalents	\$ 591,884	\$ 533,064
Grants Receivable	10,461	52,042
Contributions Receivable	-	100
Prepaid Expenses and Other Assets	6,601	6,641
Total Current Assets	<u>608,946</u>	<u>591,847</u>
<b>PROPERTY AND EQUIPMENT</b>		
Furniture and Equipment	67,859	67,859
Leasehold Improvements	2,147	2,147
Website Development Costs	11,250	11,250
Total Property and Equipment, Cost	<u>81,256</u>	<u>81,256</u>
Less: Accumulated Depreciation	<u>(65,795)</u>	<u>(58,224)</u>
Property and Equipment, Net	15,461	23,032
<b>NONCURRENT ASSETS</b>		
Security Deposit	3,786	3,786
Right-of-Use Asset - Operating	84,444	103,677
Total Noncurrent Assets	<u>88,230</u>	<u>107,463</u>
Total Assets	<u><u>\$ 712,637</u></u>	<u><u>\$ 722,342</u></u>
<b>LIABILITIES AND NET ASSETS</b>		
<b>CURRENT LIABILITIES</b>		
Accounts Payable	\$ 11,142	\$ 10,089
Accrued Expenses	6,789	8,352
Operating Lease Liability, Current Portion	33,019	31,658
Total Current Liabilities	<u>50,950</u>	<u>50,099</u>
<b>NONCURRENT LIABILITIES</b>		
Operating Lease Liability, Net of Current Portion	53,980	73,620
Total Noncurrent Liabilities	<u>53,980</u>	<u>73,620</u>
Total Liabilities	104,930	123,719
<b>NET ASSETS</b>		
Without Donor Restrictions	534,134	532,706
With Donor Restrictions	73,573	65,917
Total Net Assets	<u>607,707</u>	<u>598,623</u>
Total Liabilities and Net Assets	<u><u>\$ 712,637</u></u>	<u><u>\$ 722,342</u></u>

See accompanying Notes to Financial Statements.

**LAWYERS CONCERNED FOR LAWYERS  
STATEMENT OF ACTIVITIES  
YEAR ENDED JUNE 30, 2024**

	Without Donor Restrictions	With Donor Restrictions	Total
<b>SUPPORT AND REVENUE</b>			
Support:			
Contributions	\$ 103,134	\$ 9,440	\$ 112,574
Government Grants	611,500	-	611,500
Special Events, Net of Direct Benefit Expenses of \$36,060	31,795	-	31,795
Total Support	746,429	9,440	755,869
Revenue:			
Program Fees and Honoraria	2,160	-	2,160
Other Revenue	542	-	542
Interest Income	2,683	-	2,683
Total Revenue	5,385	-	5,385
Net Assets Released from Restrictions	1,784	(1,784)	-
Total Support and Revenue	753,598	7,656	761,254
<b>EXPENSES</b>			
Program Services	598,423	-	598,423
Supporting Services:			
Management and General	134,272	-	134,272
Fundraising	19,475	-	19,475
Total Supporting Services	153,747	-	153,747
Total Expenses	752,170	-	752,170
<b>CHANGE IN NET ASSETS</b>	1,428	7,656	9,084
Net Assets - Beginning of Year	532,706	65,917	598,623
<b>NET ASSETS - END OF YEAR</b>	<u>\$ 534,134</u>	<u>\$ 73,573</u>	<u>\$ 607,707</u>

See accompanying Notes to Financial Statements.

**LAWYERS CONCERNED FOR LAWYERS  
STATEMENT OF ACTIVITIES  
YEAR ENDED JUNE 30, 2023**

	<u>Without Donor Restrictions</u>	<u>With Donor Restrictions</u>	<u>Total</u>
<b>SUPPORT AND REVENUE</b>			
Support:			
Contributions	\$ 94,213	\$ 7,725	\$ 101,938
Government Grants	596,556	-	596,556
Special Events, Net of Direct Benefit Expenses of \$28,830	<u>32,970</u>	<u>-</u>	<u>32,970</u>
Total Support	723,739	7,725	731,464
Revenue:			
Program Fees and Honoraria	7,965	-	7,965
Other Revenue	966	-	966
Interest Income	<u>1,996</u>	<u>-</u>	<u>1,996</u>
Total Revenue	10,927	-	10,927
Net Assets Released from Restrictions	<u>5,291</u>	<u>(5,291)</u>	<u>-</u>
Total Support and Revenue	739,957	2,434	742,391
<b>EXPENSES</b>			
Program Services	542,740	-	542,740
Supporting Services:			
Management and General	111,130	-	111,130
Fundraising	<u>19,213</u>	<u>-</u>	<u>19,213</u>
Total Supporting Services	<u>130,343</u>	<u>-</u>	<u>130,343</u>
Total Expenses	<u>673,083</u>	<u>-</u>	<u>673,083</u>
<b>CHANGE IN NET ASSETS</b>	66,874	2,434	69,308
Net Assets - Beginning of Year	<u>465,832</u>	<u>63,483</u>	<u>529,315</u>
<b>NET ASSETS - END OF YEAR</b>	<u><u>\$ 532,706</u></u>	<u><u>\$ 65,917</u></u>	<u><u>\$ 598,623</u></u>

See accompanying Notes to Financial Statements.



**LAWYERS CONCERNED FOR LAWYERS  
STATEMENT OF FUNCTIONAL EXPENSES  
YEAR ENDED JUNE 30, 2024**

		Supporting Services			
	Program Services	Management and General	Fundraising	Total Supporting Services	Total
Personnel Costs:					
Salaries and Wages	\$ 348,816	\$ 71,447	\$ 9,867	\$ 81,314	\$ 430,130
Payroll Taxes	27,023	5,510	761	6,271	33,294
Employee Benefits	39,445	10,405	1,196	11,601	51,046
Total Personnel Costs	415,284	87,362	11,824	99,186	514,470
Expenses:					
Mental and Chemical Health Services	67,306	-	-	-	67,306
Rent	49,911	10,177	1,406	11,583	61,494
Special Event - Direct Benefit Expenses	-	-	36,060	36,060	36,060
Professional Fees	2,516	28,387	-	28,387	30,903
Public Awareness	16,034	635	5,077	5,712	21,746
Office Supplies and Equipment	10,398	1,989	640	2,629	13,027
Travel	11,783	-	-	-	11,783
Insurance	6,561	2,969	162	3,131	9,692
Telephone and Internet	6,864	1,400	193	1,593	8,457
Staff Development	5,621	100	-	100	5,721
Expenses Before Depreciation	592,278	133,019	55,362	188,381	780,659
Depreciation	6,145	1,253	173	1,426	7,571
Total Expenses	598,423	134,272	55,535	189,807	788,230
Less: Expenses Netted with Revenue on the Statement of Activities:					
Special Event - Direct Benefit Expenses	-	-	(36,060)	(36,060)	(36,060)
Total Expenses by Function	\$ 598,423	\$ 134,272	\$ 19,475	\$ 153,747	\$ 752,170
	79.6%	17.8%	2.6%	20.4%	100.0%

See accompanying Notes to Financial Statements.

**LAWYERS CONCERNED FOR LAWYERS  
STATEMENT OF FUNCTIONAL EXPENSES  
YEAR ENDED JUNE 30, 2023**

		Supporting Services			
	Program Services	Management and General	Fundraising	Total Supporting Services	Total
Personnel Costs:					
Salaries and Wages	\$ 303,459	\$ 65,276	\$ 9,015	\$ 74,291	\$ 377,750
Payroll Taxes	23,032	4,954	684	5,638	28,670
Employee Benefits	34,824	10,063	1,152	11,215	46,039
Total Personnel Costs	361,315	80,293	10,851	91,144	452,459
Expenses:					
Mental and Chemical Health Services	59,914	-	-	-	59,914
Rent	52,063	11,199	1,548	12,747	64,810
Special Event - Direct Benefit Expenses	-	-	28,830	28,830	28,830
Professional Fees	6,424	9,689	-	9,689	16,113
Public Awareness	14,557	419	5,082	5,501	20,058
Office Supplies and Equipment	12,138	3,173	1,112	4,285	16,423
Travel	9,193	-	-	-	9,193
Insurance	5,993	2,798	178	2,976	8,969
Telephone and Internet	6,955	1,496	207	1,703	8,658
Staff Development	6,292	365	-	365	6,657
Expenses Before Depreciation	534,844	109,432	47,808	157,240	692,084
Depreciation	7,896	1,698	235	1,933	9,829
Total Expenses	542,740	111,130	48,043	159,173	701,913
Less: Expenses Netted with Revenue on the Statement of Activities:					
Special Event - Direct Benefit Expenses	-	-	(28,830)	(28,830)	(28,830)
Total Expenses by Function	\$ 542,740	\$ 111,130	\$ 19,213	\$ 130,343	\$ 673,083
	80.6%	16.5%	2.9%	19.4%	100.0%

See accompanying Notes to Financial Statements.

**LAWYERS CONCERNED FOR LAWYERS  
STATEMENTS OF CASH FLOWS  
YEARS ENDED JUNE 30, 2024 AND 2023**

	<u>2024</u>	<u>2023</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Change in Net Assets	\$ 9,084	\$ 69,308
Adjustments to Reconcile Change in Net Assets to		
Net Cash Provided by Operating Activities:		
Depreciation and Amortization	7,571	9,829
(Increase) Decrease in Assets:		
Grants Receivable	41,581	11,162
Contributions Receivable	100	400
Miscellaneous Receivable	-	5,000
Prepaid Expenses	40	(40)
Right-of-Use Asset - Operating	19,233	31,027
Increase (Decrease) in Liabilities:		
Accounts Payable	1,053	1,801
Accrued Expenses	(1,563)	3,935
Deferred Rent	-	(5,513)
Lease Liability	(18,279)	(29,426)
Net Cash Provided by Operating Activities	<u>58,820</u>	<u>97,483</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Purchases of Property and Equipment	<u>-</u>	<u>(5,150)</u>
Net Cash Provided (Used) by Investing Activities	<u>-</u>	<u>(5,150)</u>
<b>NET CHANGE IN CASH AND CASH EQUIVALENTS</b>	58,820	92,333
Cash and Cash Equivalents - Beginning of Year	<u>533,064</u>	<u>440,731</u>
<b>CASH AND CASH EQUIVALENTS - END OF YEAR</b>	<u><u>\$ 591,884</u></u>	<u><u>\$ 533,064</u></u>

*See accompanying Notes to Financial Statements.*

**LAWYERS CONCERNED FOR LAWYERS  
NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2024 AND 2023**

**NOTE 1 PRINCIPAL ACTIVITY AND SIGNIFICANT ACCOUNTING POLICIES**

**Nature of Activities**

Lawyers Concerned For Lawyers (the Organization) was organized August 1, 1976 and has been determined to be a charitable, nonprofit organization exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code. The Organization serves as Minnesota's Lawyers assistance program. The Organization offers free, confidential help to lawyers, judges, law students and their immediate family members affected by alcohol and/or drug abuse, other addictions, depression and other mental illness, stress and other life-related problems and any condition which negatively affects the quality of one's life at work or at home. The Organization provides professional and peer assistance including up to four free counseling sessions and referrals to other professional services as well as mentoring and other support. The Organization also offers workshops and other programs to lawyers which qualify for continuing legal education credits. In addition to funds from the grant agreement with the Legal Services Advisory Committee (LSAC), funding has come from contributions by members and nonmembers in the legal profession and by grants from foundations and firms interested in this program.

The Organization has an agreement with the Legal Services Advisory Committee, an instrumentality of the Minnesota Supreme Court, to establish and operate a "Lawyer Assistance Program" (LAP) to provide consultation and assessments and facilitate access to extended mental health and chemical dependency services to Minnesota lawyers and their families, and in connection therewith, to coordinate the activities of the volunteer network of the Organization for peer support. This agreement is effective through June 30, 2025.

**Basis of Presentation**

The accompanying financial statements have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America. Net assets, revenues, expenses, gains and losses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets of the Organization and related changes are classified and reported as follows:

*Net Assets Without Donor Restrictions* – Resources over which the Board has discretionary control are net assets without donor restrictions.

*Net Assets With Donor Restrictions* – Resources subject to donor-imposed stipulations that require they be maintained permanently or that may or will be met by actions of the Organization and/or the passage of time are net assets with donor restrictions.

**Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that may affect certain reported amounts and disclosures in the financial statements and accompanying notes. Actual results could differ from these estimates.

**LAWYERS CONCERNED FOR LAWYERS**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2024 AND 2023**

**NOTE 1    PRINCIPAL ACTIVITY AND SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Cash and Cash Equivalents**

The Organization considers unrestricted currency, demand deposits, and certificates of deposit with an initial maturity of three months or less to be cash and cash equivalents. The Organization maintains cash balances with quality financial institutions. At any point in time, bank balances may exceed FDIC insurance limits.

**Grants Receivable**

Grants receivable are stated at net realizable value. Grants receivable are individually analyzed for collectability. No allowance for doubtful accounts has been provided as grants receivable are considered collectible based on management's estimate and past history of the Organization with the grantor agency. As of June 30, 2024 and 2023, the Organization had \$10,461 and \$52,042 in grants receivable, respectively.

**Contributions Receivable**

Contributions receivable consist of promises to give and contributions made by donors to supporting organizations for the Organization but had not been received by the Organization prior to June 30, 2024 and 2023. No allowance for doubtful accounts has been provided as contributions receivable are all considered collectible. As of June 30, 2024 and 2023, contributions receivable of \$-0- and \$100, respectively, were receivable in less than one year.

**Website Development Costs**

Website development costs are stated at cost; purchases in excess of \$500 are capitalized. Planning stage costs, costs of training and site maintenance are expensed as incurred.

**Fixed Assets**

Fixed assets owned by the Organization are stated at cost if purchased and at fair value if donated. The Organization capitalizes all fixed assets with a cost of \$500 or more at the date of donation if received by contribution. Additions and improvements are capitalized while maintenance and repairs are charged to expense as incurred. Depreciation for leasehold improvements is calculated over the estimated useful life or over the remaining term of the lease, whichever is shorter. Depreciation is calculated using the straight-line method over the following estimated useful lives:

Furniture and Equipment	5 to 7 Years
Leasehold Improvements	5 to 7 Years
Website Development Costs	5 to 15 Years

Depreciation expense was \$7,571 and \$9,829 for the years ended June 30, 2024 and 2023, respectively.

**LAWYERS CONCERNED FOR LAWYERS**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2024 AND 2023**

**NOTE 1    PRINCIPAL ACTIVITY AND SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Leases**

The Organization leases office space and equipment. The Organization determines if an arrangement is a lease at inception. Operating leases are included in operating lease right-of-use (ROU) assets, other current liabilities, and operating lease liabilities on the balance sheets. Finance leases are included in property and equipment, other current liabilities, and other long-term liabilities on our balance sheets.

ROU assets represent the Organization's right to use an underlying asset for the lease term and lease liabilities represent the Organization's obligation to make lease payments arising from the lease. ROU assets and liabilities are recognized at the lease commencement date based on the present value of lease payments over the lease term. As most of leases do not provide an implicit rate, the Organization uses risk-free rate based on the information available at commencement date in determining the present value of lease payments. The operating lease ROU asset also includes any lease payments made and excludes lease incentives. The lease terms may include options to extend or terminate the lease when it is reasonably certain that the Organization will exercise that option. Lease expense for lease payments is recognized on a straight-line basis over the lease term. The Organization has elected to recognize payments for short-term leases with a lease term of 12 months or less as expense as incurred and these leases are not included as lease liabilities or right of use assets on the balance sheet.

The Organization has elected not to separate non-lease components from lease components and instead accounts for each separate lease component and the non-lease component as a single lease component.

**Functional Expense Allocation**

The costs of providing programs and activities have been summarized on a functional basis in the statements of functional expenses. Accordingly, certain costs have been allocated among program and the supporting services benefited. The allocation of expenses has been determined by management on a reasonable basis that is consistently applied. Salaries and related expenses are allocated based on job descriptions and the best estimate of management. Expenses, other than salaries and related expenses, which are not directly identifiable by program or supporting service, are allocated based on the best estimates of management.

**LAWYERS CONCERNED FOR LAWYERS**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2024 AND 2023**

**NOTE 1    PRINCIPAL ACTIVITY AND SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Revenue and Revenue Recognition**

The Organization recognizes contributions when cash, securities or other assets, an unconditional promise to give, or a notification of a beneficial interest is received. Conditional promises to give, that is, those with a measurable performance or other barrier, and a right of return, are not recognized until the conditions on which they depend have been substantially met.

A portion of the Organization's revenue is derived from cost-reimbursable contracts and grants, which are conditioned upon the incurrence of allowable qualifying expenses. Amounts received are recognized as revenue when the organization has incurred expenditures in compliance with specific contract or grant provisions. Amounts received prior to incurring qualifying expenditures are reported as refundable advances in the statement of financial position. The Organization received cost-reimbursable grants of \$625,000 for which qualifying expenditures have not yet been incurred for the years ended June 30, 2024.

The organization recognizes revenue from Program Fees and Honoraria when the performance obligations of transferring the products and providing the services are met.

**Advertising**

The Organization uses advertising to promote public awareness and further its program purpose, as well as post job opportunities within the Organization. Advertising costs are expensed when incurred. Expenses for advertising were \$2,779 and \$1,681 for the years ended June 30, 2024 and 2023, respectively, and are classified in public awareness in the accompanying statements of functional expense.

**Income Taxes**

Lawyers Concerned For Lawyers is a nonprofit corporation as described in section 501(c)(3) of the Internal Revenue Code and is exempt from federal and state income taxes. Lawyers Concerned For Lawyers does not have any significant unrelated business income that would be subject to tax.

**Subsequent Events**

Subsequent events were evaluated through November 21, 2024, which is the date the financial statements were available to be issued.

**NOTE 2    CONCENTRATIONS**

A major portion of the Organization's support is received from the Legal Services Advisory Committee. The loss of this funding source would have an adverse effect on the Organization. During the years ended June 30, 2024 and 2023, the Legal Services Advisory Committee contributed \$611,500 and \$596,556, respectively. These contributions accounted for approximately 80% of total support and revenue for both the years ended June 30, 2024 and 2023.

**LAWYERS CONCERNED FOR LAWYERS**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2024 AND 2023**

**NOTE 3 JOINT COSTS**

Following joint allocation accounting guidelines, Lawyers Concerned for Lawyers has prepared an analysis of its statewide mailings, to allocate the expenses attributable to the various functional expenses, program services, and fundraising. This analysis resulted in the following allocation of the public awareness expense for the years ended June 30:

	2024	2023
Program Services	\$ 8,854	\$ 9,358
Fundraising	5,051	5,164
Total Functional Expenses	<u>\$ 13,905</u>	<u>\$ 14,522</u>

**NOTE 4 LEASES**

Effective January 1, 2020, the Organization entered into a property lease agreement with Court International, LLC that calls for monthly base payments of approximately \$2,608-\$3,114 and is set to expire in January 2027. The agreement also provides that the Organization is responsible for the property's incurred real estate taxes, insurance premiums and attributable operating expenses. The Organization has determined that this lease is an operating lease.

The ROU lease asset and corresponding lease liability were calculated utilizing a risk-free discount rate of 3.96%, according to the Organization's elected policy. The Organization's lease agreement does not contain any material residual value guarantees or material restrictive covenants.

Additional information about the Organization's lease for the year ended June 30, is as follows:

	2024	2023
Lease Expense:		
Operating Lease Expense	\$ 35,487	\$ 35,179
Short-Term Lease Expense	-	29,180
Total Lease Expense	<u>\$ 35,487</u>	<u>\$ 64,359</u>

Other Information:

Cash Paid for Amounts Included in the  
Measurement of Lease Liabilities:

Operating Cash Flows from Operating Leases \$ 34,715 \$ 34,119

ROU Assets Obtained in Exchange for New

Operating Lease Liabilities \$ - \$ 132,162

Weighted-Average Remaining Lease Term -

Operating Leases 2.50 Years 3.08 Years

Weighted-Average Discount Rate -

Operating Leases 3.96% 3.96%



**LAWYERS CONCERNED FOR LAWYERS**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2024 AND 2023**

**NOTE 4 LEASES (CONTINUED)**

Maturities of operating lease liabilities are as follows:

<u>Year Ending June 30,</u>	<u>Amount</u>
2025	\$ 35,756
2026	36,829
2027	18,687
Total Undiscounted Cash Flows	91,272
Less: Present Value	(4,273)
Total Lease Liabilities	<u>\$ 86,999</u>

**NOTE 5 RETIREMENT PLAN**

The Organization established a retirement plan pursuant to section 401(k) of the Internal Revenue Code effective January 1, 2006. Employees are eligible to make elective salary deferrals under the plan and share in the Organization's contributions to the plan upon attaining age 21 and completing one year of eligibility service. The Organization provides a mandatory matching contribution of 100% of the first 3% that an employee contributes to the plan. The Organization may, in its sole discretion, elect to make additional employer contributions for any plan year. Employees are fully vested in the Organization's contributions to the plan after three years of service; employees are immediately vested in their contributions to the plan. Retirement expense was \$9,319 and \$7,677 for the years ended June 30, 2024 and 2023, respectively, and is classified in employee benefits in the accompanying statements of functional expenses.

**NOTE 6 NET ASSETS**

Net assets with donor restrictions consist of the following as of June 30:

	<u>2024</u>	<u>2023</u>
Founders Memorial Fund	\$ 70,198	\$ 62,542
Advertising and Contract Services for Program Service Expansion	3,375	3,375
Total Net Assets with Donor Restrictions	<u>\$ 73,573</u>	<u>\$ 65,917</u>

Net assets were released from donor restrictions by incurring expenses satisfying the restricted purpose or by occurrence of the passage of time or other events specified by the donors as follows for the years ended June 30:

	<u>2024</u>	<u>2023</u>
Advertising and Contract Services for Program Service Expansion	\$ 1,784	\$ 2,913
Program Service Expansion Project	-	2,378
Total Net Assets with Donor Restrictions	<u>\$ 1,784</u>	<u>\$ 5,291</u>

**LAWYERS CONCERNED FOR LAWYERS**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2024 AND 2023**

**NOTE 7 LIQUIDITY AND AVAILABILITY OF FINANCIAL ASSETS**

The following reflects the Organization's financial assets available to meet cash needs for general expenditures within one year of June 30:

	2024	2023
Cash and Cash Equivalents	\$ 591,884	\$ 533,064
Grants Receivable	10,461	52,042
Contributions Receivable	-	100
Total Financial Assets	<u>602,345</u>	<u>585,206</u>
Less Amounts Unavailable for General Expenditures Within One Year Due to:		
Donor Restrictions	<u>(73,573)</u>	<u>(65,917)</u>
Financial Assets Available to Meet Cash Needs for General Expenditures Within One Year	<u>\$ 528,772</u>	<u>\$ 519,289</u>

The Organization is primarily funded by grants and contributions from donors without donor restrictions and with donor restrictions. Donor restrictions require that resources be used in a certain manner or in a future period; therefore, the Organization must maintain adequate resources to meet those responsibilities to its donors and certain financial assets may not be available for general expenditure within one year. As part of the Organization's liquidity management, the Organization strives to structure their financial assets to be available as their general expenditures, liabilities and other obligations become due. In addition, the Organization invests cash in excess of short-term requirements in a savings account or short-term certificates of deposit.



## STATE OF MINNESOTA GRANT CONTRACT

THIS grant contract, and amendments and supplements thereto, is between the State of Minnesota, acting through its State Court Administrator's Office, as the duly authorized agent of the Minnesota Supreme Court (hereinafter "STATE") and Lawyers Concerned for Lawyers, an independent contractor, not an employee of the State of Minnesota, address Suite 313N – Court International, 2550 University Avenue West, St. Paul, MN 55114 (hereinafter "GRANTEE"), witness that:

WHEREAS, the STATE, pursuant to Minn. Stat. § 480.05 is empowered to regulate the legal profession, and WHEREAS, the Minnesota Supreme Court has established a Lawyer Assistance Program fund to support mental health and chemical dependency programming for lawyers, judges and law students, and WHEREAS, GRANTEE represents that it is duly qualified and willing to perform the services set forth herein.

NOW, THEREFORE, it is agreed:

I. GRANTEE'S DUTIES

GRANTEE, shall implement a Lawyer Assistance Program in accordance with the March 2023 proposal on file with the State.

II. CONSIDERATION AND TERMS OF PAYMENT

A. Consideration for all services performed by GRANTEE pursuant to this grant contract shall be paid by the STATE as follows:

1. Six hundred thirty-four thousand three hundred seventy-five dollars (\$634,375) for the period of July 1, 2025 – June 30, 2026 and six hundred forty-three thousand eight hundred ninety dollars (\$643,890) for the period of July 1, 2026 – June 30, 2027.
2. GRANTEE shall not be reimbursed for travel and subsistence expense incurred outside the State of Minnesota unless it has received prior written approval for such out of state travel from the STATE. The GRANTEE shall not be reimbursed for purchases of alcohol.

The total obligation of the STATE for all compensation and reimbursements to GRANTEE shall not exceed one million two hundred seventy-eight thousand two hundred sixty-five dollars (\$1,278,265).

B. Terms of Payment

Payments shall be made by the STATE promptly after GRANTEE'S presentation of invoices for services performed and acceptance of such services by the STATE'S Authorized Representative pursuant to Clause VI. Invoices shall be submitted in a form prescribed by the STATE and according to the following schedule: Monthly

III. CONDITIONS OF PAYMENT All services provided by GRANTEE pursuant to this grant contract shall be performed to the satisfaction of the STATE, as determined at the sole discretion of its Authorized Representative, and in accord with all applicable federal, state, and local laws, ordinances, rules and regulations. GRANTEE shall not receive payment for work found by the STATE to be unsatisfactory, or performed in violation of federal, state or local law, ordinance, rule or regulation.

IV. TERMS OF CONTRACT This grant contract shall be effective on July 1, 2025 or upon the date that the final required signature is obtained by the STATE, whichever occurs later, and shall remain in effect until June 30, 2027 or until all obligations set forth in this grant contract have been satisfactorily fulfilled, whichever occurs first. GRANTEE understands that NO work should begin under this grant contract until ALL required signatures have been obtained, and GRANTEE is notified to begin work by the STATE's Authorized Representative.

V. CANCELLATION This grant contract may be cancelled by the STATE or GRANTEE at any time, with or without cause, upon thirty (30) days written notice to the other party. In the event of such a cancellation, GRANTEE shall be entitled to payment, determined on a pro rata basis, for work or services satisfactorily performed.

STATE may cancel this grant contract immediately if the STATE finds that there has been a failure to comply with the provisions of this grant contract that reasonable progress has not been made, or that the purposes for which the funds were granted have not been or will not be fulfilled, the STATE may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

VI. STATE'S AUTHORIZED REPRESENTATIVE The STATE'S Authorized Representative for the purposes of administration of this grant contract is Betsy Brock. Such representative shall have final authority for acceptance of GRANTEE'S services and if such services are accepted as satisfactory, shall so certify on each invoice submitted pursuant to Clause II, paragraph B. The GRANTEE'S Authorized Representative for purposes of administration of this grant contract is Jon Tynjala, Executive Director effective July 1, who is replacing current Executive Director Joan Bibelhausen. The GRANTEE'S Authorized Representative shall have full authority to represent GRANTEE in its fulfillment of the terms, conditions and requirements of this grant contract.

VII. ASSIGNMENT GRANTEE shall neither assign nor transfer any rights or obligations under this grant contract without the prior written consent of the STATE.

VIII. AMENDMENTS Any amendments to this grant contract shall be in writing, and shall be executed by the same parties who executed the original grant contract, or their successors in office.

IX. LIABILITY GRANTEE shall indemnify, save, and hold the STATE, its representatives and employees harmless from any and all claims or causes of action, including all attorney's fees incurred by the STATE, arising from the performance of this grant contract by GRANTEE or GRANTEE'S agents or employees. This clause shall not be construed to bar any legal remedies GRANTEE may have for the STATE'S failure to fulfill its obligations pursuant to this grant contract.

X. STATE AUDITS The books, records, documents, and accounting procedures and practices of the GRANTEE relevant to this grant contract shall be subject to examination by the contracting department, the Judicial Branch internal auditor and the Legislative Auditor.

XI. DATA PRACTICES ACT The GRANTEE shall comply with the Rules of Public Access to Records of the Minnesota Judicial Branch as it applies to all data provided by the STATE in accordance with this grant contract and as it applies to all data created, gathered, generated or acquired in accordance with this

grant contract.

**XII. OWNERSHIP OF MATERIALS AND INTELLECTUAL PROPERTY RIGHTS**

A. The STATE shall own all rights, title and interest in all of the materials conceived or created by the GRANTEE, or its employees or subgrantees, either individually or jointly with others and which arise out of the performance of this grant contract, including any inventions, reports, studies, designs, drawings, specifications, notes, documents, software and documentation, computer based training modules, electronically, magnetically or digitally recorded material, and other work in whatever form ("MATERIALS").

The GRANTEE hereby assigns to the STATE all rights, title and interest to the MATERIALS. GRANTEE shall, upon request of the STATE, execute all papers and perform all other acts necessary to assist the STATE to obtain and register copyrights, patents or other forms of protection provided by law for the MATERIALS. The MATERIALS created under this grant contract by the GRANTEE, its employees or subgrantees, individually or jointly with others, shall be considered "works made for hire" as defined by the United States Copyright Act. All of the MATERIALS, whether in paper, electronic, or other form, shall be remitted to the STATE by the GRANTEE, its employees and any subgrantees, shall not copy, reproduce, allow or cause to have the MATERIALS copied, reproduced or used for any purpose other than performance of the GRANTEE'S obligations under this grant contract without the prior written consent of the STATE'S Authorized Representative.

B. GRANTEE represents and warrants that MATERIALS produced or used under this grant contract do not and will not infringe upon any intellectual property rights of another, including but not limited to patents, copyrights, trade secrets, trade names, and service marks and names. GRANTEE shall indemnify and defend the STATE, at GRANTEE'S expense, from any action or claim brought against the STATE to the extent that it is based on a claim that all or part of the MATERIALS infringe upon the intellectual property rights of another. GRANTEE shall be responsible for payment of any and all such claims, demands, obligations, liabilities, costs, and damages including, but not limited to, reasonable attorney fees arising out of this grant contract, amendments and supplements thereto, which are attributable to such claims or actions.

If such a claim or action arises, or in GRANTEE'S or the STATE'S opinion is likely to arise, GRANTEE shall at the STATE'S discretion either procure for the STATE the right or license to continue using the MATERIALS at issue or replace or modify the allegedly infringing MATERIALS. This remedy shall be in addition to and shall not be exclusive to other remedies provided by law.

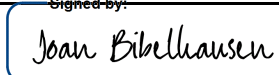
- XIII. PUBLICITY Any publicity given to the program, publications, or services provided resulting from this grant contract, including, but not limited to, notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the GRANTEE or its employees individually or jointly with others, or any subgrantees shall identify the STATE as the sponsoring agency and shall not be released, unless such release is a specific part of an approved work plan included in this grant contract prior to its approval by the STATE'S Authorized Representative.
- XIV. AFFIRMATIVE ACTION (When applicable) GRANTEE certifies that it has received a certificate of compliance from the commissioner of Human Rights pursuant to Minn. Stat. § 363A.36. It is hereby agreed between the parties that Minn. Stat. Section 363A.36 is incorporated into this contract by reference.
- XV. WORKERS' COMPENSATION GRANTEE shall provide acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minn. Stat. § 176.181, subd. 2.
- XVI. ANTITRUST GRANTEE hereby assigns to the State of Minnesota any and all claims for overcharges as to goods and/or services provided in connection with this contract resulting from antitrust violations which arise under the antitrust laws of the United States and the antitrust laws of the State of Minnesota.
- XVII. JURISDICTION AND VENUE This grant contract, and amendments and supplements thereto, shall be governed by the laws of the State of Minnesota. Venue for all legal proceedings arising out of this grant contract, or breach thereof, shall be in the state or federal court with competent jurisdiction in Ramsey County, Minnesota.



IN WITNESS WHEREOF, the parties have caused this contract to be duly executed intending to be bound thereby.

1. GRANTEE:

GRANTEE certifies that the appropriate persons have executed the contract on behalf of GRANTEE as required by applicable articles, by-laws, resolutions or ordinances.

By	<div>Signed by:  62423539D88A472</div>
Title	Executive Director
Date	June 20, 2025

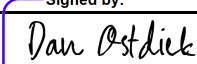
By	
Title	
Date	


(reserved)
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(reserved)
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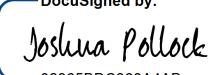
2. STATE:

Person signing certifies that applicable procurement policies have been followed. Where contract and amendments exceed \$50,000, signature of State Court Administrator or her/his Deputy is also required.

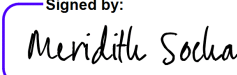
By	
Title	<div>Signed by:  EA63E47D35C7431...</div>
Date	

By	<div>Signed by:  FFF367ED7715450...</div>
Title	
Date	June 24, 2025

3. Funds have been encumbered as required by State Court Finance Policy by:

By	<div>Docusigned by:  02365BDC368A4AB...</div>
Title	Fiscal Ops Supervisor
Date	June 24, 2025
Contract No.	271425
Purchase Order No.	FY26

4. Approved as to form and execution for STATE by:

By	<div>Signed by:  D9816309CBFB454...</div>
Title	Attorney, Legal Counsel Division
Date	June 24, 2025

**REQUEST FOR PROPOSALS**  
**Lawyer Assistance Program**  
**Legal Services Advisory Committee**

**I. REQUEST FOR PROPOSAL.**

A. **DEFINED.** The Legal Services Advisory Committee (hereinafter "LSAC") is using a competitive selection process to select the vendor to provide Lawyer Assistance Program (hereinafter LAP) services for the Court per specifications contained in this Request for Proposals. This is not a bid but a request for a proposal that could become the basis for negotiations leading to a contract with one or more vendors to provide lawyer assistance services. The proposal shall be submitted for a 24 month period of time, from July 1, 2017 through June 30, 2019.

B. **RIGHT TO CANCEL.** LSAC IS NOT OBLIGATED TO RESPOND TO ANY PROPOSAL SUBMITTED NOR IS IT LEGALLY BOUND IN ANY MANNER WHATSOEVER BY THE SUBMISSION OF A PROPOSAL. LSAC RESERVES THE RIGHT TO CANCEL OR WITHDRAW THE REQUEST FOR PROPOSAL AT ANY TIME IF IT IS CONSIDERED TO BE IN ITS BEST INTEREST. IN THE EVENT THE REQUEST FOR PROPOSALS IS CANCELLED OR WITHDRAWN FOR ANY REASON, LSAC SHALL HAVE NO LIABILITY TO ANY PROPOSER FOR ANY COSTS OR EXPENSES INCURRED IN CONNECTION WITH THIS REQUEST FOR PROPOSALS OR OTHERWISE. LSAC ALSO RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, OR PARTS OF PROPOSALS, TO WAIVE ANY INFORMALITIES THEREIN, AND TO EXTEND PROPOSAL DUE DATES.

II. **OBJECTIVE.** The goal of this request for proposal is to enable LSAC to fund management of a statewide network to provide to lawyers and their families readily accessible consultation, referral and short term counseling services for mental health and chemical dependency issues. Any proposal must identify access points in greater Minnesota as well as the Twin Cities area. Any proposal must also include information about coordination with a volunteer lawyer network for peer support.

III. **DESCRIPTION OF SERVICES TO BE PERFORMED.** Following is a general overview of the network provider's primary responsibilities. A complete list of obligations will be contained in the fully executed grant agreement.

- Assessment/referral services or short-term counseling (maximum of four (4) sessions) for lawyers and their families experiencing mental health or chemical dependency problems. These services must be provided on a timely basis.
- Critical incident response services and related crisis intervention services for lawyers and their families.

- After-hours crisis counseling services.
- Outreach activities designed to increase lawyer awareness of LAP services. These activities may include LAP orientation sessions, participation in Bar Association sponsored activities and distribution of promotional materials.
- Training on topics related to helping troubled legal professionals and making referrals to LAP.
- Insuring the confidentiality of all client communications and complying with all applicable state and federal privacy and confidentiality laws.
- Documentation that all client services are provided in a manner consistent with professional standards.
- Participation in client satisfaction and service outcome studies.
- Coordination with a volunteer lawyer network for peer support.

**IV. BASIS FOR PAYMENT.** The LSAC receives funding for these services from attorney registration fees and estimates the reimbursement rate for counseling services provided under the contract should not exceed \$100 per billable hour. The maximum amount available for the administration of LAP services including any contracted counseling is estimated to be \$450,000 for a twelve-month period.

**V. CONTRACTOR REQUIREMENTS.** Below is a summary of the contractor qualifications.

- Experience in providing mental health and chemical dependency consultation and referral services. Specific experience is required with:
  - In-person assessment and referral
  - Brief, goal-oriented counseling
  - Critical Incident Stress Debriefing (CISD) services and related crisis intervention services
- Experience in delivering mental health and chemical dependency consultation and assessment services to professionals. Experience facilitating access to extended treatment options also desirable.
- Staff responsible for providing direct clinical counseling services must, at a minimum, hold a Master's Degree in a mental health-related field such as Counseling Psychology, Clinical Psychology, or Social Work. State licensure in the clinician's field is preferred but not required.



- Contractor must maintain a staffed office Monday through Friday and maintain after-hours crisis counseling services.
- Contractor must provide on-site clinical supervision on a regular basis for all staff providing clinical services to LAP clients.
- Contractor must demonstrate the effectiveness of its lawyer assistance services via service outcome surveys, client satisfaction summaries, or similar measurements.

**VI. PROPOSAL CONTENTS.** Each submission in response to this request for proposal must contain:

A. Transmittal Letter. A transmittal letter must accompany the proposal. The letter must be in a form of a standard business letter and be signed in ink by an individual authorized to legally bind the responder. It must include:

- A statement indicating the responder is an individual, a group of individuals, or corporation or other legal entity qualified to provide services set forth in the proposal.
- A statement identifying the individual involved in the preparation of the proposal.
- A statement summarizing the responder's guiding principles and values regarding the delivery of employee assistance services.

B. Deliverables. The proposal should include a detailed description of the services available from the responder, including:

- Exact location of all access sites for LAP services
- Days and hours of operation for each site
- The scope of clinical or other LAP-related sendees available at each site
- The clinical assessment model(s) being used
- The critical incident response services and crisis intervention services available at each site
- The after-hours crisis services available at each site
- The service delivery system, beginning with the client's initial contact, at each access site. This should include the standard time frames established for access to services.

C. Experience. The proposal should include a summary of the responder's experience in the delivery of LAP services, with particular emphasis on experience with lawyers. Detailed examples of clinical services the responder has provided to other organizations are specifically requested.

D. References. The proposal should include three (3) references that the Legal Services Advisory Committee may contact to obtain information about the services responder has provided to other organizations.

E. Organizational Structure and Staff Roster. The proposal should include an organizational chart and complete staff roster. The staff roster should specify the credentials and competencies for each staff member.

F. General Requirements

- 1) Certificate of Insurance Each proposal shall contain acceptable evidence of compliance with the workers' compensation coverage requirements of § 176.181, subd. 2. Contractor's RFP response must include one of the following: (1) a certificate of insurance, or (2) a written order from the Commissioner of Insurance exempting you from insuring your liability for compensation and permitting him to self-insure the liability, or (3) an affidavit certifying that you do not have employees and therefore are exempt pursuant to Minn. Stat. §§ 176.011, subd. 10; 176.031; and 176.041. See section XV of the sample State contract in Appendix III for details on additional insurance requirements that must be provided on request of the State.
- 2) Affirmative Action Certification If the contractor's proposal exceeds \$100,000.00, the RFP response must include a completed Affirmative Action Statement and Certificate of compliance, which are attached as Appendix I.
- 3) Non-collusion Affirmation Contractor must complete the Affidavit of Non-collusion (Appendix II) and include it with its RFP response.
- 4) Contract Terms No work can be started until a contract in the forms approved the State Court Administrator's Legal Counsel Division, has been signed by all necessary parties in accordance with state court procurement and contract policies.
- 5) Financial Stability; Trade Secret. Contractor's RFP must provide evidence of Contractor's financial stability as an indicator of Contractor's ability to provide services irrespective of uneven cash flow. Judicial Branch rules of public access permit contractors to submit evidence of financial stability as trade secret information according to the following:
  - a. the evidence-of-contractor's-financial-stability must qualify as a trade secret under Minn. Stat. section 325C.01 or as defined in the common law;
  - b. the contractor submits the evidence-of-contractor's-financial-stability on a separate document (but as part of their complete

submission) and marks the document(s) containing only the evidence-of-contractor's-financial-stability as "confidential;"

- c. the evidence-of-contractor's-financial-stability is not publicly available, already in the possession of the judicial branch, or known to or ascertainable by the judicial branch from third parties.

Except for financial stability information submitted in accordance with this section, do not place any information in your proposal that you do not want revealed to the public. Proposals, once opened, become accessible to the public except for financial stability information submitted in accordance with this section. Please also note that if a contractor's proposal leads to a contract, the following information will also be accessible to the public: the existence of any resulting contract, the parties to the contract, and the material terms of the contract, including price, projected term and scope of work.

## **VII. SUBMISSION OF PROPOSALS**

All proposals must be submitted in writing in a sealed envelope to the following address:

Bridget Gernander  
Legal Services Advisory Committee  
Minnesota Judicial Center  
25 Rev Dr Martin Luther King Jr Boulevard, Suite 105  
St. Paul, MN 55155-1500

A. **SIGNATURES.** Your proposal must be signed by, in the case of an individual, by that individual, and in the case of an individual employed by a firm, by the individual and an individual authorized to bind the firm.

B. **INK.** Prices and notations must be typed or printed in ink. No erasures are permitted. Mistakes may be crossed out and corrections must be initialed in ink by the person signing the proposal. Except in the case of obvious errors in math, the initial proposal should contain your best and final offer. No additional offers will be entertained after the initial proposal.

C. **DEADLINE.** Proposals must be received no later than 4:30 p.m. (CST) on April 7, 2017. Proposals will be opened the following business day and once opened become accessible to the public. Do not place any information in your proposal that you do not want revealed to the public. All documentation shipped with the proposal, including the proposal, will become the property of the LSAC.

## **LATE PROPOSALS WILL NOT BE CONSIDERED**

Questions about the RFP or the selection process must be in writing and sent by email to Bridget Gernander at [Bridget.Gernander@courts.state.mn.us](mailto:Bridget.Gernander@courts.state.mn.us). Other court personnel are not allowed to

discuss the Request for Proposal with any one including responders before the proposal submission deadline. All questions submitted will be posted on the Minnesota Judicial Branch website at [www.mncourts.gov/lsac](http://www.mncourts.gov/lsac) along with responses and will be made available to the public.

**VIII. EVALUATION.** The Legal Services Advisory Committee will evaluate all proposals received by the deadline. Responses will be evaluated to determine that they meet the criteria described in the RFP. The factors and weighting on which proposals will be judged are:

- |   |     |
|---|-----|
| • Level of experience and expertise with delivery of LAP services                         | 40% |
| • Program design provides readily accessible LAP services to lawyers throughout Minnesota | 30% |
| • Qualifications and experience of staff  | 30% |

Oral interviews with the responders may also be a part of the evaluation process. It is expected that the evaluation process will be completed by June 1, 2017.

## **IX. NOTIFICATION**

It is anticipated that all respondents will be notified in writing on or about June 1, 2017 of the outcome of the RFP process.

The LSAC is not obligated to respond to any proposal submitted nor is it legally bound in any manner whatsoever by the submission of a proposal. The LSAC reserves the right to cancel or withdraw the request for proposal at any time if it is considered to be in its best interest. In the event the request for proposal is cancelled or withdrawn for any reason, the LSAC shall have no liability to any proposer for any reason for any costs or expenses incurred in connection with this request for proposals or otherwise. The LSAC also reserves the right to reject any or all proposals, or parts of proposals, to waive any informalities therein, and to extend proposal due dates.

APPENDIX I  
**Affirmative Action Statement**  
**and**  
**Certification of Compliance**

**STATE OF MINNESOTA - AFFIRMATIVE ACTION STATEMENT**

If your response to the RFP is estimated to exceed \$100,000, you must complete the information requested:

**BOX A:**

1. Have you employed more than 40 full-time employees within Minnesota on a single working day during the previous 12 months?

YES ☐ NO ☐

If your answer is "NO," proceed to BOX B. If your answer is "YES," **your response will be rejected unless your firm or business has a Certificate of Compliance issued by the State of Minnesota, Commissioner of Human Rights, or has submitted an affirmative action plan to the Commissioner of Human Rights for approval by the time the responses are due** for any proposal estimated to exceed \$100,000.

2. Please check one of the following statements:

☐ YES, we have a current Certificate of Compliance that has been issued by the State of Minnesota, Commissioner of Human Rights. (Include a copy of your certificate with your response.)

☐ NO, we do not have a Certificate of Compliance; however, we submitted an affirmative Action plan to the Commissioner of Human Rights for approval on \_\_\_\_\_. The plan must be approved by the Commissioner of Human Rights before any contract or agreement can be executed.

☐ NO, we have not submitted a plan. If your plan is not submitted by the time the responses are due, your response will be rejected.

**NOTE:** Minnesota contractors must have a certificate issued by the Minnesota Department of Human Rights. Affirmative Action plans approved by the federal government, a county, or a municipality must still be reviewed and approved by the Minnesota Department of Human Rights for a certificate to be issued.

**BOX B:**

1. Have you employed more than 40 full-time employees on a single working day during the previous 12 months in a state in which you have your primary place of business and that primary place of business is outside of the State of Minnesota, but inside the United States?

YES ☐ NO ☐

If your answer is "NO," proceed to BOX C. If your answer is "YES," **the state cannot execute a contract with your firm or business unless it is in compliance with the Minnesota Human Rights certification requirements. It is the sole responsibility of the firm or business to apply for and obtain a human rights certification prior to execution of a contract as applicable.** You may achieve compliance with the Human Rights Act by having either a current Certificate of Compliance issued by the State of Minnesota, Commissioner of Human Rights, or by certifying that you are in compliance with federal Affirmative Action requirements.

2. Please check one of the following statements:

☐ YES, we have a current Certificate of Compliance issued by the Minnesota Department of Human Rights. (Include a copy of your certificate with your response.)

☐ YES, we are in compliance with federal Affirmative Action requirements.

☐ NO, we do not have a current Certificate of Compliance and we cannot certify that we are in compliance with federal Affirmative Action requirements.

**BOX C:**

1. If your answers to BOX A (Question 1) and Box B (Question 1) were "NO," you are not subject to the Minnesota Human Rights Act certification requirement. Please, however, check one of the following:

☐ NO, we have not employed more than 40 full-time employees within Minnesota on a single working day during the previous 12 months and we have not employed more than 40 full-time employees on a single working day during the previous 12 months in the state in which our primary place of business is located.

☐ We are a business with our primary place of business outside of the United States that has not employed more than 40 full-time employees within Minnesota on a single working day during the previous 12 months.

For further information regarding Minnesota Human Rights requirements, contact the Department of Human Rights, Compliance Services, 625 Robert Street North, St. Paul, MN 55155; Voice: 651.296.5663; Toll Free: 800.657.3704; or TTY: 800.627.3529. For further information regarding federal Affirmative Action requirements, call 800.669.4000 or visit its web site at <http://www.eeoc.gov/>.

**By signing this statement, the Proposer certifies that the information provided is accurate.**

**NAME OF FIRM:** \_\_\_\_\_

**AUTHORIZED SIGNATURE:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

(See next page for notice to Proposers)

## **STATE OF MINNESOTA - AFFIRMATIVE ACTION CERTIFICATION OF COMPLIANCE**

The Minnesota Human Rights Act (Minn. Stat. § 363.073) divides the designation compliance program into two categories. Both categories apply to any designations for goods or services in excess of \$100,000.

The first category applies to businesses that have had more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an Affirmative Action plan to the Commissioner of the Department of Human Rights prior to the due date of the response and must have received a Certificate of Compliance prior to the execution of a designation.

The second category applies to businesses that have had more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The businesses in this category must have either a current Certificate of Compliance previously issued by the Department of Human Rights or certify to the STATE that they are in compliance with federal Affirmative Action requirements before execution of a designation. For further information, contact the Department of Human Rights, 625 Robert Street North, St. Paul, MN 55155; Voice: 651-296-5663; Toll Free: 800-657-3704; or TTY: 800-627-3529.

**Minnesota businesses must have a current Certificate of Compliance or submitted an affirmative action plan by the time proposals are due, or their proposal will be rejected.**

**The STATE is under no obligation to delay the execution of a designation until a business has completed the Human Rights certification process. It is the sole responsibility of the business to apply for and obtain a Human Rights certificate prior to execution of a designation, as applicable.**

**APPENDIX II  
STATE OF MINNESOTA  
AFFIDAVIT OF NONCOLLUSION**

I swear (or affirm) under the penalty of perjury:

1. That I am the Proposer (if the Proposer is an individual), a partner in the company (if the Proposer is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Proposer is a corporation);
2. That the attached proposal submitted in response to the \_\_\_\_\_ Request for Proposals has been arrived at by the Proposer independently and has been submitted without collusion with and without any agreement, understanding or planned common course of action with, any other Proposer of materials, supplies, equipment or services described in the Request for Proposal, designed to limit fair and open competition;
3. That the contents of the proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or agent (including a partner) of the Proposer and will not be communicated to any such persons prior to the official opening of the proposals; and
4. That I am fully informed regarding the accuracy of the statements made in this affidavit.

Proposer's Firm Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Subscribed and sworn / affirmed to me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary Public

\_\_\_\_\_



May 5, 2017

Ms. Bridget Gernander  
Legal Services Advisory Committee  
Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Boulevard, Suite 105  
St. Paul, MN 55155-1500

Dear Ms. Gernander:

In response to the Legal Services Advisory Committee's Request for Proposal (RFP) dated January 26, 2017, please accept the attached proposal of Lawyers Concerned for Lawyers (LCL), a Minnesota Non-Profit Corporation, to provide services for the Lawyer Assistance Program (LAP) for the State of Minnesota. In addition to this cover letter, LCL's proposal contains these parts:

- LCL's description of its proposed umbrella organization (incorporating services of the Sand Creek Group (SCG), formerly DOR and Associates, an Employee Assistance Program) is Attachment A;
- LCL's proposed budget for the LAP, consistent with the RFP limits, is Attachment B; and
- LCL went through a deliberative proposal and screening process to select DOR and Associates as its outside EAP. In 2014, DOR and Associates merged with The Sand Creek Group (SCG). Attached and marked Exhibit C is a full description of SCG and its programs.
- LCL's 2015-16 Annual Report is Exhibit D.
- The required Certificate of Insurance, Affirmative Action Certification, and Non-collusion Affirmation are also attached. Information on LCL's financial stability is available at <http://www.mnlcl.org/about/about-lcl/annual-reports/> where audited and reviewed financial statements are available for the past 3 fiscal years.

No assistance program for lawyers, judges and law students can be effective without their complete trust in the confidential nature of the work. This trust is essential whether the first cry for help comes from the affected lawyer or from a concerned person. Such trust is not easily or quickly gained. For that reason, we believe some review of the history of LCL is pertinent.

LCL was founded as a non-profit corporation in 1976 by a small group of attorneys and judges who wanted to serve their colleagues with alcohol problems. LCL's purpose has since expanded to help lawyers, judges and law students in the State of Minnesota to recover from the devastation of alcoholism and drug misuse, mental illness and other conditions that cause stress or distress.

Minnesota is recognized as the oldest continuing program of lawyers helping other lawyers in the country. Between LCL's founding and its selection as administrator of Minnesota's LAP in 2001, the American Bar Association defined a Lawyer Assistance Program as an entity that:

Identifies and assists lawyers, judges and law students with mental health or chemical dependency problems through counseling, support meetings, and assessment and referral services. A Lawyer Assistance Program increases public awareness and understanding and educates the public, judiciary, bar and law student communities and disciplinary agencies about problems of impairment and the assistance available. It provides evaluation, intervention, and treatment referral services. A LAP program is a state-wide resource, providing immediate and continuing confidential help, and education and outreach activities aimed at early intervention and prevention.<sup>1</sup>

LCL has historically maintained contact with those who have sought its assistance through case management services, has referred them to and encouraged them to attend individual and group counseling as well as twelve step and other support groups, and has provided peer support connections when appropriate. As soon as LCL and the MSBA started openly discussing the possibility of a LAP, LCL started receiving calls from depressed lawyers or their families and began to provide assistance even before there was a grant agreement.

As administrator of Minnesota's LAP, LCL has expanded its mission, outreach and services to embrace and expand upon the ABA principles. LCL has hundreds of members who live throughout our state. We provided help to over 1000 lawyers, judges and law students and family members between becoming the LAP in 2001 and the 2008 grant agreement. From 2008-2012 we helped over 1300 clients. From July 1, 2012, to June 30, 2016, LCL helped 1591 new clients. LCL currently has four staff members: an Executive Director, two Case Managers and an Administrative Assistant. The remainder of our work is done by lawyer, judge and law student members volunteering their time through the state.

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<sup>1</sup> Rules of a Model Lawyer Assistance Program, adopted by the ABA House of Delegates, February 2004; Guiding Principles for a Lawyer Assistance Program, approved by ABA House of Delegates, February 1991.

LCL's volunteers have worked together for the past 40 years to bring awareness, intervention and support to Minnesota lawyers who struggle with substance use concerns, mental health and stress issues. We have worked with families, significant others, colleagues, and friends of those in need. LCL works to reach out and to reduce the stigma about asking for or offering help, and to reduce the devastation caused by impairment. LCL educates the profession about the high incidence of impairment, as well as prevention, recognition and intervention. Our efforts have always been highly professional and completely confidential. LCL will continue to operate in accordance with these values. Our collaboration with SCG is consistent with the best practices and history of LCL.

We are proud of the services we have provided to Minnesota's legal community and look forward to the opportunity to answer any questions you may have regarding this proposal.

Sincerely yours,

Daniel L. Payne  
Chair, LCL Board of Directors

Joan Bibelhausen  
Executive Director

#### Attachments

- A. LCL's "umbrella" proposal is Attachment A;
  - B. LCL's proposed LAP budget is Attachment B<sup>2</sup>; and
  - C. SCG's portion of the proposal is Attachment C.
  - D. LCL's Annual Report is Attachment D
- Also attached are the required Certificate of Insurance, Affirmative Action Certification, and Non-collusion Affirmation

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<sup>2</sup> The 2010 grant agreement, renewed in 2012, provided for an optional 6 session model of service upon the recommendation of the therapist. These sessions are offered if the therapist believes an issue can be resolved in the additional sessions or if the client has limited financial resources. SCG estimates that 10 clients each year use all 6 sessions. The LCL budget item for SCG services continues the optional 6 visit model.



## **ATTACHMENT A**

### **Lawyers Concerned for Lawyers Proposal for a Minnesota Lawyer Assistance Program April 2017**

#### **I. Overview/Experience**

In 1976, Minnesota lawyers and judges created Lawyers Concerned for Lawyers (LCL) to provide confidential service to chemically dependent law students, attorneys and judges, and their families who call for help. Up to the date of LCL's proposal to serve as the Lawyer Assistance Program, LCL had been actively involved in the recovery process of over 500 members of the profession, offering follow-up services and often joining family members, friends and associates in conducting interventions designed to persuade the impaired person to seek chemical dependency treatment.

LCL's chemical dependency outreach program was, and is, a model for similar organizations in other states. Later, many began offering a broader brush approach to impairment in the profession. In 1998, LCL helped form the MSBA Depression Task Force (DTF). The DTF created a model for the proposed Lawyer Assistance Program (LAP) based on an expansion of existing LCL services. The DTF proposal to the MSBA, and later Petition to the Minnesota Supreme Court, resulted in the funding for a new LAP Program in Minnesota. Similar to models in other states, the new model proposed to expand LCL's chemical dependency services by adding services for lawyers with depression and other forms of mental illness, through a contract with an established Employee Assistance Program (EAP). The model assumed that LCL would continue to provide established services, as well as provide oversight management and follow up for EAP functions. The EAP would provide crisis and short-term counseling services to callers, as well as connecting them with longer-term treatment, counseling and resources throughout the state. This format has worked well since the original grant agreement was promulgated.

LCL is proud to have built a strong working relationship with the Sand Creek Group (formerly DOR and Associates), LCL's partner EAP, as we have grown in our understanding of how best to serve the Minnesota legal community. This collaboration has provided the Minnesota LAP with the best of both worlds: professional crisis intervention and counseling providers' and LCL's experienced staff and volunteers who understand lawyers, the legal community, and provider resources in Minnesota and across the nation that focus on issues facing legal professionals.

The success of Minnesota's LAP has clearly been demonstrated by the growth in client calls since LCL began administering the program. Between November, 2001, the establishment of the LAP and July 1, 2008, the dates of the initial grant agreement, LCL assisted over 1000 lawyers, judges, law students or their immediate family members with alcohol and other addiction matters, mental health issues and other concerns that impact one's life and work as a lawyer. In the four years of the most recent grant agreement,

July 1, 2008 to June 30, 2012, LCL assisted 1337 new clients. During the first four years of the current grant agreement, July 1, 2012 to June 30, 2016, LCL helped 1591 new clients. LCL's reputation as a confidential source has been critical to this success. Impaired lawyers need to feel safe enough to call for help. LCL has strived over the years to communicate to lawyers that their identities will be kept confidential, and that LCL is in no way connected with any disciplinary authority. LCL has also recognized over the years that its lawyer volunteers have a special way of communicating with impaired lawyers that is essential to building credibility and trust with the caller.

LCL volunteers provide service to the profession in many ways. A Board of Directors oversees policy issues and overall operations. Other volunteers serve as mentors, participate in interventions, visit clients in treatment facilities and participate in outreach ranging from CLE programs to public service announcements to staffing tables at conferences. Volunteers reported over 2500 hours of service in each of the years of the current grant agreement. We know that many more hours are unreported.

LCL as an organization is strong. LCL has been recognized as meeting all standards of the Charities Review Council of Minnesota since we first applied in 2007. These standards cover public disclosure, governance, financial activity and fundraising. New questions related to diversity and inclusion were added in a 2014 revision and LCL meets all of those as well. LCL qualifies for the Silver Level Guidestar Exchange designation, which recognizes a non-profit organization's transparency. LCL undergoes an audit every three years and a review in other years by a CPA firm. No significant issues have been found.

## **II. Deliverables**

LCL agrees to provide and will fully provide the structure and services identified below:

### **A. Initial contact/Site/Hours of Operation/Staff Roster**

LCL currently has one office in the Midway area in St. Paul. Its hours are 8:00 a.m. – 5:00 p.m. Monday through Friday. LCL is open on government holidays that fall during the week. The current staff includes Joan Bibelhausen, JD, Executive Director, Diane Markel, MS, LADC, Case Manager, Chase Andersen, JD, Case Manager and Annette Erbst, Administrative Assistant. Staff and service listings for the Sand Creek Group (SCG) are provided in Appendix C.

LCL has local and toll-free numbers that are publicized to the legal community as well as a toll-free number for judges. When an initial contact is made with the LCL staff during business hours, that contact is immediately screened and appropriate resources are discussed. If appropriate, an LCL staff member transfers or directs the caller to the EAP. After hours, or whenever the caller would reach voicemail, there is the option of transferring to a counselor immediately. SCG's local and toll-free numbers are also

published on LCL's website and in materials so that clients may call directly. Each month several callers go directly to SCG, including those who call after business hours, but most come through LCL. Clients can also contact LCL via email at [help@mnclcl.org](mailto:help@mnclcl.org). While the website page where the email link appears explains that immediate access is available by phone, the email is checked periodically in the evenings and on weekends.

LCL receives courtesy copies of petitions for discipline so we may reach out to the attorney when their possible discipline becomes public. We have been told that one of these contacts averted a suicide. LCL staff also offer support directly to lawyers, judges and law students when we become aware of a news story suggesting we might be of assistance.

LCL staff and volunteers are experienced and trained in peer interventions, mentoring and outreach support. LCL staff and other professionals provide training throughout the year and SCG has served as an advisor on some of these. SCG has also been a resource to workplaces regarding a lawyer's return from treatment as well as related concerns that may be present in a workplace where there has been an impaired lawyer. This includes Critical Incident Stress Debriefing (CISD) when a crisis or tragedy has occurred. LCL has offered CISD to a number of groups including solos who are office mates, colleagues who are connected through bar activities, and individual employers.

LCL and SCG work together to follow up with clients and to discuss appropriate peer and professional assistance options. Confidentiality is paramount and information is shared with LCL member volunteers regarding specific clients they are assisting once the client has agreed to that contact. If a client does not choose to sign a release with SCG, no information is shared with LCL.

## **B. Support**

Lawyers Concerned for Lawyers has 40 years of experience providing support to those seeking crisis intervention and long-term recovery from substance use issues and over 16 years of experience assisting with mental health, stress and related issues. In addition to one-on-one volunteer follow-up, LCL has historically directed callers to 12-step and other support groups. For years, LCL members have facilitated "Alcoholics Anonymous" or other 12-step support groups where lawyers can feel comfortable and discuss issues in their lives that perhaps only other lawyers would understand. LCL members maintain their own informal network and meet regularly for social and business purposes. LCL receives 3-4 new member applications each month from volunteers who want to be involved in helping others.

Each client may receive up to four individual counseling sessions and unlimited telephone support from SCG. However, additional support is often needed. Two additional sessions may be provided if the counselor believes the issue could be addressed in that time frame or if the client has limited financial resources. Group

counseling is offered in the LCL office free of charge. LCL staff members provide ongoing case management to ensure that the needs of the client are met.

LCL has obtained grant funding to support medication management appointments and in some cases, medications for lawyers and law students who have limited or no resources. LCL has also established a Founders Memorial Fund, which provides loans for treatment related expenses for lawyers who cannot afford them. LCL staff members facilitate family, ADD/ADHD, mindfulness and Lawyers in Transition support groups. A staff member hosts monthly office hours at two of the law schools and works with student organizations to develop and present stress management activities.

LCL volunteers fill many roles to help clients and the organization. This completes the peer/professional support model that has been so successful in Minnesota. Peer mentors are trained and are arranged to fit the background and needs of the client. They may meet or talk by phone just once or regularly for a period of weeks or months. LCL staff members follow up with the mentor and the client to support the client and the mentor, to ensure that a connection was made, and that needs are being met. Volunteers help design and deliver volunteer training. LCL volunteers also assist with interventions and individual outreach when a concern is raised. After an intervention is held, LCL staff members arrange a series of conference calls to assist the concerned others with supporting the person in recovery and with their own recovery from codependency and other issues. Volunteers will sometimes participate in this follow-up as well.

### **C. Training**

Historically, LCL has regularly offered training presentations from various professionals in the chemical dependency and mental health communities. LCL conducts monthly meetings and gatherings at which representatives from various organizations present pertinent topics and workshops, designed to keep LCL membership current on the issues, forms of treatment, etc. LCL sponsors longer seminars and intervention and mentoring training sessions for its volunteers. SCG provides frequent advice to staff on specific client issues and has presented member training. LCL staff members provide training to SCG staff members regarding lawyers, judges and law students and the pressures they may encounter, as well as ways to incorporate the peer support model into counseling relationships.

LCL staff members and volunteers attend the annual ABA Commission on Lawyer Assistance Programs (CoLAP) conference and the Director attends regional meetings where additional training is provided. The staff also takes advantage of training offered through local treatment centers, other facilities and organizations in the behavioral health arena. As webinars have become more common, more opportunities are available.



## Outreach

Since its inception, LCL has traveled to all regions of Minnesota to educate and raise awareness of substance use issues in the legal community. Since 2001, LCL has developed a robust educational and outreach program. CLE programs approach mental health, substance use and stress from a variety of perspectives to guarantee more opportunities to present to bar conventions, district bar meetings, statewide conferences, and other venues. LCL hosts exhibit tables at law schools, judicial conferences and legal profession events, speaks in law school classes, and offers public service announcements when a full program slot is not available. During the current grant agreement term, LCL staff members have made over 100 presentations every year and volunteers have been involved in nearly half that number.

LCL collaborates with a number of organizations to broaden the reach of our message, most notably Minnesota CLE. We have presented at their major institutes at least once and have collaborated on many stand-alone programs, including an average of one webcast every month. We also work with the HCBA, RCBA and other district bars. We have appeared in front of nearly all of the specialty bars including minority bars and organizations such as the County Attorneys Association and speak several times each year at each Minnesota law school. We exhibit at the Annual Conference of Judges and the Minnesota District Judges Foundation Conference and are provided the opportunity to make brief announcements at some of these events and at training for new judges.

LCL's CLE presentations consistently receive very high ratings. Our flagship program is "Stress, Trauma, Mental Health and Addiction in the Legal Profession" and it is awarded Elimination of Bias CLE credit. We have developed additional programs on impaired clients, older adult issues, stress management, implicit bias with a focus on disability, stress management and problem gambling. Often we are asked to expand a subsection of one of these programs. For example, we have created program content providing greater focus on specific mental illnesses and substance issues.

Periodic mailings are sent to the entire bar detailing LCL's confidential services. LCL's current brochure includes a "QR" code, which takes a smart phone user directly to the LCL web site. LCL has written grants to support the development of a redesigned web site and advertising in district bar publications. We have also produced a brochure aimed at law students and a brochure for judges. LCL has a presence on Facebook, Twitter and LinkedIn. We have provided articles to legal publications such as Hennepin Lawyer and the Minnesota Women Lawyers newsletter and advertise in bar publications and *Minnesota Lawyer*. SCG has informed us that each year they are reaching a significant new number of clients and that this is bigger growth than they have seen in any other contract they have. They attribute this to LCL outreach efforts.

LCL members live and work throughout Minnesota, and often informally reach out publicly at bar meetings and the like or privately when someone appears to need help. In a number of communities, the bar leadership knows who the local LCL contacts are and will informally make a connection. That concern is then passed on to the LCL office

for further assistance. During the years that the MSBA has hosted a convention in multiple locations, LCL attended, hosted a table and presented a PSA at every one. LCL staff and volunteers travel around the state throughout the year to present seminars, appear at district bar meetings, meet with District Ethics Committee members or monitor video replays of CLEs where we make an additional announcement about LCL and the Lawyer Assistance Program. This level of outreach is only possible because of the funding provided through the LAP. Since LCL members live and work throughout Minnesota, LCL believes our greater Minnesota connections are unparalleled.

The Minnesota LAP and its staff and volunteers are also recognized nationally. Over the past several years, Minnesota has been represented on the program at the ABA Commission on Lawyer Assistance Programs (CoLAP) annual conference, including as conference chair in 2016, and we have been involved in several programs at the ABA annual and mid-year meetings. We have also appeared at events such as national and regional Lavender Law conferences, the Midwest Regional Women and the Law Conference, the Hispanic Bar Association National Conference, the Defense Research Institute annual conference, and the ABA Equal Justice Conference. We have written for or been featured in national publications such as *Cornerstone*, published by the National Legal Aid and Defender Association as well as the CoLAP newsletter *Highlights*. LCL's efforts have been recognized twice with awards from the ABA. Frequent meetings are held with stakeholders and leaders in the legal community and LCL staff and members are involved in many bar activities, particularly those related to diversity and inclusion, where they work to see that the LCL message is delivered.

While maintaining an absolute commitment to confidentiality, LCL has good relationships with the Office of Lawyers Professional Responsibility, the Board of Law Examiners, the MSBA, Minnesota Lawyers Mutual and various other legal entities and organizations. For example, while LCL does not disclose the identities of any callers to the OLPR, a number of lawyers already involved in the disciplinary process have been referred to LCL for support and other services.

#### **D. Donations**

LCL raises funds in addition to what has been provided through the Grant Agreement. These include foundation and bar association grants, law firm and other legal employer gifts and individual contributions. The LCL website includes a "donate" button that provides information and allows for on-line donations. Donors may direct their contribution to LCL's Founders' Memorial Fund, which provides assistance for treatment and related expenses that the client would otherwise be unable to afford. LCL held major events to celebrate the organization's 30th, 35th, and 40th anniversaries. Donations in excess of the expenses were designated to this Fund, which has assisted over 35 individuals since its inception.

**E. Budget**

LCL, in collaboration with the SCG, has proposed a budget in response to this RFP, set forth in Attachment B. It is very close to the budget for the current contract term. A required increase in rent, per the LCL lease, an increase in the cost for SCG services, a necessary phone system upgrade and increased insurance costs comprise the majority of the 2.19% increase over the current term (the difference between \$440,345 and \$450,000). The remaining difference allows for a 1.4% salary increase and no change in health care benefits. Should this proposal be accepted, LCL would hope to revisit several optional budget items that we believe would contribute to our ability to continue to provide service at the level at which the profession has become accustomed.

**F. Sand Creek Group Proposal**

Attachment C, which is incorporated herein, is the specific proposal of SCG, describing how it would propose to continue to provide services under the umbrella of the Lawyer Assistance Program.

**II. References**

LCL provides the following references from individuals who are familiar with LCL's work as Minnesota's Lawyer Assistance Program (see also Attachment C):

Tim Groshens, Executive Director  
Minnesota State Bar Association  
600 Nicollet Mall, Suite 380  
Minneapolis, MN 55402  
PH: (612) 278-6335  
[tgroshens@mnbar.org](mailto:tgroshens@mnbar.org)

Bryan R. Browning, Attorney  
Bassford Remele, PA  
President, Minnesota Hispanic Bar Association, 2016-17  
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Minneapolis, MN 55402-1254  
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**EAP Services Provided  
to  
Lawyers Concerned for Lawyers**

**March 20, 2017**

**Submitted By:**

**Sand**  **Creek**

WORKPLACE WELLNESS

**610 North Main Street #200  
Stillwater, MN 55082  
1-888-243-5744  
[www.sandcreekeap.com](http://www.sandcreekeap.com)**

**Primary Contact:  
Brad McNaught  
(651) 430-3383  
[brad@sandcreekeap.com](mailto:brad@sandcreekeap.com)**

## A. Summary Statement

### Philosophy

Recognizing that personal problems can interfere with the achievement of individual and career potential, we seek to provide a confidential employee assistance program (EAP) that encourages all employees and their family employees to exercise initiative and responsibility in assuring personal health and well-being.

The **Sand Creek** Employee Assistance Program constitutes a human resource plan that covers a wide range of problems, including personal, job, or family and relationship concerns. These problems may involve issues such as drug and alcohol abuse, legal or financial problems, or emotional effects of traumatic stress or injury. With early intervention and a comprehensive assessment, sixty percent of these problems are resolved within the EAP personal consultation, usually lasting from one to four sessions.

Professional ethics, integrity, and sound employee assistance principles guide the efforts of **Sand Creek**. Our mission is to enhance individual employee well-being and the overall productivity of Lawyers Concerned for Lawyers by providing the highest quality employee assistance services.

### Mission and History

#### Mission

**Sand Creek** is dedicated to providing quality employee assistance services. We deliver the highest caliber of services with maximum responsiveness and integrity. We are an innovator in employee assistance with 23 years of proven experience helping organizations maintain and increase productivity and assisting employees to achieve their best.

### Objectives

**Sand Creek** is a national provider of Employee Assistance Programs, Training, Management Consultation and Organization Development.

In designing and operating Employee Assistance Programs, **Sand Creek** holds the following objectives:

- To enhance the personal health and well-being of employees and their covered dependents by using a full-service approach to EAP
- To encourage employees through educational materials to seek assistance early, before problems affect work performance

- To ensure employees' appropriate assistance in a timely, confidential manner by providing 24-hour telephone access to program services
- To maintain a network of competent, affordable and easily accessible local treatment and social service resources as a result of established standards of selection and evaluation. This network has been enhanced by the addition of providers known to LCL
- To assist managers/supervisors and labor representatives, through comprehensive training and coaching, to identify, intervene, and refer employees to the Employee Assistance Program
- To establish consistent policies and procedures for recognizing and addressing impaired employee performance
- To support company efforts to contain the costs to employee health care benefits while maintaining quality care by providing specialized individual employee case management

## Unique Value-added Features

Sand Creek meets and exceeds the standards of services to be provided in conjunction with Lawyers Concerned for Lawyers.

### Collaborative Relationship with LCL

Sand Creek and LCL have demonstrated how powerful an effective partnership can be when a member of the legal community is ready to seek help.

Sand Creek and LCL have worked together to develop administrative procedures that allows us, with expressed prior client consent, to jointly communicate both clinical information and non-clinical background information, make the most clinically appropriate treatment referrals and provide on-going support for the client.

Our two organizations have co-presented at a state conference and broadcast programs for continuing legal education credits. We receive positive feedback from participants and enjoy the process of working collaboratively with LCL.

This partnership has resulted in over 800 attorneys, judges, law students, or their immediate family members, accessing confidential, free help for chemical health, mental health and day-to-day concerns since the contract with LCL began on 2/1/07.

*What this means to Lawyers Concerned for Lawyers: We are working together to communicate to the legal community that "There is help and there is hope"*

### 23 Year Proven Track Record

A woman-owned business, Sand Creek is one of the most highly respected EAPs in the field. Gretchen Stein and Joan Sirotiak, co-owners and founders, understand the effectiveness and flexibility of a highly committed and empowered team. They have built a highly reliable organization based on open communication, mutual respect, diversity, strategic alliances and trust. Sand Creek experiences very low turnover and has provided leadership for decades with the evolution of EAPs through the International Employee Assistance Professionals Association.

*What this means to Lawyers Concerned for Lawyers: Sand Creek's knowledge of the EAP field is deep and it runs through our entire organization, ensuring the most experienced, knowledgeable solutions to the needs of Lawyers Concerned for Lawyers' leaders and employees.*

### **Immediate Responsiveness**

We are there when Lawyers Concerned for Lawyers clients need us. Because Sand Creek's senior leaders are involved in day-to-day operations, Sand Creek is uniquely positioned to deliver immediate results, quick decisions and problem solving. This is especially crucial when dealing with crises. When a traumatic incident occurs, emotions are running high and time is of the essence. Sand Creek's experience, size, resources and commitment to service enable us to meet Lawyers Concerned for Lawyers' needs in a timely and effective manner.

*What this means to Lawyers Concerned for Lawyers: Being nimble and flexible allows Sand Creek to respond to Lawyers Concerned for Lawyers' needs immediately with the most appropriate and effective resources. In addition, Lawyers Concerned for Lawyers has direct access to Sand Creek leadership.*

### **Confidentiality Standards**

Confidentiality is the bedrock of an Employee Assistance Program. Sand Creek goes above and beyond standard confidentiality practices to guarantee privacy for employees, managers and the organization.

All information revealed to the staff will be kept in strictest confidence in keeping with the provision of each state's statutes. Records will not be released without the prior written consent of the client.

To assure confidentiality:

- The Employee Assistance Professional will treat all employee and family employee information as confidential as mandated by law.
- In contacting clients at home or worksite, we only leave a message if given client approval. We do not leave messages with receptionists, etc.
- Client contact by mail is sent in non-imprinted mailers.
- All appointments are staggered and many of our offices have alternate exits.
- Our locations are in secure office buildings with general public access and use.
- We meet the state guidelines that govern confidentiality within our profession.
- We meet and exceed Employee Assistance Professionals Association standards.
- Each employee or family employee will be informed fully as to the scope of the limitations on confidential communications elicited during the consultation, referral and treatment process.
- Such information received in the course of and for the purpose of assessment, referral or treatment will not be disclosed without written consent except when such failure to disclose would likely result in imminent threat of serious bodily harm to self or others; or as otherwise required by law.

*What this means to Lawyers Concerned for Lawyers: Increased credibility of the program from executives to all employees of the organization.*



## Qualifications of Key Personnel



### **Brad McNaught, M.Div., LADC, CEAP**

Brad McNaught has worked in the Employee Assistance field for over 20 years. His expertise and knowledge shows in each training he performs. Brad McNaught holds a master's degree in pastoral counseling, is a Certified Employee Assistance Professions (CEAP) and a Licensed Alcohol and Drug Counselor (LADC). Mr. McNaught has additional certification in compulsive gambling by Minnesota Department of Human Services, Critical Incident Stress Management by the International Critical Incident Stress Foundation and Substance Abuse Professional (SAP) by the Department of Transportation.



### **Tod Deming, BA**

Tod Deming began his career in the EAP field after receiving a bachelor's degree in Organizational Management from Gustavus Adolphus College in St. Peter, Minnesota. He has 26 years of providing guidance to the EAP field through strategies that enable business development and growth. Mr. Deming brings skill in providing high quality infrastructure for business operations, and his knowledge helps Sand Creek address changes in market trends in all aspects of employee assistance.

## Contract Inclusions Summary

### *Program Implementation*

- Policy Review
- Promotional Materials Selection
- Management Trainings
- Client Orientations

### *Employee Assistance Program Services*

- Toll free 24-hour Phone Consultation
- Up to 6 visits in person model
- Nationwide In-person Consultation and Referral Sessions
- Case Management
- Follow-up
- Access to Work/Life Web services
- Client Satisfaction Surveys

### *Contract Management*

- **Sand Creek** Account Manager familiar with your organization
- Quarterly Meetings with Account Manager
- Monthly Program Utilization Reporting
- Employee Evaluation when recommended

### *Continuing Education and Program Promotion Materials*

- [www.sandcreek.com](http://www.sandcreek.com) – The **Sand Creek** web site
- Quarterly Newsletters for employees
- Quarterly Newsletters for Managers/Supervisors
- Topical Quizzes
- Prevention materials

### *Training*

- Management Training
- Employee Orientation
- Health and Well-being Workshops
- Collaborative training between LCL and **Sand Creek** staff

## Description of Primary Components

**Sand Creek** provides the following components for a comprehensive Work/Life EAP to Lawyers Concerned for Lawyers clients and their dependents:

**Personal Consultation and Referral:** 24-hour, national toll free telephone access for rapid problem assessment, crisis intervention, short term solutions oriented consultation and referral. If needed, a referral is provided for further assistance, counseling and treatment. Nationwide, in-person consultation is encouraged as appropriate. Appointments are available within 48 hours, same day for emergencies.

**Case Management:** Lawyers Concerned for Lawyers clients and dependents referred to outside treatment providers receive as many follow-up phone contacts as needed to ascertain their satisfaction with treatment and/or services, and to address any outstanding needs. In the unlikely event where treatment has necessitated a prolonged absence from work, **Sand Creek** can facilitate a back-to-work conference when requested by the Lawyers Concerned for Lawyers employee/employer.

**Confidentiality:** Strict compliance to the Federal Health Information Portability and Accountability Act (HIPAA). We act in accordance with state confidentiality statutes. No information is released without a signed release, except in cases where the provider is mandated by law to report

**Management Consultation:** Unlimited telephone and/or scheduled in-person consultation and coaching is available to managers/supervisors and labor representatives for assistance in addressing personal and/or performance difficulties of employees.

**Legal/Financial Consultations:** Every Lawyers Concerned for Lawyers client and/or family member has access to one 30 minute annual consultation from a legal and/or financial expert. These professionals are available to assist you when legal and financial needs arise. Employees also have access via the web to hundreds of Legal & Financial Resources including financial planning, financial guides and a legal library of helpful documents.

### Additional Components:

**Work/Life Website:** Access to valuable information to assist clients and family members in achieving and maintaining physical, emotional and professional well-being. Our website is user-friendly with many functions designed to help client with daily challenges.

**Training:** On-site and off-site training, including employee orientations, manager/supervisor and labor representatives training, and specialized educational presentations for clients and their dependents are provided. Leadership training for managers and supervisors is also available.

**Program Reporting/Client Satisfaction:** Aggregate reporting on program impact and utilization tailored to the organization's needs, provided quarterly. Client satisfaction reports demonstrating satisfaction with EAP services will be delivered.

**Program Coordination:** On-going quarterly meetings with the EAP program manager and management staff to ensure optimal effectiveness of the program.

**Web-based Resources for Clients and Supervisors**

Sand Creek has hundreds of resources via the web for clients and supervisors in the areas of mental health, wellness and work life. Clients can access this on their own time, share information with their family or employees and take control of their personal and professional effectiveness.

**Sand Creek** has a robust online support system for supervisors. We have made it easy to access hundreds of articles, videos and links to help managers improve communications, hone leadership skills and ultimately lead teams to successful outcomes that translates into effective results for the entire organization.

We also offer **40 online supervisor training modules** addressing everything from creating a strong leadership team to setting performance goals and expectations.

## C. Program Description – How clients are served in terms of client flow

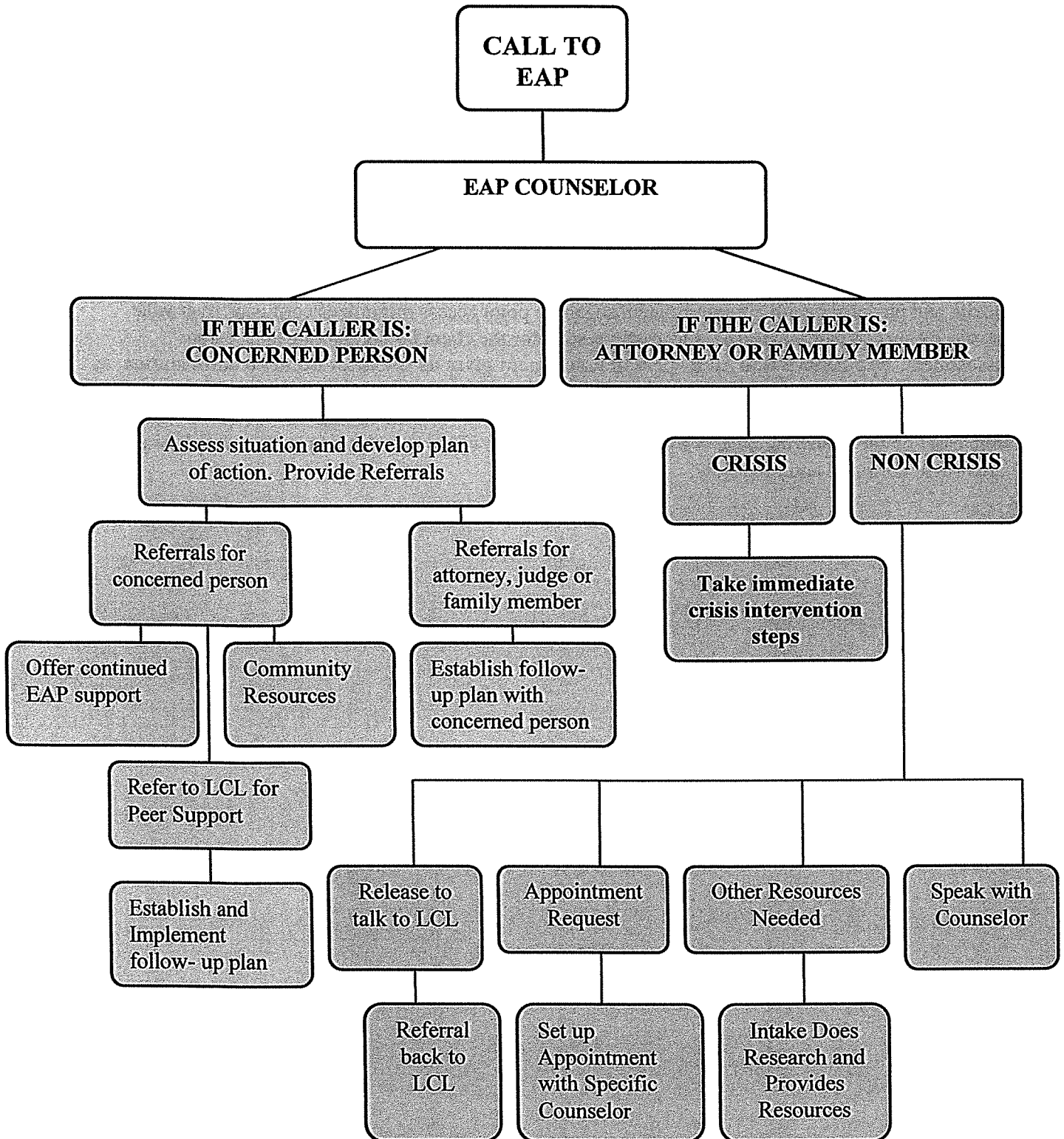
### **Sand Creek's Emphasis on In-person Assessment**

Unlike many providers who primarily use phone consultation, a large percentage of Sand Creek's assessment, counseling and referral is done in-person.

As an integrated Employee Assistance, Work/Life and Wellness Program, **Sand Creek** provides a single point of access to direct our clients to the most appropriate resources in a timely manner. Employees and covered family employees contact the Work/Life EAP through our 24-hour telephone service. During the telephone interview, the nature of the caller's problem is determined, and options and resources for resolving it are discussed. We know that work/life stress, mental health and physical health are interrelated, so single point access minimizes confusion over what service is needed and maximizes successful results for the client by conducting an accurate assessment. **We believe that an in-person assessment gives us the most accurate information, so we offer that as a first choice.**

The chart on the following page is a visual representation of the assessment process. It is how a client will normally enter the flow.

## SAND CREEK INTAKE ASSESSMENT PROCESS



The chart below depicts our criteria for emergency protocol and service provision timeline.

Call Type	Description	Steps
Routine	Non-life threatening, non-urgent need, with no imminent risk for harm to self or others	<ul style="list-style-type: none"> <li>• Identify caller's needs</li> <li>• Contact face-to-face provider to establish appointment within <b>two-three business days</b></li> <li>• Enter information into the client database</li> <li>• Follow-up</li> </ul>
Urgent	Non-life threatening urgent need, with no imminent risk of harm to self or others	<ul style="list-style-type: none"> <li>• Identify caller's needs</li> <li>• Contact face-to-face provider to establish appointment within <b>one business day</b></li> <li>• Enter information into the client database</li> <li>• Follow-up</li> </ul>
Emergency	Imminent risk of harm to self or others	<ul style="list-style-type: none"> <li>• Identify caller's needs</li> <li>• Utilize APA suicide-checklist guidelines</li> <li>• Initiate service specific duty-to-warn protocols</li> <li>• Counselor works to stabilize caller, involving supervisors, emergency response colleagues, police, and emergency response teams as needed</li> <li>• Set up <b>same day appointment</b></li> <li>• Enter information into client database</li> <li>• Provide escalated follow-up</li> <li>• Report reviewed to ensure expected measures were followed</li> <li>• Furnish status updates as appropriate</li> <li>• Follow-up</li> </ul>

### Assessment interview, action plan and referral

A telephone interview is the first step in our assessment process. We respect that when employees reach out for help they need to receive prompt attention. Our response is defined by the client's sense of urgency and readiness to deal with their concern. Our ability to respond to client concerns in a timely manner means that clients will receive prompt attention to their concerns and have access to EAP counselors 24 hours a day.

Our telephonic counseling staff has been well trained to develop a sense of warmth, rapport and interest in the caller. They use motivational interviewing techniques as well as more subtle cues such as vocal nuances, language, even pauses, to determine readiness or acceptance level of the client and will encourage the caller to come to an EAP appointment to continue the assessment. The importance of this step is that often, the presenting or most significant problem perceived by the caller may not be the clinically significant problem. **This can best be determined in a personal interview.**

The goal of an EAP assessment is to assist the client in identifying his/her concerns and needs and develop a plan for problem resolution. Our counselors use such assessment tools as the

Beck Depression Inventory, Beck Anxiety Inventory, SLUMS examination, the SASSI and collateral contact information to get the most accurate clinical information.

The EAP assessment includes a review of the following areas:

- Client's understanding of the EAP and clinician's role
- Presenting problem
- Precipitating incident
- Impact on family/relationships
- Existing support systems
- Any previous history of treatment/counseling
- Current alcohol or drug use
- Chemical health use/abuse history
- Significant physical problems/medications
- Family history
- Mental status
- Lethality risks
- Other contributing stresses (legal, financial, familial)
- SI/HI assessment
- Impact on work performance
- Review of strengths

At the outcome of the EAP assessment, the client and EAP counselor should have clearly defined the presenting problem and created a plan for addressing the problem or resolving it.

### **Sand Creek Staff (Size and Credentials)**

We have an intake team of 10 clinicians.

All Sand Creek EAP Counselors must have the following credentials:

- Masters degree or higher in a clinical or psychological discipline;
- Minimum of five years post masters assessment and counseling experience;
- Current professional licensure or certification (CEAP) in the individual's respective field. We require *all* EAP Counselors to be licensed or certified in the states in which they practice;
  - CEAPs (Certified Employee Assistance Professionals) are required to stay current in 6 content areas of knowledge: work organizations, human resource development, EAP Policy and development, EAP direct services, chemical dependency and other addictions and personal and psychological problems.
- Documentation of current licensure in good standing and annual documentation of liability insurance coverage;
- Training and experience in assessment for alcohol and/or other substance abuse problems;
- Training and experience in recognized brief treatment approaches;
- Working knowledge of EAP philosophy and principles;
- Knowledge of local community resources to which employees may be referred;
- Knowledge of employee benefit packages, coverage for mental health or substance abuse treatment as well as familiarity with the providers in the insurance network to direct the employee to the most appropriate clinician;
- Knowledge of labor/management issues in public or private sector employment.

**We maintain a network of 7,500 qualified providers nationwide.**



**How referral information is collected:** Sand Creek has been evaluating, updating and fine-tuning our excellent referral base for 23 years.

Information regarding referral resources is collected in a variety of ways. Peer review meetings are used for clinicians to consult with each other to find the best resources available. We consult our database of resources that we have used in the past and have received positive feedback. In addition, we look at specialty areas that are the best fit and verify this information with providers without giving out confidential information.

#### **Referrals to External Services**

- Referrals to external services are handled by Sand Creek by acting as researchers, coaches, case managers, and advocates for the client to ensure that referrals to these external services are appropriate and accessible, for timely entry into these external services.
- To best serve clients, we have built a model of Continuum of Services available to them through the integration of the EAP and Health care providers. Short term counseling at the EAP is utilized as the appropriate resource when the presenting problem is worksite oriented or a problem in living, and can be resolved within the visits allotted. Referrals to external providers may be appropriate for continued care.
- The level of assistance provided to clients encouraging the use of external services first involves problem-identification and identifying which type of resources may be most beneficial to the client. All situations that are primary of a medical nature are referred to the health care providers with the EAP acting as advocates for timely entry into their system.
- If a referral to a behavioral health care provider is warranted for longer-term support and/or treatment beyond EAP services, Sand Creek researches providers within the Health care provider's network that may be the best fit for the client based on specialty areas, accessibility, and cost-effectiveness. Sand Creek identifies two-three options for clients to choose from and coaches clients how to access their insurance benefit information to verify coverage with their particular policy.
- Health care providers behavioral service providers that Sand Creek referred clients to are evaluated by Sand Creek following up with the client to determine client satisfaction with the referrals. Sand Creek acts as case manager and may research additional referral options for the client and inquires if additional assistance may be needed by the client.
- Sand Creek's strength is assessment, short term (up to 6 visits) counseling and referral to the most appropriate resource. We want to ensure that employees' needs are met by finding them specific resources that get to the core of their issues. Since long term therapy is outside the scope of EAP practice, a referral to external resources, including to Insurance providers is most appropriate and recommended. There are occasions, however when a client requests to continue with that EAP provider for further support beyond the EAP. In this instance, the EAP provider identifies several Insurance providers as a viable option for the client. A client deciding to continue with an EAP provider would be solely at the employee's request.
- In an integrated health services model, EAP Counselors serve in the "point position" on the continuum. They are advocates for client needs and manage the access to and the utilization of the entire range of service available.
- This integrated system ensures that the most appropriate care is delivered in the most efficient manner. Thereby facilitating the client's effective return to function as well as saving money.
- On the next page is the Continuum of Service. It is a breakout of the different areas, examples and symptoms as they would be experienced in the workplace and appropriate tracking. In all cases, with consent, Sand Creek and can consult on additional resources

## CONTINUUM OF SERVICES

WORKSITE PROBLEMS	PROBLEMS IN LIVING		MEDICAL NATURE
<p>Worksite problems can have a significant impact on the employee's well being and on productivity. EAP counselors are effective in providing short term counseling to resolve such problems.</p>	<p>Personal problems inhibit an employee's quality of life and productivity at work. The current care delivery system refers many of these cases to a mental health care provider. These employees may be more efficiently and effectively served within the short term consultation component of the EAP.</p>		<p>Medical problems such as mental illness and substance abuse are clearly within the parameters of health care benefits and warrant treatment. The employee assistance counselor will assist the employee and family employees with arranging appointments and preparing the client for working with the provider. Follow up and case management are provided where appropriate.</p>
EXAMPLES	EXAMPLES		EXAMPLES
<ul style="list-style-type: none"> <li>• Interpersonal conflicts</li> <li>• Stresses related to expectations</li> <li>• Fear of loss of job</li> <li>• Fewer people doing more work</li> <li>• Balancing work and family</li> <li>• Harassment</li> </ul>	<ul style="list-style-type: none"> <li>• Marital problems</li> <li>• Financial difficulties</li> <li>• Blending a family</li> <li>• Single parenting</li> <li>• Aging or ailing relatives</li> <li>• Day care</li> </ul>	<ul style="list-style-type: none"> <li>• Homelessness</li> <li>• Stalking</li> <li>• Transportation</li> <li>• Physical abuse</li> <li>• Legal Issues</li> <li>• Utilities shut off</li> </ul>	<ul style="list-style-type: none"> <li>• Depression</li> <li>• Anxiety</li> <li>• Substance Abuse</li> <li>• Acute Adjustment Reaction</li> </ul>
POSSIBLE SYMPTOMS	POSSIBLE SYMPTOMS		POSSIBLE SYMPTOMS
<ul style="list-style-type: none"> <li>• Absenteeism</li> <li>• Interpersonal conflicts</li> <li>• Tardiness</li> <li>• Borrowing money</li> <li>• Excessive phone time</li> <li>• Frequent irritability</li> <li>• Extreme sensitivity</li> <li>• Abrasiveness</li> <li>• Uncooperativeness</li> <li>• Deterioration of performance</li> <li>• Over-reaction to criticism</li> </ul>	<ul style="list-style-type: none"> <li>• Extreme sensitivity</li> <li>• Abrasiveness</li> <li>• Absenteeism</li> <li>• Frequent irritability</li> <li>• Tardiness</li> <li>• Borrowing money</li> <li>• Excessive phone time</li> <li>• Uncooperativeness</li> <li>• Deterioration of performance</li> <li>• Interpersonal conflicts</li> <li>• Over-reaction to criticism</li> </ul>		<ul style="list-style-type: none"> <li>• Extreme nervousness</li> <li>• Uncontrollable outbursts of anger</li> <li>• Multiple physical complaints</li> <li>• Frequent visits to physician</li> <li>• Repetitive rituals or compulsive behavior</li> <li>• Sleeplessness</li> <li>• Increased heart rate</li> <li>• Headaches</li> <li>• Changes in speech pattern</li> <li>• Memory complaints</li> </ul>
REFERRAL	REFERRAL		REFERRAL
<ul style="list-style-type: none"> <li>• Employer HR professional or employee relations contact</li> <li>• Union</li> <li>• Affirmative Action</li> <li>• Back to immediate manager/supervisor if appropriate</li> <li>• Education and training</li> <li>• Books</li> </ul>	<p>Community resources such as:</p> <ul style="list-style-type: none"> <li>• Neighborhood involvement programs</li> <li>• Community emergency assistance</li> <li>• Economic assistance</li> <li>• Women's advocates programs</li> <li>• Men's advocates programs</li> <li>• Support groups</li> <li>• Transitional housing</li> </ul>		<p>Health Care Provider with follow-up provided by EAP counselor to ensure effective treatment.</p>

### **Intake Information Required**

Demographic information is collected as well as general assessment of presenting issue. This is confidential and will not be released to the employer without a very specific release of information

### **Confidentiality Standards**

Confidentiality is the bedrock of an Employee Assistance Program. **Sand Creek** goes above and beyond standard confidentiality practices to guarantee privacy for employees, managers and the organization.

All information revealed to the staff will be kept in strictest confidence in keeping with the provision of each state's statutes. Records will not be released without the prior written consent of the client.

To assure confidentiality:

- The Employee Assistance Professional will treat all employee and family employee information as confidential as mandated by law.
- In contacting clients at home or worksite, we only leave a message if given client approval. We do not leave messages with receptionists, etc.
- **Sand Creek** and LCL have the opportunity to consult with each other as long as a ROI is signed

### **Follow-Up: Sand Creek's Follow-Up Standards are Unsurpassed**

Follow-up is done on an individualized basis by the **Sand Creek** counseling staff for the following purposes:

- to determine if action plan has been carried out;
- to determine whether additional services are needed;
- to determine client satisfaction with referral services. (see client feedback card)

Follow-up is also done with referral source to confirm appropriateness of referral and action taken by such agency. **There is a standard 30 and 60 day follow-up to make sure client is satisfied with their referral.** Follow up will continue until client is satisfied with their referral choice.

Cases are reactivated to review effectiveness of resources or if additional variables develop that impact the presenting issue.

## Accessibility

Free parking is available at all locations. Clients can make appointments 8:00am through 7:00pm at most locations. Telephonic counseling is available 24 hours a day/7 days a week. Locations are handicap accessible and can be accessed by public transportation.

### **Minneapolis**

1660 South Highway 100, Suite 338  
Minneapolis, MN 55416

### **St. Paul**

Hamline Park Office Plaza  
570 Asbury Street, Suite 208  
St. Paul, MN 55104

### **Stillwater**

610 North Main Street, Suite 200  
Stillwater, MN 55082

### **Duluth**

925 East Superior Street, Suite 107  
Duluth, MN 55805

Sand Creek has providers in all 7 metropolitan area counties and throughout the State of Minnesota.

### **Procedures for Dealing with Crisis Needs**

24 hour a day/7 days a week accessibility to trained crisis counselors who assess the severity of the situation and determine the steps to take on a case by case basis

### **Critical Incident Stress Debriefings**

If a crisis occurs in the workplace, specially trained **Sand Creek** counselors are available to conduct debriefing sessions to help the workgroup deal with their reactions to the crisis and alleviate long term negative affects.

*The ability to think objectively under extraordinary circumstances is critical to the continued success of your organization. Our track record of creating positive outcomes during critical situations demonstrates Sand Creek's unmatched competence in this discipline.*

In the event of a sudden or unusual traumatic occurrence, such as death, layoff, or another work-related development, **Sand Creek** provides crisis management services to managers, employees and their dependents 24 hours per day in any location nationwide. We manage and plan steps related to the incident, educate on the stages of trauma reaction and crisis resolution, and provide one-on-one support to those who experience disruption in normal functioning.

**Sand Creek** has been working with organizations and their employees for nearly 30 years to face challenges minimize risk and liability and increase employee resiliency during and after traumatic events. We do this by offering the highest quality Crisis Management Services in the country.

Our staff is considered to be among the most respected professionals in the field.

- All clinical staff have a master's degree or Ph.D. in one of the human services fields.
- All are certified in the Mitchell Model of Crisis Management Response.
- All are seasoned practitioners with experience in the private, public and non-profit sectors, including facilitating debriefings after 9/11 in New York City.

# Lawyers Concerned for Lawyers Program Highlights 2022-2023

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- The legal profession is on the front lines of the greatest stressors in our society. Self-care and access to help is critical to serving clients and managing the impact on us. LCL created and customized outreach initiatives and programs and to remind colleagues that LCL provides both.
- LCL is on track to assist approximately 400 new clients on issues such as substance use, compulsive behaviors, mental health, stress, and other personal and professional problems. Substance use and compulsive behavior issues comprise just under 30% of calls.
- LCL volunteers will contribute nearly 1500 hours including over 1000 hours of direct service. Many encounters continue to be virtual, so peer support is doubly important. LCL volunteers have quickly adapted to changing needs and opportunities.
- LCL continued to utilize remote opportunities to market our programs and services through electronic avenues, allowing for “attendance” at more events. However, we believe that engagement is far more robust at live events. LCL staff and volunteers will deliver over 170 presentations by the end of the year. Over 500 people have signed up for a monthly LCL CLE and resource email message.
- LCL hosted a successful “Stepping Up for Well-Being” breakfast event and accompanying CLE. Myrna McCallum, host of *The Trauma Informed Lawyer* podcast was the featured speaker. LCL provides firms and other organizations who have joined LCL as well-being partners with a monthly message listing resources, initiatives, and programs and providing reminders of LCL services.
- LCL published two major articles and other short pieces for a variety of publications. *Mid-Career Attorneys: Navigating Speed Bumps and Finding Purpose*, appeared in [The Hennepin Lawyer](#) and the Ramsey [Barrister](#). LCL revised an earlier article about suicide prevention. [Every Lawyer Can Act to Prevent Peer Suicide](#) which was published by Law 360. LCL’s web site includes an active blog.
- LCL collaborated with many organizations on initiatives and programs. They include the ABA Commission on Lawyers Assistance Programs annual conference and numerous organizations around the state and the nation who hosted virtual, hybrid, and in-person presentations.
- LCL outreach to students included virtual office hours, information tables, and appearances in classes and as part of other meetings and events including ABA mental health day. LCL presented substantive programs in most Professional Responsibility classes.
- LCL staff and board members participate in diversity efforts of the MSBA, HCBA, RCBA, FBA and the MDLA to ensure that disability issues are included. LCL regularly collaborates with affinity bars on support initiatives. LCL’s impact was recognized when the Executive Director received the 2022 CoLAP Meritorious Service Award in recognition of her extraordinary service to lawyer assistance programs.
- LCL virtual groups include Family Support, ADHD Support, Career Challenges and Choices, Discipline and Practice, Parenting (co-sponsored with MWL) and the Path to Lawyer Well-being. LCL facilitates groups for legal services offices and hosts a weekly 12 step meeting.
- LCL meets all standards of the Charities Review Council and is accepted as a Gold Member by Candid.



**LAWYERS CONCERNED FOR LAWYERS**

Confidential Support for Legal Professionals

# **Minnesota's Lawyer Assistance Program 2023-2024 Annual Report**



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# Minnesota's Lawyer Assistance Program

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## Executive Summary

In 2023-2024 (LCL's fiscal year is July 1 – June 30) Lawyers Concerned for Lawyers responded to long-standing challenges and quickly stepped up to be a vital and important resource for new ones. LCL created and customized programs and initiatives to remind colleagues that LCL provides services to those who are struggling and resources to help reduce our risk. Self-care and access to help is critical to serving clients and managing the impact on us and our colleagues. LCL focused on impairment in the profession, trauma, suicide prevention, well-being for legal professionals and their families, and the impact of implicit bias in seeking help for mental health and substance use issues. LCL continued to provide a rapid response to changing needs in the profession, including programs, groups, and materials to provide information and support.

LCL served over 400 new clients. We reached out to lawyers, judges, law students, other legal professionals, and family members throughout Minnesota. LCL volunteers reported over 1300 hours including nearly 750 hours of direct service to others. Other volunteer work included CLE and other appearances, presentations, committee work and so much more. 2023-2024 highlights include:

**Education & Outreach:** LCL's programming incorporated more well-being messages into already vibrant programming about the risks of the legal profession and how to reduce them. LCL staff wrote or contributed to articles that were published in Minnesota and nationally. We continued to expand programming on trauma, burnout, and the connection of diversity, equity, and inclusion with well-being. LCL's educational efforts reached every facet of Minnesota's legal community. Volunteers and staff made nearly 200 live and remote appearances, including substantive programs, public service announcements, and law school programs and orientations. LCL staff and our dedicated volunteers hosted information tables at 41 conferences and institutes and handed out brochures, LCL pens, and other educational materials. LCL also hosted tables at each law school at least once per month during the academic year. Over 10,000 people attended an event or program where LCL's message was delivered, and others saw our exhibit tables.

**Finances:** LCL's finances are strong. LCL continues to explore new and innovative ways to increase the legal community's investment in LCL. LCL held our annual Stepping-Up with LCL Well-Being Breakfast to raise and maintain awareness and encourage financial support from the profession's stakeholders. LCL's accountant, Abdo, performed an audit and gave LCL a positive report. LCL has a grant agreement with the Minnesota Supreme Court to provide a Lawyer Assistance Program in Minnesota. This grant plus LCL fundraising allows the organization to provide a robust program to legal professionals and their families in Minnesota.

**Board Governance & Leadership:** LCL recruits and selects Board members for their diverse experience within and outside the profession. Board members were instrumental in the success of policy developments, governance, and policy initiatives, and well as educational and outreach efforts including the Stepping Up breakfast. The board discussed and implemented strategic planning initiatives.



**Clients/Services:** Many of the over 400 new clients served by LCL were concerned with more than one issue. Issues include substance use, compulsive behaviors, mental health, stress, and other personal and professional problems. Thirty percent contacted us with a concern about alcohol, drug, or compulsive behavior issues. Forty seven percent were concerned about mental health issues, primarily depression and anxiety. In addition, most people also listed general stress, financial, career, relationship, or family problems as causing difficulties. LCL continues to provide general and focused support groups remotely and hosts 12-step meetings in the LCL office and remotely.

## **Governance**

### **A. Board**

The LCL Board is comprised of 18 members. LCL strives to maintain a board that reflects the diversity of the profession we serve. Members have a broad base of skills, experience, and interests. The Board is responsible for financial oversight, fundraising, policy development, strategic planning, and broadly overseeing LCL's various programs.

### **B. Staff**

The employees of LCL are an executive director, two case managers, an outreach manager, and an administrative assistant. The executive director oversees program operations, client services, volunteer development and activities, outreach, community relations, and fundraising. The case managers maintain regular contact with clients, volunteer mentors and service providers, outreach and perhaps most importantly, volunteer development-membership activities. The case managers are also engaged in special projects based on their interests as well as LCL needs. The outreach coordinator develops and presents programs, builds and maintains contacts in the profession, maintains LCL's social media presence, and engages in other activities as appropriate. The administrative assistant handles initial client calls and manages administrative tasks including day-to-day and annual financial and compliance activities, technology needs and website updates.

### **C. Board Committees**

#### *1. Education and Outreach Committee*

The Education and Outreach committee is responsible for helping to develop LCL's strategic direction for outreach including continuing legal education (CLE) and general presentations to lawyers, judges, and law students, developing and maintaining partnerships with legal education providers and other entities, and providing training and development to the board. The committee also addresses promotion, publications, social media, and community relations. A more detailed listing of outreach achievements is contained elsewhere in this report.

#### *2. Nominations and Governance Committee*

LCL's Nominations and Governance Committee identifies and recruits board members and promotes balance in the board's diversity. LCL believes that the organization's strength and vitality will be advanced by a regular infusion of new members who bring energy, diversity, new ideas, and interests. The LCL board includes practicing lawyers, mental health professionals,

judges, law professors, and those with expertise in other areas. This Committee also considers governance issues as needed and appropriate.

### *3. Cases and Interventions Committee*

The LCL Cases and Interventions committee performs two related functions: it serves as a resource to assist concerned people in planning, coordinating, and implementing mental health and substance use interventions and other outreach, and it oversees the coordination, organization, and training of LCL volunteers in these activities. As with all other aspects of LCL's work, the Committee maintains the highest standards of confidentiality in all its activities.

### *4. Finance and Fundraising Committee*

The Finance and Fundraising committee adheres to a clear and consistent statement of LCL's mission and goals to educate potential donors about the importance of their investment in the mission of LCL. LCL relays the positive impact of increased donations on the quality of LCL programs and services and the consequent impact on client quality of life to our financial stakeholders. This committee is also responsible for overseeing the LCL audit or financial review and LCL annual events.

## **Lawyers Concerned for Lawyers: History and Mission**

The mission of LCL is to reach out and confidentially serve members of the Minnesota legal community experiencing conditions that impact the quality of their personal or professional lives, and to support their recovery, improve their lives, and further the delivery of justice. The LCL Board reviewed the 2019 strategic plan and committed to revisiting each of the elements while beginning arrangements to create a new plan.

Lawyers Concerned for Lawyers was founded in 1976 by 14 lawyers and judges, "to confidentially aid and assist chemically addicted lawyers and judges in the state of Minnesota". LCL is the oldest continuing lawyer assistance program in the nation. Initially, LCL volunteers and staff were mainly concerned with helping lawyers and judges with alcohol and drug issues, providing support, counsel, and often assisting with interventions.

With a growing awareness of the magnitude of depression in the profession, the Minnesota State Bar Association established a task force in 1999, including members of LCL, to study the incidence of lawyer depression and other mental illnesses. The study resulted in the unanimous adoption of a proposal to the Minnesota Supreme Court to establish a lawyer-funded Lawyers Assistance Program (LAP). The order establishing the LAP was issued in 2000.

LCL was awarded the contract to provide the LAP services to lawyers, judges, law students, and their immediate family members in 2001. Since mental health and substance use are often co-existing conditions, LCL staff and volunteers are uniquely positioned to be of great value in providing help and hope to members of our profession, their families, colleagues, and employers. We also receive calls from clients concerning gambling and other compulsive behaviors, as well as other mental health and life stress issues.

From its inception, LCL has maintained a strict policy and practice of confidentiality. LCL does not report to any discipline, ethics or licensing committees or entities. It is our longstanding, firm

belief that we can only be of help to our colleagues who still suffer if they can reach out for help without fear and know that confidentiality is absolute.

A particular strength of LCL is the many committed volunteers who are eager to share their experience, strength, and hope with colleagues so that they may recover from mental health and addiction issues that are interfering with their lives and livelihood. In this way, we also serve the interests of the bar at large and the community.

While maintaining this confidentiality, LCL is accountable to the Minnesota Supreme Court. LCL provides statistical reports to the Legal Services Advisory Committee, which administers the grant agreement. From time to time, the Supreme Court issues a Request for Proposals (RFP) to provide a lawyer assistance program featuring a professional and peer support model. LCL responded to the most recent RFP (issued in 2023) and was again awarded the contract for lawyer assistance services beginning July 1, 2023. LCL was the only applicant.

## Services

Lawyers Concerned for Lawyers supports members of the legal community and their immediate family members. Services to lawyers, judges, law students, other legal professionals, and their immediate family members, are:

**Intake:** When an eligible individual or concerned person or organization first contacts LCL, client support staff members discuss the concern and make appropriate referrals to peer and professional services. Sometimes an immediate connection is made with a treatment provider or to LCL's Employee Assistance Program (EAP) clinical subcontractor. The staff member arranges for and initiates follow-up.

**Assessment and Referral:** Licensed professional counselors, through the EAP, perform substance use, mental health and other assessments, making referrals to treatment centers or other community resources as needed and appropriate. With a release, EAP and LCL staff can collaborate on appropriate resources and connections, but the contents of client and counselor conversations are not shared.

**Short-Term Counseling:** Counselors may provide up to four free sessions to help the client resolve the problem. If extended therapy is deemed appropriate, the EAP will make a referral based upon individual needs. In individual cases, and on the recommendation of the counselor, up to two additional sessions may be provided. An individual with a new issue or concern may receive additional counseling sessions to deal with that issue.

**Crisis Counseling:** A 24-hour crisis telephone line is staffed by licensed professional counselors to assist lawyers, judges, law students, other legal professionals, and immediate family members with urgent or emergent problems. The EAP can also provide Critical Incident Stress Debriefing services in the aftermath of a tragedy or traumatic event.

**Peer Support:** One-on-one peer support often supplements on-going treatment or therapy and is helpful while treatment is being arranged. A volunteer may enhance the recovery and healing process by sharing their own story and providing support and guidance. LCL makes every effort to connect a client with a volunteer who has a similar profile including professional perspective and personal experience.

**Interventions:** Trained LCL volunteers work with concerned people and licensed professionals, as appropriate, to plan, rehearse and facilitate an intervention to educate the affected person about their issues and motivate them to accept professional help. This process, while developed for individuals with addiction problems, can also be helpful for those with mental health issues. In addition, volunteers may initiate other, less formal methods of reaching out to an individual in trouble. LCL also coaches employers and concerned others who wish to approach a colleague or family member about their concerns.

**Case Management:** LCL staff maintain contact with legal professionals receiving services to build an ongoing connection, to determine that the client is getting their needs met and that they are supported in continuing to access appropriate services. These connections help identify new problems and provide immediate help to minimize their impact.

**Support Groups:** LCL hosts support groups focusing on mental health and recovery issues. LCL hosts a well-being group, facilitated by mental health professionals, which addresses specific challenges in a supportive setting. Other groups for family members, lawyers with ADHD issues, solo and small firm practitioners, lawyers facing discipline, a parenting group (this is a collaboration with Minnesota Women Lawyers), and lawyers seeking career support are offered throughout the year and are facilitated by LCL staff members.

**LCL Founders Fund:** LCL has established a Founders Memorial Fund, which assists with the expenses for treatment that a client may not otherwise be able to afford. LCL typically partners with a provider who will also offer a scholarship or discount.

**Education and Prevention:** LCL offers a robust educational program to address the issues for which LCL provides assistance, from a variety of perspectives. CLEs and other educational programs on mental health, stress, trauma, bias, and other issues can help lawyers identify risk factors and learn new behaviors and attitudes to reduce their risk level. Through bar groups, law schools and private employers, LCL reaches out to legal professionals and organizations across the state.

## Finance

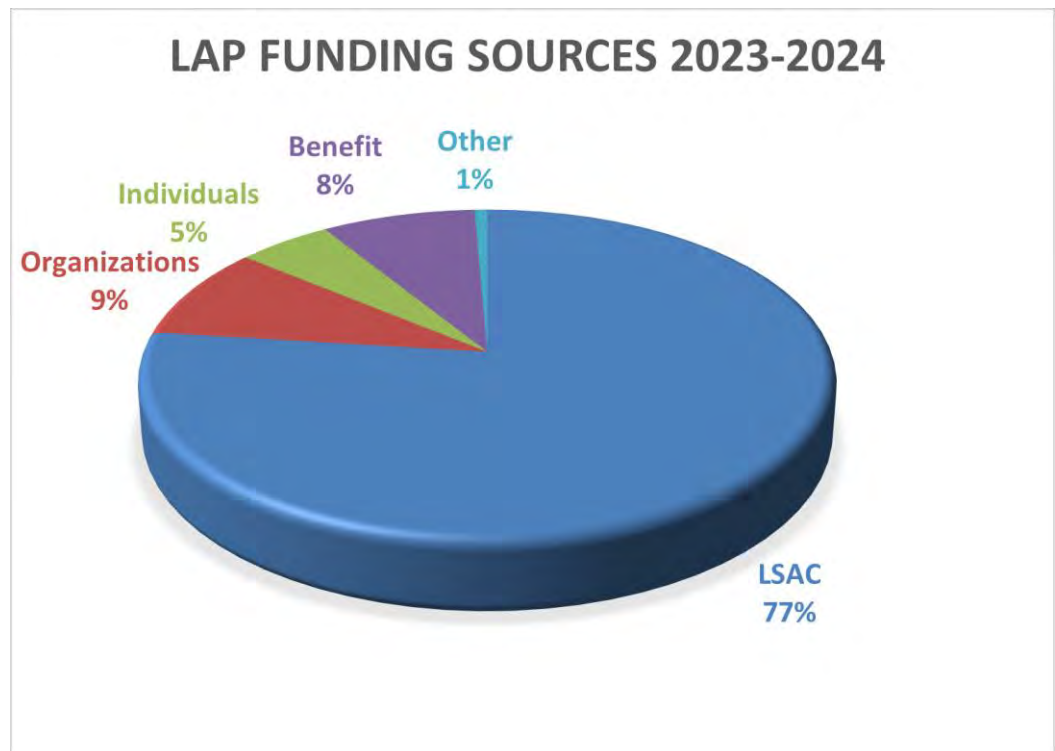
### A. Overview

LCL has a grant agreement with the Minnesota Supreme Court Legal Services Advisory Committee. The terms of the contract include a grant total of \$611,500 for 2023-24.

The funding from the Supreme Court was supplemented by financial support from individuals, law firms, bar associations, foundations, and the Stepping Up breakfast. Volunteers were key to securing some of these contributions. LCL finished the year within budget and maintains its emergency cash reserve with which it began the LAP in 2001.

## B. Source of Funds

The Minnesota Supreme Court grant administered by the Legal Services Advisory Committee (LSAC) provides the largest share of LCL's funding. The chart below presents the proportionate shares from all sources.



## 2023-2024 Financial Summary

Total income from all sources was \$794,815. This included the LSAC grant, contributions from individuals, organizations, and foundations, income from LCL's Stepping Up for Well-Being breakfast event, and honoraria for CLE programs and other presentations.

LCL's major expenses include:

- Counseling (up to four free sessions for lawyers, judges, law students, other legal professionals, and immediate family members), 24-hour crisis line, and group facilitation,
- Salaries for five staff members, office expenses, and special event expenses,
- Outreach costs including travel and a statewide mailing to every lawyer and judge admitted to practice in Minnesota, and
- LCL's Founders Fund payments for mental health services, beyond the four free sessions, for members of our profession who would otherwise be unable to afford them.

LCL's 2023-2024 Financial Statements are Appendix B.

## Education & Awareness

### A. Overview

LCL makes numerous CLE and other presentations throughout the year. Many LCL programs are approved for Elimination of Bias credit. Here are some highlights from the past year:

1. Programs (\* indicates new program or significant added content)

- \*Appellate Practice and Procedure: Requests for Accommodation
- \*Authenticity, New Professionalism, and Well-Being
- \*Avoiding Burnout as an Ethical Imperative
- \*Avoiding Burnout: What Fuels Your Fire
- Chronic Stress, Trauma, Mental Health, and Addiction in the Legal Profession
- \*Clients in Crisis: Helping Yourself, Helping Your Clients
- \*Continuing the Conversation with State and Local Task Forces: Legal Well-Being Round Table
- \*Creating Connection to Avoid Isolation and Promote Well-Being
- \*Creating Greater Well-Being in the Legal Profession: A Client and Counsel Partnership Model
- \*Cultivating Resilience to Thrive at Every Stage of our Personal and Professional Lives
- \*Ethical Dangers of Isolation in the Legal Profession
- \*Ethically Enhancing Workplace Well-Being with Self-Compassion, Gratitude, and Joy
- Ethics, Mental Health, and Well-Being in a Post-Covid Environment
- \*Ethics, Negativity & Stress
- \*Feeling Good by Doing Good
- \*Gender, Stress, and Ethics: Ethical Decision-Making Under Pressure
- Getting Your Bounce Back: Using Resiliency to Build Your Fitness to Practice
- Help for Colleagues in Crisis: Recognizing and Responding to Impairment and Other Challenges in the Legal Profession
- \*Helping Yourself While Helping Others: The ABCs of Well-Being
- \*How to Better Serve Clients and Live Your Best Life
- Implicit Bias in the Legal Profession: Mental Health and Double Stigma
- Interrupting Bias, Surviving and Thriving in Challenging Times
- \*IRAC (intention, Respect, and Care); Law Student Successes on the Continued Path to Well-Being
- \*It's Not Your Fight: Stress and Self Care for Family Law ADR Providers
- Keeping It Real: The Trauma-Informed Legal Professional
- Managing Ethics Negativity & Stress
- Mental Health, Well-Being, and Implicit Bias in a Post-COVID Environment
- Mental Health, Substance Use, and Transition Issues for Older Adults
- \*Mindfulness for Wellness
- \*Moving Wishes into Change
- \*Navigating a Disability Diagnosis in Law School or Practice
- Reducing Stigma to Avoid Chronic Stress and Burnout
- \*Resilience in Resolution: Coping with Trauma and Empathy Fatigue and Building Resilience
- Resolve to be Resilient
- \*Safety in the Legal Workplace

- Sleep, Neuroscience, and Ethics
- Stress, Addiction and Mental Health - An Ethical Perspective
- \*Stress, Trauma, Burnout, and the Overlap with Discipline--the Human Factor
- Stress, Vicarious Trauma, and Empathy Distress Fatigue
- Suicide Awareness and Prevention
- Surviving and Thriving in Challenging Times: Bias and Trauma
- \*Surviving and Thriving in the Law: One Prosecutor's Well-Being Journey
- \*\*The Emotional Divorce
- \*The Impact of Stress, Trauma, and Burnout on Lawyer Regulation
- \*The Lawyer as Peacemaker
- The Path to Well-Being: Practical Recommendations for Positive Change
- \*Trauma Informed Lawyering: Representing Low-Income Clients in Civil Matters
- \*Thriving as Latinx Legal Professionals: Prioritizing Well-Being in the Practice of Law
- Understanding and Managing Holiday Stress
- Understanding Chronic Illness
- \*Understanding Disabilities and Disability Insurance
- \*Understanding Neurodiversity
- Understanding Problem Gambling
- Understanding Stress, Trauma, Mental Illness, and Bias in the Legal Profession
- Vicarious Trauma, Empathy Fatigue, and Self-Care in the Legal Profession
- \*Well-Being for Child Support Magistrates
- When Your Client is Impaired
- \*Working with Human Nature Rather than Against It: From the Rules to the Next Right Thing

## 2. Exhibit Tables

LCL provides information and outreach through exhibit tables at a variety of conferences and workshops. The exhibit tables are staffed by LCL volunteers or staff members to answer questions and outreach. The tables include LCL brochures and a variety of resources on mental health, substance use, stress, and other issues. As program began to again be held in person, LCL hosted virtual or in-person tables at these events:

- Dorsey & Whitney event
- Minnesota CLE
- ADR Institute
- Appellate Practice Institute
- Banking Law Institute
- Bankruptcy Institute
- Cannabis Law Update
- Criminal Justice Institute
- Data Privacy and Cybersecurity Institute
- Elder Law Institute
- Employment Law Institute
- Environmental Law Institute
- Family Law Institute
- Labor and Employment Law Institute
- Midwest IP Institute
- New Lawyer Experience
- Probate and Trust Institute
- Real Estate Institute

- School Law
- Solo Small Firm Conference
- Tax Law Institute
- Workers Comp Deskbook Seminar and Workers Comp Institute
- MDLA Annual Conference
- Minnesota District Judges Annual Conference
- Minnesota Family Support and Recovery Council (MFSRC)conference
- MSBA Children and the Law Section summit
- MSBA Convention
- MSBA One Profession Events
- MSBA Solo Small Firm Summit
- MSBA New Lawyers Leadership Conference
- Minnesota County Attorneys Association Annual Conference
- Minnesota Supreme Court Annual Conference of Judges
- New Lawyers Admission ceremonies
- Law School orientations and monthly tables throughout the semester
- Tri-School Public Interest Fair

### 3. CLE Sponsoring Organizations

Many organizations hosted CLEs or law school informational programs in which LCL staff and volunteers played a part. Others provided an opportunity to make short announcements. Many of these provided more than one opportunity.

- American Bar Association, including CoLAP
- Bench meetings
- Dakota County Law Library
- District Bar Associations – MN
- Clay County Bar Association
- Federal Bar Association
- Hennepin County Bar Association sections and board
- Hennepin County Law Library
- International Municipal Lawyers Association
- Legal Services offices (several), and M-LAW
- Minnesota and St. Paul Foundation
- Asian Pacific Bar Association
- Minnesota CLE (live and webcast programs)
- Minnesota County Attorneys' Association
- Minnesota Defense Lawyers Association
- Minnesota Department of Education
- Minnesota Disability Bar Association
- Minnesota District Judges Association and Foundation
- Minnesota Family Support and Recovery Council
- Minnesota Justice Foundation
- Minnesota Law Schools—Professional Responsibility classes, orientation, student organization programs and ABA Mental Health Day initiatives
- Minnesota Lawyers Mutual
- Minnesota Office of Lawyers Professional Responsibility
- Minnesota State Bar Association, numerous sections
- Minnesota State Bar Association—One Profession (virtual and in-person)
- Minnesota State Law Library



- Minnesota Supreme Court
- Minnesota Women Lawyers
- National Alliance on Mental Illness
- National Organization of Bar Counsel
- Private law firms and corporations
- Public defender and county attorney offices
- Ramsey County Bar Association
- Ramsey County Law Library
- SMRLS
- State Bar Association of North Dakota
- State Board of Public Defense
- Washington County Law Library

#### 4. Program and Outreach Initiatives

- LCL designed and participated in a plenary session at the ABA Commission on Lawyer Assistance Programs annual conference, *IRAC (intention, Respect, and Care); Law Student Successes on the Continued Path to Well-Being*. The program was also presented as an ABA webcast for Law School Mental Health week.
- LCL created a new program, *Creating Connection to Avoid Isolation and Promote Well-Being*. The program was later customized to add a variation which included content qualifying for ethics credit.
- LCL collaborated with the Hispanic National Bar Association to present *Thriving as Latinx Legal Professionals: Prioritizing Well-Being in the Practice of Law*, at the HNBA annual conference held in Minneapolis.
- LCL hosted a successful “Stepping Up for Well-Being” breakfast event and accompanying CLE. Judge Bruce Peterson spoke on *The Lawyer as Peacemaker*.
- A series of well-being programs grew out of the state/federal well-being consortium that hosted conferences in 2019 and 2022, hosted by the MSBA Well-Being Committee and cosponsored by LCL. The first two were *Creating Greater Well-Being in the Legal Profession: A Client and Counsel Partnership Model* and *Working with Human Nature Rather than Against It: From the Rules to the Next Right Thing*.
- LCL added several more on-demand CLE programs, including one that was posted during Well-Being Week in Law (annually the first week in May).
- The MSBA sponsored a series of five LCL CLEs that were co-sponsored by several sections. LCL also collaborated with other bar organizations to offer programs.
- LCL participated in Law School Mental Health Day in October with virtual programs and appearances.
- All Minnesota lawyers and judges received an LCL brochure and additional information by mail.
- LCL and other sponsors hosted LCL CLE programs for on-demand credit. Over 4000 people registered for on-demand programs. Some organizations, including the MSBA, were unable to provide attendance numbers so the actual views are likely to be much higher.

#### 5. Publications

- LCL provided an article, [Temporal Landmarks and New Year's Resolutions](#) (page 12) for the annual print editions of the *Hennepin Lawyer* and the *Ramsey Barrister*.
- LCL was interviewed and provided resources for an ABA Bar Leaders publication, [Addressing the Lawyer Suicide Crisis: A Guide for Bar Leaders](#).

- An LCL informational article was published in the Minnesota Association for Criminal Defense Lawyers newsletter.
- A short LCL informational article and a later article on wintertime blues were published in the M-LAW Wellness newsletter, sent to all legal services professionals.
- LCL provided an article for the Bench and Bar well-being column, *What I Learned Grieving the Loss of my Dad*.
- Minnesota Lawyer published an article about the LCL breakfast.
- LCL published [five blog posts](#) for Well-Being Week in Law. The post on physical well-being was provided by MWL's Legal Athletes committee. LCL also published monthly blog posts the remainder of the year. See the list and the archive at [www.mnlcl.org](http://www.mnlcl.org).

## Client Services

### A. Client Service Overview

Clients initially contact LCL primarily by phone and email. Whether the call came from a concerned person or the legal professional or family member who is struggling, the issues identified as the cause for concern will typically include substance use (primarily alcohol), or other mental health disorders (mainly depression and anxiety) with considerable overlap. A trend showing a significant increase in anxiety, stress, job, family, and financial issues continues. A small number of clients prefer to call LCL's EAP clinical subcontractor directly to arrange an assessment and when appropriate, are referred back to LCL for ongoing support.

Many of LCL's presentations result in one or more requests for help. The situations are often complex and require significant exploration with the caller to determine the presenting issue, the details of the situation, and what services may be most helpful. While the caller may not be ready for all the available services, they may be heartened by the knowledge that such services exist and, when the time is right, can take advantage of them. Occasionally, the caller is distressed to the point that immediate action must be taken, and procedures are in place to act quickly. Follow-up is important to ensure that the client has been able to act on the referral and the referral has been helpful. Follow-up contacts also serve to assist in identifying other services that are appropriate and provide the opportunity to answer questions.

In 2023-24, the number of people requesting assistance for alcohol, other drug, and compulsive behaviors issues was consistent with the prior year, with a slight increase in drugs other than alcohol. After several years of increases, largely due to the pandemic, reports of anxiety were consistent with the prior year, and depression was lower. There were more people needing help with general stress, financial, practice management, relationship, and family issues. The numbers for grief and loss, professional responsibility/bar admission, and legal stress were consistent with prior years. Fewer people contacted us because of job and career or retirement concerns.

### B. Support Groups

LCL offers several support groups. Some groups are ongoing, and others convene when there is sufficient interest. Groups are virtual or hybrid depending on the wishes of the members and the availability of the facilitator. As a result, participants may join from anywhere in Minnesota. LCL also helped to promote AA/12 step, alternative abstinence-based, and AIAnon or related

support groups for legal professionals or family members who desired them. After several decades of support, the MSBA was no longer able to provide space for lawyer-focused AA meetings. While LCL does not sponsor these groups, we have endeavored to find a permanent alternative space. That goal was unfulfilled as of the end of the fiscal year.

### **Discipline and Practice**

A monthly group that focuses on the experience of facing bar admission and professional conduct issues. This group is for people who anticipate having an issue, who are currently engaged in the discipline or character and fitness process or who have gone through it and would like to connect with others who have similar experiences.

### **The Path to Lawyer Well-Being**

As part of ongoing efforts to reduce stigma, LCL hosts a group focused on well-being. Each session of the group, facilitated by counselors from LCL's Employee Assistance Program provider, offers information and discussion on a new topic in a supportive environment.

**Parenting Support**, co-sponsored with the MWL Professional Parents Affinity Group. This facilitated monthly gathering offers a relaxed environment for LCL's & MWL's working parents to meet with one another, network, and share their experiences, challenges, and successes, as it relates to their families and their professional careers. Meetings include both focused and general discussion. Because of the collaboration with MWL, we make it clear this is not a confidential group.

### **Family Support Group**

This group offers support for family members of those with addiction and/or mental health concerns. Participants may be lawyers, judges or law students, other legal professionals, or their family members. Topics include self-care and stress reduction as well as sharing resources and experiences.

### **ADHD Support Group**

This facilitated support group for lawyers, judges and law students is the first in the country. Some of the topics for discussion include anxiety reduction, practice-management tools and strategies, life and organizational management tools, and challenging negative assumptions about yourself.

### **Lawyers in Transition**

Lawyers Concerned for Lawyers offers a six-session Lawyers in Transition Group. This confidential group for lawyers, judges, and law students explores decision making and career alternatives within and outside the traditional practice of law.

### **Solo/Small Practice Connections Group**

This group began in Spring 2024. This confidential group offers support and discussion opportunities for solo and small group practitioners on how to manage the unique stressors of practicing law and managing a small or solo practice.

### **12 Step and other Support Meetings**

LCL maintains a list of AA, other 12 step, and other community support meetings and resources that have been recommended by LCL volunteers. LCL hosted 12-step support meetings are offered in a hybrid format.

## C. Confidentiality

The promise and provision of confidentiality is the cornerstone of LCL's mission and service model. LCL has instituted policies to limit information gathered and retained and to limit access to any client data.

Confidentiality is emphasized to every audience to whom LCL speaks and to every person who inquires about services for themselves, or for another lawyer, judge, law student, other legal professional, or family member. Sometimes a caller wishes to remain anonymous and LCL will provide whatever services we can in those circumstances.

## D. Selected Case Statistics

<b>LCL Client Issues*</b>	
<i>July 1, 2023 to June 30, 2024</i>	
404 New Clients	
Self-referred	80%
Referred by others	20%
Lawyer	71%
Judge	5%
Law Student/Grad. not admitted	14%
Family Member	8%
Other Legal Professional	2%
Presenting Issues*	
Alcohol	25%
Drugs	2%
Depression	15%
Anxiety	22%
Other Mental Health	15%
Compulsive Behaviors	2%
Financial/Legal Issues	9%
Grief and Loss Issues	8%
Relationship/Family	27%

Job/Employment	21%
Practice Mgmt./Retirement	12%
Stress	29%

\*Presenting issues add up to more than 100% because most people request help for more than one concern.

## Volunteers & Members

Volunteer lawyers, judges, and law students are the core of Lawyers Concerned for Lawyers and most other LAPs in the United States and Canada. A group of dedicated colleagues founded LCL in 1976 with a focus on lawyers impaired by alcoholism. That commitment to reach out to those in need in the legal profession continued when LCL expanded to a broader mission in 2001. LCL has helped thousands of lawyers, judges, law students, other legal professionals, and families, many of whom successfully began a recovery process. Many of these individuals, with the experience of substance use problems, depression, anxiety, or other issues and their effects on their personal and professional lives, have become active volunteers. They are ready to confidentially help others and the organization that creates such opportunities. Their unique experiences as legal professionals in distress who received help from LCL make them particularly qualified to carry the message of help and hope to colleagues. They do this through presentations and CLEs, by individual conversations with their peers, through mentoring others newly in recovery, by facilitating interventions, and through their own examples of reclaimed lives. Indeed, when our colleagues present relevant information and personal stories to others, those who hear the message sometimes become volunteers, reaching out to others, passing on what they have learned, and asking for advice from LCL in dealing with troubled colleagues. Some LCL volunteers are not in recovery but rather wish to support others in stressful situations or help with activities and outreach that focus on well-being.

The dedication of the volunteer lawyers and judges is exemplified through education as well as organizational tasks like committee meetings, board meetings, research, recruiting, and fundraising and office work. While some volunteers are retired, the majority make the time out of work and personal life to assist LCL and their colleagues. LCL volunteers received training in mentoring, visiting treatment and recovery centers, listening skills, effective outreach, and suicide prevention. LCL volunteers reported over 1300 volunteer hours this past year in supporting colleagues, performing the business of LCL, and other activities. Many more go unreported.

## FRED ALLEN DISTINGUISHED SERVICE AWARD

The Distinguished Service Award, established in 1980 and later renamed after Mr. Allen, recognizes one individual whose exemplary service has made a real difference for LCL and its members. Recipients include:

1980 Warren Eustis	2002 Charles Steffey
1981 Dave O'Connor	2003 Wayne Johnson
1982 David Nord	2004 Judith Rush
1983 Warren Eustis	2005 Justice James A. Gilbert
1983 James Noonan	2006 Andrew H. Mohring
1984 Patricia Ann Burke	2007 Howard Carp
1985 Thom Gmeinder	2008 Theodore Collins
1986 William Orme	2009 David R. Brink
1987 Gerald R. Freeman	2010 Richard A. Williams, Jr.
1988 Fred Allen and Paul Van Valkenburg	2011 Jerry Fitzgerald
1989 Roger Sax	2012 Greg Kryzer
1990 Bill Milota	2013 Dan Ganter
1991 Tom Healy and Kevin Green	2014 Judge Donovan Frank
1992 Jack Burke	2015 John D. Culbert
1993 Ralph Stenseth	2016 Sandra Grove
1994 Don Lamm	2017 Jennifer Anderson
1995 Charlie Spring	2018 Charles Ramsay
1996 Paul Van Valkenburg	2019 Terry Garvey
1997 Gerald R. Freeman	2020 Patty Beck
1998 Emil Jalonen	2021 Tom Beimers and Christine Wojdyla
1999 Gerald R. Freeman	2022 John Matheson
2000 Gerald R. Freeman	2023 Hon. Shawn Bartsh
2001 George Widseth	2024 Hon. Lawrence Johnson

Additional recognition is given on an annual basis to appreciate volunteers for outstanding service to LCL.

## External Relations

### A. Bar Associations

#### *1. MSBA Well-Being Committee*

The Lawyer Assistance Program developed from the joint efforts of the Minnesota State Bar Association Depression Task Force and LCL. The Task Force continued as the MSBA Life and the Law (now Well-Being) Committee. This close cooperation continues to this day. The Well-Being Committee is “dedicated to helping lawyers and legal professionals thrive in both their legal careers and personal lives.” While LCL maintains its independence from the MSBA and other organizations, enhanced programming around stress and balance has arisen through the Well-Being Committee, particularly a series of four programs in 2024. The Committee and LCL have worked together on programs and publications. Past accomplishments include a successful effort to expand Minnesota’s CLE rules regarding professional development and a

Law Student Working Group, a collaboration between LCL and the Minnesota law schools concerning wellness issues.

### *2. Diversity, Equity, and Inclusion Efforts*

To build and maintain awareness of issues related to disability within the legal profession, LCL has been involved in diversity efforts on the district, state, and national bar level. LCL has been involved in the Minnesota Disability Bar Association and frequently collaborates on resources and advocacy. Research shows that individuals who are subject to bias are at greater risk for mental health issues. LCL has developed programs and materials aimed at reducing stigma generally and in underrepresented communities. LCL is committed to diversity and inclusion in all aspects of its service and operations and seeks opportunities to collaborate with Affinity Bars and related organizations.

### *3. Bar Associations*

LCL maintains ties with state and district bar associations as well as affinity and specialty bars through educational and other efforts. Many of these organizations also provide critical financial support to the program.

## **B. Judges**

LCL reaches out to the judiciary through programs and exhibits at conferences and at bench meetings. This outreach is enhanced through our cooperation with the Minnesota District Judges Foundation to institute additional services and outreach. LCL is engaged in national efforts to support judicial well-being. Judges on LCL's board assist with judicial communications and outreach and advise staff on opportunities.

## **C. Law Schools**

LCL works to initiate awareness beginning with orientation and throughout a law student's career. Staff and volunteers host tables and speak about law school stress and other issues whenever the opportunity arises. This includes courses in professional responsibility, malpractice, and starting a law practice. LCL is also invited to speak by student organizations. LCL staff and volunteers host exhibit tables at least monthly during the academic year. LCL's social media includes focused posts for law students on stress management during exams and other issues.

## **D. Legal Services Advisory Committee**

Lawyers Concerned for Lawyers' grant to serve as Minnesota's Lawyer Assistance Program is administered by the Legal Services Advisory Committee, under the auspices of the Minnesota Supreme Court. LCL provides monthly financial and service reports to LSAC, which then reimburses LCL for program expenditures under the grant agreement.

## **E. ABA Commission on Lawyers Assistance Programs**

LCL is an active member of the ABA's Commission on Lawyer Assistance Programs (CoLAP). LCL staff members serve on various committees of the Commission including the Judicial, Law Student, and Annual Conference Committees.

## **F. Institute for Well-Being in Law**

LCL participates in the State Task Force consortium and volunteers and staff are engaged in other ways, particularly during Well-Being Week in Law, the first week in May.

## **G. Charities Review Council**

Minnesota's Charities Review Council recognizes nonprofit organizations that meet all standards for public disclosure, governance, financial activity, and fundraising. LCL has continually met all standards for four three-year terms and has adopted new policies when developed and recommended by the Council. LCL is also designated as a Gold Level Candid (formerly Guidestar) participant.

## **2024 and Beyond**

LCL's core purpose will continue to be to assist those with substance use issues, compulsive behavior problems, and mental health challenges. There are many opportunities along this road to provide assistance, not just at the point of crisis or disability. LCL developed a rapid response to changing needs in the light of the pandemic, social change and awareness, and other legal community stressors. LCL created and presented programs, groups, and materials to inform and support our profession. Many of these initiatives have since been adapted and expanded as new and different needs of the profession emerged.

As with many other organizations in the helping professions, the need to react quickly offered new opportunities. In 2024-25 LCL will continue to meet members of the profession "where they are" as new challenges arise. Groups and services will be offered remotely or in a hybrid format for the foreseeable future. LCL programs will continue to feature outreach and training based on national well-being publications and initiatives and will adapt programs or create new content to satisfy Minnesota's new mental health and substance use CLE credit requirement. LCL as an organization will continue to grow stronger through the development of a new strategic plan and transition to a new Executive Director. LCL will build a greater presence with an annual event to bring members of the profession together to recognize and support well-being.

LCL members and other volunteers, our most valuable resources, are the key to being able to provide an ear, mentoring, information, and sometimes a lifeline. We will continue to give our members additional training and opportunities to serve the organization and their local legal communities.

As we effectively, meaningfully, and confidentially connect with and serve all our constituencies, we will benefit from significant technology upgrades which enhance client security and build capacity in other ways. Recognizing that a remote world offers opportunities for those who might not have traveled to a program or event, we will continue to support greater access for colleagues in Greater Minnesota and maintain some of these now necessary platforms. We will continue to examine and revise strategies for fund development, focusing on our "Stepping Up" theme, to encourage investment by the profession to ensure a vibrant lawyer assistance program into the future. We will continue to build and develop relationships with core and specialty bar associations, judicial and law student organizations.

The legal profession is on the front lines of every societal challenge and crisis, and it is critical that we take care of ourselves. LCL will offer a helping hand and walk arm in arm with our colleagues as we "Step Up" to support those who depend on us. Regardless of their age or experience, when asked what they would do about a colleague who seems to be impaired or struggling or who is seeking resources for enhanced well-being, we want every lawyer, judge, and law student in Minnesota to be able to say, "I would call LCL."



## **Appendix A**

### **Lawyers Concerned for Lawyers Board of Directors 2023-24**

Andrew Mohring, Chair  
Jennifer Anderson, Chair-Elect  
Amanda Harrington, Secretary  
Katherine MacKinnon, Treasurer  
Caitlinrose Fisher, Past-Chair

Kendra Brodin  
Hon. Timothy Carey  
Howard Carp  
Ben Carpenter  
Ed Cassidy  
Grace Chanin  
Paul Cornick  
Hon. Martin Fallon  
Hon. Donovan Frank  
Kris Fredrick  
Matt Holson  
Hon. Lawrence Johnson  
Lisa Lodin  
Justin Page  
Vincent Pham  
Maureen Reinhardt  
Jude Schmit  
Jordan Vassel

#### **Staff**

Chase Andersen, Case Manager  
Joan Bibelhausen, Executive Director  
Jon Tynjala, Case Manager  
Judith Rush, Outreach Manager  
Annette Erbst, Administrative Assistant

## **Appendix B**

### **Lawyers Concerned for Lawyers**

#### **Minnesota Lawyer Assistance Program**

##### **Financial Statement 2024-25**

**<https://www.guidestar.org/profile/41-1289825>**

or on LCL's website:

**<http://www.mnlcl.org/about/about-lcl/annual-reports/>**

Published: Meets all standards

## Review Status

13 of 46

0 Unanswered  
31 Accepted  
1 [Unread Messages](#)  
0 Missing Documents

[Summary of your answers](#)

## + REVIEW PROCESS EVALUATION

## MEETS STANDARD SEAL

13 [Congratulations!](#)

## + HOW TO UPDATE YOUR REPORT

## + UPDATE YOUR ORGANIZATION'S INFORMATION

## + UPDATE YOUR IMPACT STORY

## + UPDATE YOUR FINANCIAL STORY

## + UPLOAD A NEW 990

## LAWYERS CONCERNED FOR LAWYERS

## 13) Congratulations!

**Your organization Meets Standards® with Charities Review Council!**

To begin using the Meets Standard® Seal, please review the [License Agreement](#) and complete the electronic signature below. You can then download the Meets Standards® Seal and other resources under "About this Question".

Check all that apply:

☒ I have read and understood the Meets Standards® Seal License Agreement. Name/Signature of Signer☒ Date Signed:*The seal and other resources are available for download under "About this Question."*[Save and Continue](#)[Save](#)[Add a question or comment](#)

## About this Question

The **Meets Standards® Seal** (.zip) is a visual marker of nonprofit strength and a great way for nonprofits to differentiate themselves, communicating their internal strength and impact to supporters.

**Where can I use the Meets Standards® Seal?** (PDF)

Use the Meets Standards® Seal in your print and web materials to set your organization apart and demonstrate your organizational strength.

To help you get started, we've provided sample email, newsletter, social media and press release language for you to use.

- [Meets Standards® Seal Style Guide](#) (PDF)
- [Where can I use the Meets Standards® Seal?](#) (PDF)
- [Sample Email/Newsletter](#) (PDF)
- [Sample Press Release](#) (PDF)
- [Sample Social Media Posts](#) (PDF)

**Download the Meets Standards® Seal** (.zip)**Schedule of Actions Required to Meet the Accountability Standards®** (PDF)

Several of the Accountability Standards® require the organization to take specific actions on a regular basis. Use this schedule to make sure you remember all of these required actions and make your next review easier by keeping track of when each action is completed!



## ***Accountability Standards®***

Charities Review Council is building donor and nonprofit relationships for strong, vibrant and just communities.

The Accountability Standards® are at the heart of our mission; with them, we're building a culture of philanthropy where donors and nonprofits are engaged partners, working together for stronger communities.

The Accountability Standards® are co-created benchmarks of nonprofit governance, finances, fundraising, and public communication, representing a balance of nonprofit sector promising practices, public expectations, and legal requirements.

## Build Strength with the Accountability Wizard®

Based on the Accountability Standards®, the Accountability Wizard® is the Council's innovative and educational online assessment tool for nonprofit capacity-building. The Accountability Wizard® review process provides a risk-free environment for nonprofits to align their governance and management practices, policies and procedures with co-created standards of nonprofit strength.

The Council works one-on-one with nonprofit organizations, providing robust resources, technical assistance, and non-judgmental support throughout the process. Upon completing the review process and meeting all 25 Accountability Standards®, the organization can use the Meets Standards® Seal, a visual marker of nonprofit strength.

Organizations who Meet Standards® not only receive the Meets Standards® Seal, but also join the Council's list of strong and trusted nonprofits. These nonprofits are listed on our website, in our semiannual print publication The Smart Giver Newsletter, in our monthly E-Newsletter, celebrated on social media, and recommended to donors via phone and email inquiries.

To learn more about the Accountability Wizard® nonprofit review process, go to [SmartGivers.org](https://SmartGivers.org).



## Understanding the Accountability Standards®



### NONPROFIT SECTOR PRACTICES

Over time, the nonprofit sector has developed shared expectations, promising practices, and knowledge in the areas of governance, management, programming, and fundraising. These practices go beyond legal and regulatory requirements, and are reflected in the standards that share this icon.



### DONOR AND PUBLIC EXPECTATIONS

Donors and the public expect nonprofits to conduct business in a way that honors their mission, their supporters, and their role as stewards of the resources they are trusted with. Standards that reflect donor and public expectations share this icon.



### LEGAL AND REGULATORY ADHERENCE

Nonprofits must be aware of, and adhere to, local, municipal, state, and federal level regulations and legal requirements. Standards that reflect laws and regulations share this icon.



### IRS FORM 990

Some standards contain information required by an organization's IRS form 990. Those Standards share this icon.

## How the Accountability Standards® Work

The Accountability Standards® are co-created benchmarks of nonprofit governance, finances, fundraising, and public communication, representing the shared expectations between donors and nonprofits. The Standards serve as the starting place for conversation and relationship. With them, donors and nonprofits can come together in new and authentic ways.

## Co-Created by Donors & Nonprofits

Community input is a critical component in the creation of the Accountability Standards®. During each review of the Accountability Standards®, the Council ensures that a broad spectrum of nonprofit leaders, donors, funders, and subject-matter experts are engaged. The Council is committed to continuously improving and building shared agreement about which Standards are important to the nonprofit and philanthropic sector, and which Standards lead to true strength and impact.

We welcome your feedback and participation in future reviews of the Accountability Standards®. The process involves research, evaluation, and gathering community input. To join the Standards Review Committee, email [info@smartgivers.org](mailto:info@smartgivers.org) or call 651-224-7030.

## ► PUBLIC DISCLOSURE

### *Annual Report & Communication*

#### PHILOSOPHY

Transparency and regular communication about a nonprofit's mission and accomplishments help donors make informed decisions, which leads to greater opportunity and community engagement.

#### STANDARD

Annually, the nonprofit will keep the following information available to the public via its website and/or a written report:

- Mission statement
- Definition of geography and populations served
- Description of each major program with related accomplishments
- Description of outstanding outcomes and/or significant unexpected events/incidents
- List of the Board of Directors
- List of key employees/volunteer staff
- Financial information including:
  - Balance sheet (with liabilities and assets)
  - Income statement (with income and expenses)
  - Functional expense allocation
  - Total expense for each major program

### *Impact on the Community*

#### PHILOSOPHY

By evaluating program goals and measuring progress toward achieving stated goals, donors can determine how well a nonprofit's goals and objectives align with their giving philosophy.

#### STANDARD

The nonprofit will make available its accomplishments from the previous year and goals for the current year in alignment with its mission and community impact.

### *Financial Transparency*

#### PHILOSOPHY

Public disclosure of financial information demonstrates a nonprofit's commitment to transparency that allows donors and potential partners to see that an organization is committed to building trust.

#### STANDARD

The nonprofit will publicly disclose their financial information, as required by the Annual Report & Communication and Legal Compliance Standards. If its revenues exceed \$750,000, the nonprofit will conduct an independent audit of its finances and receive an unqualified opinion.

### *Legal Compliance*

#### PHILOSOPHY

A nonprofit's commitment to comply with relevant laws and regulations establishes an important first step with donors, by promising to protect their assets, honor intent, and establish trust in the communities they serve.

#### STANDARD

The nonprofit will comply with federal and state laws and regulations. Examples of this include:

- Maintaining a board-approved Document Retention Policy that outlines clear timelines for retaining governing, legal, audit and financial documents, as well as destruction requirements once documents have exceeded their retention period,
- Registering to solicit with the Attorney General in any state where required,
- Providing donors with written acknowledgment letters as required by law,
- Providing public documents (such as the IRS Form 990, IRS Form 1023/24, and IRS Determination Letter) upon request,
- Adhering to the regulations on political campaign activities.

NOTE: If operating internationally, the nonprofit will comply with international laws (e.g. the General Data Protection Regulation, GDPR).

## GOVERNANCE

### **Monitoring Mission and Strategy**

#### PHILOSOPHY

Regular board member reviews of the nonprofit's mission and strategy assure both donors and partners that a nonprofit's finances are used responsibly and that the strategy is consistent with accomplishing its mission.

#### STANDARD

Annually, the Board of Directors will review the nonprofit's mission and supporting strategies, which connect to a longer-term plan that clarifies program effectiveness and community impact.

### **Governing Document Review**

#### PHILOSOPHY

The governing documents of a nonprofit formalize many of the policies, procedures, and structures that demonstrate effective governance. By regularly reviewing the organization's governing documents, a board assures relevance and alignment with current practices.

#### STANDARD

Every three years, the Board of Directors will review the nonprofit's bylaws and organizational policies.

### **Diversity, Equity, and Inclusion**

#### PHILOSOPHY

Nonprofits are stronger when they include a variety of experiences, perspectives, and skills, and utilize practices that nurture creativity and equity.

Diversity includes many dimensions, including but not limited to race, ethnicity, age, gender, cultural traditions, religion, sexual orientation, mental or physical ability, educational background, socioeconomic status, work experience, and so on. Being representative and inclusive of the population identified by a nonprofit's mission is key to maintaining public trust.

Nonprofits should build equity on every level and within every facet of their organization.

#### STANDARD

Every three years, the nonprofit's board and key staff will:

- Collect information about its participants, volunteers, vendors, staff, partners, board, practices, and programs,
- Review (in a documented conversation) the collected information and ensure the organization itself and the strategies it uses are reflective of who it serves, and
- Identify related goals, opportunities, gaps, and progress around diversity, equity, and inclusion efforts.

### **Board Orientation and Assessment**

#### PHILOSOPHY

An effective Board of Directors is engaged in the nonprofit's mission and possesses a sound knowledge and understanding of its operations and finances. It is committed to assessing and improving its capacity to govern.

#### STANDARD

The nonprofit will provide an orientation to new board members within one year of an initial election that includes a review of board roles and responsibilities.

Additionally, the board will conduct an annual self-assessment to ensure its effectiveness and capacity to govern.

### **Board Length of Service**

#### PHILOSOPHY

A well-governed nonprofit provides a way to recruit members with new and different expertise and allows for greater participation by the communities it serves.

#### STANDARD

Each board member will serve for no more than five years without standing for re-election. The organization's bylaws will set a limit on the number of consecutive terms a board member can serve.

### **Board Meetings**

#### PHILOSOPHY

A nonprofit's board is responsible for the organization's mission and programs. It is important that a board meets regularly to assure that members can make informed decisions.

#### STANDARD

The board of directors will meet at least four times each year while:

- Maintaining a quorum at each meeting, and
- Taking written minutes for each board meeting

### **Conflict of Interest Policy**

#### PHILOSOPHY

Conflict of Interests within a nonprofit can cause real or perceived public, financial and legal issues. A board's deliberations should be independent and free of bias from directors or key employees who have or may be perceived to have financially benefited from the outcome and to foster inclusive management practices.



## STANDARD

The nonprofit will consistently address director, officer, and key employee conflicts of interest in all facets of the organization by maintaining a board-approved policy that:

- Defines a conflicted relationship or transaction,
- Requires full disclosure when conflicts arise,
- Prohibits an interested party from approving or voting on a conflicted transaction,
- Requires annual written disclosure of real or perceived conflicts, and
- Is consistently enforced.

Additionally, the nonprofit will not provide loans to or relieve debts of any of its directors.

## *Separation of Roles*

### PHILOSOPHY

The ability of a board and its officers to act independently is compromised when key officer positions are simultaneously held by the same person and/or there is too great a presence of paid staff on the board.

## STANDARD

It is important that a board of directors is free of real or perceived conflicts of interest. For that reason,

- Only one paid staff member will serve on the board at any given time,
- Paid staff members will not serve as the board chair, and
- No board member will simultaneously serve as both the board chair and board treasurer.

## *Voluntary Board Service*

### PHILOSOPHY

With public trust and transparency in mind, board members will serve voluntarily, not receiving compensation or payment for board service.

## STANDARD

The nonprofit will not compensate board members for board service other than reimbursement of reasonable and accountable expenses directly related to their board service.

## *Chief Executive Assessment & Compensation*



### PHILOSOPHY

An important duty of a nonprofit's board includes regular discussion of the chief executive's goals and compensation. Annual goal setting and year-end assessments against

the goals establishes trust and understanding and identifies strengths and areas of opportunity in leadership development. Likewise, it builds public trust to assure that compensation decisions are carefully considered, and that pay is reasonable.

## STANDARD

Annually, the Board of Directors will set performance goals with the Chief Executive, (whether paid or unpaid). The Board of Directors will set goals for itself if there is no acting Chief Executive.

Additionally, the Board, or a committee to which it has delegated compensation authority, will obtain and review compensation data for comparable positions and consider whether the compensation is reasonable. This conversation will be documented in board or committee meeting minutes.

Note: Only individuals free of a conflict of interest in the compensation decision may participate in the discussion.

## *Federal Tax Filing Review*

### PHILOSOPHY

A nonprofit's success starts with its leadership. When a board takes responsibility for the accuracy and transparency of a nonprofit's annual financial filing, nonprofits showcase their strength.

## STANDARD

The board will conduct an annual review of the complete IRS Form 990 and all attachments within one year of its completion.

## *Whistleblower Policy*

### PHILOSOPHY

To demonstrate accountability to donors and constituents and to prevent abuse, a nonprofit should provide a means for reporting on perceived or possible illegal practices or violations of organizational policies.

## STANDARD

The nonprofit maintains a board-approved policy that:

- Communicates procedures for the reporting and investigation of complaints about perceived or possible illegalities, questionable practices, or policy violations,
- Provides for the confidentiality of the individual who reports the complaint,
- Protects the reporting individual from retaliation by the organization, and
- Allows staff to go directly to the board with any concerns that are within the board's purview.



## ▶ FINANCIAL ACTIVITY

### **Board Fiduciary Oversight**

#### PHILOSOPHY

Quarterly reporting and two-way board communication around financials creates important dialog between the governing board and the nonprofit, allowing for better financial management and a future of greater possibilities.

#### STANDARD

The Board of Directors will approve an operating budget (or draft budget) before the end of the first month of the fiscal year.

The Board of Directors will review quarterly financial reports that compare actual to budgeted revenue and expenses.

### **Use of Funds**

#### PHILOSOPHY

Strong nonprofits strive to efficiently and effectively use funds to achieve their mission while investing in infrastructure, administrative capacity, and the communities they serve.

The Council recognizes that the optimal balance point between program, administrative, and fundraising expenses will be different for every nonprofit.

#### STANDARD

65% or more of the nonprofit's three-year average annual expenses will be used to directly support programming. The Board of Directors will monitor this ratio and make adjustments to achieve the optimal balance for their organization.

65–70% — Meets Standard, provides an explanation

70–90% — Meets Standard, no explanation needed

90–100% — Meets Standard, provides an explanation

### **Financial Health Management**

#### PHILOSOPHY

Successful nonprofits navigate through different kinds of economic circumstances and demonstrate healthy financial management to donors.

#### STANDARD

The nonprofit will manage revenue and expenses to demonstrate financial sustainability including:

- Having positive unrestricted net assets at the end of the most recently completed fiscal year, and

- Demonstrating a surplus, or a deficit no greater than -5%, of unrestricted net assets for at least one of the three most recently completed fiscal years.

### **Balanced Reserves**

#### PHILOSOPHY

While a nonprofit should maintain a reasonable level of cash to safeguard against unexpected financial challenges, maintaining excess unrestricted reserves indicates a nonprofit is not maximizing the use of its resources in pursuit of its charitable mission. In such cases, it may not be appropriate to continue soliciting from the public unless it is clear that donations could be held in reserve.

#### STANDARD

The nonprofit's unrestricted net assets (for current use) will not be more than three times the current or next year's budgeted operating expenses.

### **Expense Reimbursement Policy**

#### PHILOSOPHY

Well-written policies help promote transparency within a nonprofit, especially when it comes to all administrative expenses, including travel and entertainment.

#### STANDARD

The nonprofit will maintain a board-approved policy, applicable to both board and staff, that describes acceptable expenses while setting reasonable limits and procedures for reimbursement, including if board members are not reimbursed.

# FUNDRAISING

## **Fundraising Disclosures**

### PHILOSOPHY

The future of equitable, successful philanthropy depends on strong donor–nonprofit relationships. Fundraising should always be honest and voluntary.

### STANDARD

A nonprofit’s print, email, and electronic solicitations will include:

- The purpose or programs for which the contributed funds will be used,
- Tax-deductibility language, and
- The name and address or phone number of the nonprofit.

## **Donor Financial Information Security**

### PHILOSOPHY

By protecting the personal and financial information of donors, nonprofits build trust with their supporters and community.

### STANDARD

Donor financial information is kept safe through established internal controls and secure methods of online giving (if applicable).

## **Donor Privacy**

### PHILOSOPHY

By protecting the privacy of donor information, a nonprofit fosters deeper communication and forges greater public trust.

### STANDARD

By request or on its website, a nonprofit will provide a donor privacy policy that describes:

- What donor information is collected,
- How donor information is collected,
- How that donor information is used by the organization, and
- How to contact the organization in order to edit their information.

Additionally, the policy will allow donors to opt out of making their private information publicly available or shared.

Nonprofits will have a board-approved discontinue contact policy allowing donors to opt out of receiving further communications from the organization, by oral or written request.

## **Soliciting Practices**

### PHILOSOPHY

By engaging in transparent soliciting practices, nonprofits can foster trust, create stronger relationships, and connect more deeply with donors.

### STANDARD

Solicitors who are not staff or volunteers of the nonprofit will:

- Identify themselves as professional fundraisers in each solicitation,
- State the name and location by city and state of the charitable organization he/she is soliciting for,
- Declare the tax-deductibility of the contribution,
- Describe the charitable program or purpose for which the solicited funds will be used.

Nonprofits will have both a signed contract with the professional fundraiser hired and proof of that fundraiser’s current and active registration with the Attorney General (in any states where required).

Additionally, when nonprofits engage in cause-related marketing, both the nonprofit and its for-profit partner will clearly state the amount being contributed to the nonprofit in promotional materials.

## ***Thank You, Standards Review Committee!***

Thank you to all who participated in the 2018 review of the Accountability Standards®. Your dedication of time, talent, and treasure made this process possible.

## ***Interested in participating in the Standards Review Committee in the future?***

Email [info@smartgivers.org](mailto:info@smartgivers.org) or call 651-224-7030.





# **LAWYERS CONCERNED FOR LAWYERS**

## **EXTERNAL CONFIDENTIALITY POLICY**

### **BACKGROUND**

In the early 1970's, a number of recovering alcoholic lawyers and judges began meeting to determine what, if anything, they might do in order to help other lawyers recover from the disease of alcoholism and reduce the devastation alcohol and drugs were having on their profession. In the beginning, they followed the example of Alcoholics Anonymous: sharing their own stories of what it had been like before recovery and what it was like afterward. What they discovered was that a common theme emerged: the using person, family members, partners and employers had a deep fear of disclosure and distrusted everyone, especially the Office of Professional Responsibility and the Bar Association. At that time there was an ethical requirement that all lawyers report immediately to the Office of Professional Responsibility any wrongdoing by a lawyer.

With this information as a guide, this group of lawyers and judges expressed to the Supreme Court and the Office of Professional Responsibility their findings and their desire to start an organization, not affiliated in any way with the Bar Association, the Office of Professional Responsibility or the Supreme Court. The purpose of this organization would be to take a public stance on educating lawyers and judges about alcohol and drug addiction, assist lawyers, judges, family members, law partners, and others to overcome the stigma of addiction and get help before they died, destroyed families or law firms, or became a problem for the office of Professional Responsibility. They also decided that, as an organization, they would make no recommendation as to any individual's discipline or license to practice law. The group was formed and became known as Lawyers Concerned for Lawyers (LCL). The original purpose of LCL was to assist lawyers, their firms or families to get help for the deadly disease of alcohol and drug addiction. The Supreme Court encouraged LCL to move forward and agreed that LCL should keep absolutely confidential any and all information discovered in the process of helping another lawyer. This program has now been successful in Minnesota for over 35 years.

LCL has now expanded its work and is helping lawyers with other problems, including mental health issues where, again, social stigma, fear of disclosure, and inability to recognize the condition may result in a reluctance to acknowledge and address the need for help. As a result, the need for LCL's independence from the Office of Professional Responsibility, the Supreme Court, and the State Bar Association remains even greater than before. Absolute confidentiality and the perception of absolute confidentiality is critical to the success of any future work by LCL. We must never forget what worked and lose the opportunity to continue to help lawyers.

## **POLICY**

1. This policy will govern the application and interpretation of section 8.02(a) of the corporate bylaws insofar as it applies to requests from outside parties or organizations.
2. LCL will not provide any individually identifiable information with respect to:
  - a. any contacts made with LCL; or
  - b. any referrals or services provided by LCL.
3. No LCL member, officer, or employee is authorized to disclose any individually identifiable information about any case on behalf of LCL.
4. In the event that an individual who has contacted LCL desires to provide a release to the Lawyers Responsibility Board, the Board of Law Examiners, or the Board of Judicial Standards, a release must be directed to a specific individual, i.e., therapist, group leader, etc. LCL will, upon written request of the person providing the release, forward the release to the individual to whom the release is directed. The individual to whom the release is directed will be governed by the professional and/or legal standards applicable to him/her in determining what information may or may not be released.
5. Nothing in this policy will prevent a member of LCL from verifying an individual's attendance at a meeting, if requested to do so by him or her. However, such verification is made in a personal capacity by that member and not on behalf of LCL.

*For additional information, contact Lawyers Concerned for Lawyers*

*651-646-5590, 866-825-6466 or [help@mnclcl.org](mailto:help@mnclcl.org)*

## Policy on Conflicts of Interest and Disclosure of Certain Interests

This Conflict of Interest policy is designed to help directors, officers and employees of Lawyers Concerned for Lawyers (hereafter LCL) identify situations that present potential conflicts of interest and to provide LCL with a procedure which, if observed, will allow a transaction to be treated as valid and binding even though a director, officer or employee has or may have a conflict of interest with respect to the transaction. The policy is intended to comply with the procedure prescribed in Minnesota Statutes, Section 317A.255, governing conflicts of interest for directors of nonprofit corporations. In the event there is an inconsistency between the requirements and procedures prescribed herein and those in section 317A.255, the statute shall control. All capitalized terms are defined in Part 2 of this policy.

1. Conflict of Interest Defined. For purposes of this policy, the following circumstances shall be deemed to create Conflicts of Interest:

A. Outside Interests.

(i) A Contract or Transaction between LCL and a Responsible Person or Family Member.

(ii) A Contract or Transaction between LCL and an entity in which a Responsible Person or Family Member has a Material Financial Interest or of which such person is a director, officer, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative.

B. Outside Activities.

(i) A Responsible Person competing with LCL in the rendering of services or in any other Contract or Transaction with a third party.

(ii) A Responsible Person's having a Material Financial Interest in; or serving as a director, officer, employee, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative of, or consultant to; an entity or individual that competes with LCL in the provision of services or in any other Contract or Transaction with a third party.

C. Gifts, Gratuities and Entertainment. A Responsible Person accepting gifts, entertainment or other favors from any individual or entity that:

(i) does or is seeking to do business with, or is a competitor of LCL; or

(ii) has received, is receiving or is seeking to receive a loan or grant, or to secure other financial commitments from LCL; or

(iii) is a charitable organization operating in Minnesota; under circumstances where it might be inferred that such action was intended to influence or possibly would influence the Responsible Person in the performance of his or her duties. This does not preclude the acceptance of items of nominal or

insignificant value or entertainment of nominal or insignificant value which are not related to any particular transaction or activity of LCL.

## 2. Definitions.

A. A "Conflict of Interest" is any circumstance described in Part 1 of this Policy.

B. A "Responsible Person" is any person serving as an officer, employee or member of the Board of Directors of LCL.

C. A "Family Member" is a spouse, domestic partner, parent, child or spouse of a child, brother, sister, or spouse or domestic partner of a brother or sister, of a Responsible Person.

D. A "Material Financial Interest" in an entity is a financial interest of any kind, which, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect a Responsible Person's or Family Member's judgment with respect to transactions to which the entity is a party. This includes all forms of compensation.

E. A "Contract or Transaction" is any agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a loan or grant, the establishment of any other type of pecuniary relationship, or review of a charitable organization by LCL. The making of a gift to LCL is not a Contract or Transaction.

## 3. Procedures.

A. Prior to board or committee action on a Contract or Transaction involving a Conflict of Interest, a director or committee member having a Conflict of Interest and who is in attendance at the meeting shall disclose all facts material to the Conflict of Interest. Such disclosure shall be reflected in the minutes of the meeting.

B. A director or committee member who plans not to attend a meeting at which he or she has reason to believe that the board or committee will act on a matter in which the person has a Conflict of Interest shall disclose to the chair of the meeting all facts material to the Conflict of Interest. The chair shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting.

C. A person who has a Conflict of Interest shall not participate in or be permitted to hear the board's or committee's discussion of the matter except to disclose material facts and to respond to questions. Such person shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting.

D. A person who has a Conflict of Interest with respect to a Contract or Transaction that will be voted on at a meeting shall not be counted in determining the presence of a quorum for purposes of the vote. The person having a conflict of interest may not vote on the Contract or Transaction and shall not be present in the meeting room when the vote is taken, unless the vote is by secret ballot. Such person's ineligibility to vote shall be reflected in the minutes of the meeting. For purposes of this paragraph, a member of the Board of Directors of LCL has a Conflict of Interest when he or she stands for election as an officer or for re-election as a member of the Board of Directors.



E. Responsible Persons who are not members of the Board of Directors of LCL, or who have a Conflict of Interest with respect to a Contract or Transaction that is not the subject of Board or committee action, shall disclose to the Chair or the Chair's designee any Conflict of Interest that such Responsible Person has with respect to a Contract or Transaction. Such disclosure shall be made as soon as the Conflict of Interest is known to the Responsible Person. The Responsible Person shall refrain from any action that may affect LCL participation in such Contract or Transaction.

F. In the event it is not entirely clear that a Conflict of Interest exists, the individual with the potential conflict shall disclose the circumstances to the Chair or the Chair's designee, who shall determine, along with members of the Executive Committee if the Chair so chooses, whether there exists a Conflict of Interest that is subject to this policy.

4. Confidentiality. Each Responsible Person shall exercise care not to disclose confidential information acquired in connection with such status or information the disclosure of which might be adverse to the interests of LCL. Furthermore, a Responsible Person shall not disclose or use information relating to the business of LCL for the personal profit or advantage of the Responsible Person or a Family Member.

5. Review of policy.

A. Each new Responsible Person shall be required to review a copy of this policy and to acknowledge in writing that he or she has done so.

B. Each Responsible Person shall annually complete a disclosure form identifying any relationships, positions or circumstances in which the Responsible Person is involved that he or she believes could contribute to a Conflict of Interest arising. Such relationships, positions or circumstances might include service as a director of or consultant to a nonprofit organization, or ownership of or material financial interest in a business that might provide goods or services to LCL. Any such information regarding business interests of a Responsible Person or a Family Member shall be treated as confidential and shall generally be made available only to the Chair, the Executive Director, and any committee appointed to address Conflicts of Interest, except to the extent additional disclosure is necessary in connection with the implementation of this Policy.

C. This policy shall be reviewed annually by each member of the Board of Directors. Any changes to the policy shall be communicated immediately to all Responsible Persons.

## Lawyers Concerned for Lawyers

### Conflict of Interest Information Form

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Please describe below any relationships, positions, or circumstances in which you are involved that you believe could contribute to a Conflict of Interest (as defined in LCL' Policy on Conflicts of Interest).

*I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, the Policy of Conflict of Interest of LCL. If a new Conflict of Interest arises during the board year, I agree to disclose the Conflict prior to the next regular meeting of the LCL Board of Directors.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**LAWYERS CONCERNED FOR LAWYERS**

Confidential Support for Legal Professionals

## **Lawyers Concerned for Lawyers Diversity and Inclusion Commitment**

Lawyers Concerned for Lawyers (LCL) serves lawyers, judges, law students and their immediate family members throughout the State of Minnesota. We are committed to diversity and inclusion in our services and outreach efforts. LCL defines diversity and inclusion to include race, color, creed, religion, national origin, sex, sexual orientation, marital status, physical or mental disability, receipt of public assistance, age, familial status, type of practice, size of employer, geographic location, length of time out of law school, and economic factors affecting particular groups within the profession.

Because there is no organized effort in the legal profession, such as a bar association, that addresses and advocates in the area of disability, LCL staff and volunteers actively represent the concept of disability in various bar association diversity committees and other efforts. This includes but is not limited to the Minnesota State Bar Association, the Federal Bar Association – Minnesota Chapter, Minnesota Women Lawyers, various affinity bar associations, Hennepin County Bar Association, Ramsey County Bar Association, the Minnesota Defense Lawyers Association and law schools.

LCL recognizes that individuals from diverse groups within the legal profession may experience additional stress because of explicit or implicit bias or disparate treatment. LCL has developed programming and services to inform the profession about and to be sensitive to these issues. LCL creates and presents elimination of bias CLE programs.

LCL endeavors to seat a diverse board and considers diversity and inclusion in all recruitment, hiring and staff development.

LCL appreciates recognition for our diversity and inclusion efforts from law firms and others that support these issues and initiatives in the legal profession.

Questions about the LCL Diversity and Inclusion Policy or any other LCL matters may be addressed to the Executive Director at [help@mnlcl.org](mailto:help@mnlcl.org)

# **LAWYERS CONCERNED FOR LAWYERS**

## **DIVERSITY AND INCLUSION ASSESSMENT**

### **Who is the community we serve?**

The Legal Profession in Minnesota

### **How do we as an organization reflect the community we serve?**

Through our board, volunteers and outreach efforts.

### **How do we define diversity?**

All categories found within the Minnesota Human Rights Act plus type of practice, size of employer, geographic location, length of time out of law school, and economic factors affecting particular groups within the profession.

### **What are our current diversity and inclusion initiatives**

1. Engage with bar association diversity efforts
2. Engage with minority bar organizations
3. Represent the concept of disability in all diversity efforts as there is no distinct organization for lawyers with disabilities
4. Engage with minority organizations in law schools
5. Recruit a diverse board
6. Consider diversity and inclusion in all recruitment and hiring.
7. Ensure that staff are trained in the area of diversity and inclusion
8. Elimination of Bias CLE programs

### **What are our diversity and inclusion opportunities?**

1. More frequent engagement with minority bars and law student organizations
2. More intense recruitment of volunteers with diverse backgrounds
3. Dialogue with diverse attorneys for advice on increasing effectiveness

Lawyers Concerned for Lawyers  
Founders Memorial Fund

Purpose

This fund has been created to provide aid for lawyers, judges and law students who are in need of treatment that they cannot afford. It is our goal to do so in a timely, cost effective and procedurally simple manner.

Requirements

1. There must be established need.
2. This need would be caused by circumstances surrounding addiction or mental illness, although other disabling circumstances might also be considered.
3. The client is taking all reasonable steps to rehabilitate her/himself and take care of his/her financial problems.
4. There is a plan in place with a reasonable expectation that the client will be self-sufficient in a defined time.
5. The person cannot get financial assistance elsewhere.
6. The person doesn't have assets or the ability to receive immediate funds from mortgages, retirement accounts, etc.

Covered Expenses

Benefits may include but are not limited to, contributions to the cost of addiction treatment up to \$4,000, medication management appointments, co-pays for medications, 1<sup>st</sup> month's rent for approved sober housing or the equivalent, and incidental expenses while participating in a treatment program or receiving therapeutic services. A majority of the LCL Board of Directors may approve a higher amount in individual circumstances.

Exclusions

Benefits exclude, except in exceptional circumstances, coverage for business or partnership debt, licenses, insurance premiums, hardship caused by inability to find work in the legal field, continuing legal education expenses, legal fees or health insurance premiums.

Eligibility Considerations

1. Does the applicant have a chemical dependency or mental illness diagnosis?
2. What is the status of the applicant's financial situation, nature and value of assets, and nature and amount of current and long term liabilities?
  - a. Are any financial resources available from the applicant's immediate family?
  - b. Is the applicant or spouse employed and what are their respective salaries and employment histories?

- c. Does the applicant or his/her family qualify for any type of government financial assistance, private or group insurance benefits or other sources of private or public financial assistance?
  - d. Are any resources of applicant's employer available?
- 3. What other financial resources are available to the applicant?
- 4. What is the nature of the applicant's financial problem?
- 5. Is the financial problem significantly interfering with the applicant's recovery from chemical dependency or mental illness?
- 6. Would financial assistance with the problem be a positive factor in the treatment of the applicant?
- 7. What is the applicant's current status in the treatment program and his/her anticipated progress?
- 8. Is funding available through H.E.A.R.T?
- 9. Is the facility willing to reduce the total charge to match funding provided by LCL?
- 10. What is the applicant's plan regarding recovery and employment?

#### Procedure

1. Grants for treatment related services, including sober housing. Applicants will be asked to complete a brief financial disclosure form and request for assistance. Referrals by treatment providers and acceptance by facilities will also be required for sober housing. Requests for \$200.00 or below may be approved by the Executive Director. Requests in excess of \$200.00 must also be approved by two (2) members of the LCL Board of Directors. Requests for more than the \$4,000. limit must be approved by a majority of the Board. Approval need not be simultaneous. All disbursements will be made as payments to 3rd parties on behalf of the applicant.
2. Grants for medication related expenses. Applicants will be asked to complete a complete a brief financial disclosure form and request for assistance. A narrative request will also be accepted. Requests of \$500 or under may be approved by the Executive Director. In accordance with LCL policy, checks over \$500 must be assigned by another Board member who is so authorized. Disbursements will be made as payments to 3<sup>rd</sup> parties on behalf of the applicant unless exceptional circumstances are present.

#### Founders Fund Management

\$25,000.00 will be maintained at all times. Interest, as well as principal amounts in excess of \$25,000.00, are available for disbursement. Efforts will be made to secure the highest practicable gain on investment of principal which may include housing the principal within a larger foundation. A separate accounting will be made of Founders' Fund assets and expenditures.

# Fundraising

Lawyers Concerned for Lawyers (LCL) fundraising will be conducted according to the highest ethical standards with regard to solicitation, acceptance, recording, reporting and use of funds.

## **Policies - General**

Lawyers Concerned for Lawyers' (LCL) board of directors has overall responsibility for raising sufficient funds to meet budgeted objectives.

Lawyers Concerned for Lawyers may decline funds or in-kind donations that may bring about adverse conditions for the organization or its constituents and gifts given for purposes outside the scope of its mission. Decisions regarding the appropriateness of gifts will be made by the Executive Committee in consultation with the chair of the Fundraising Committee.

## **Policies – Discontinue Donor Contact**

Lawyers Concerned for Lawyers (LCL) will discontinue contact with any person upon that person's oral or written request directed to LCL. LCL does not use a professional fundraiser.

Lawyers Concerned for Lawyers will maintain a record of all requests by persons who indicate to LCL that they do not wish to be contacted by or on behalf of LCL.

This policy does not prohibit contact by LCL that is solicited by a person or a person's representative, even if the person or his/her representative have requested to be placed on the "do not contact list." Contact by LCL that is solicited by a person whose name appears on "do not contact" list shall be limited to providing a direct response to the person's inquiry and shall not cause the person's name to be removed from the "do not contact" list.

If a person requests that LCL discontinue further contacts, the person's name and address will be promptly removed from its database or modified to insure that no further contact is made with the person. LCL will also take steps to insure that the person's name is removed from any external databases or records under LCL's control. LCL sends an annual informational mailing which includes a fundraising component to all Minnesota attorneys and judges. A label file is purchased from the Supreme Court and sent electronically directly to the mailing house, and LCL has no control over this list. If an individual who receives this mailing requests no further contact, we will explain the source and the fact that LCL has no control over individual names.

LCL will maintain a record of all requests for discontinuance of contacts. Oral requests will be recorded in writing by the LCL staff and maintained with the written requests.

The records of persons who have made such a request will be maintained by LCL to the extent necessary for legal or liability purposes.

### **Policies – Donor Confidentiality and Collection, Use and Storage of Donor Information**

Because of the nature of the work of Lawyers Concerned for Lawyers, it is LCL's policy to keep confidential the names of all individual donors unless permission is expressly given to publicize the donor's name. All donor information is maintained in a secure database and copies of checks and bank deposit records are kept in a locked file. Files that include thank you notes are password protected. All credit card donations are accepted through the secure site GiveMN or through PayPal. LCL does not have access to individual credit card information.

Individuals who make contributions to LCL will be placed in our secure database and will receive an annual solicitation letter unless they request that we not contact them.

### **Accountability to Donors**

Lawyers Concerned for Lawyers will comply with all federal, state and local laws concerning fundraising practices, including registration and annual reporting with the Office of the Minnesota Attorney General.

Lawyers Concerned for Lawyers is responsible for conducting their fundraising activities in a manner that upholds the public's trust in stewardship of contributed funds.

Fundraising communications will include clear, accurate and honest information about the organization, its activities and the intended use of funds.

Lawyers Concerned for Lawyers will use funds consistent with donor intent and comply with specific conditions placed upon donations.

Lawyers Concerned for Lawyers will send a written acknowledgement to all donors who make an "in-kind" donation in excess of \$75 and will also send a written acknowledgement to all donors who made contributions of cash or property in the previous calendar year.

Lawyers Concerned for Lawyers will not share, trade or sell contact information for any donor under any circumstances.

Lawyers Concerned for Lawyers will communicate with contributors regarding their activities and will make such information available through appropriate channels in the legal community and in LCL's website.

Approved December 15, 2013.





## Lawyers Concerned for Lawyers

### Discontinue Contact Policy

LCL has never had a request to cease solicitation. If LCL is asked to discontinue contact based on a list we have generated, we will do so. LCL sends an annual informational mailing which includes a fundraising component. A label file is purchased from the Supreme Court and sent electronically directly to the mailing house. If an individual who receives this mailing requests no further contact, we will explain the source and the fact that LCL has no control over individual names.

## LAWYERS CONCERNED FOR LAWYERS RECORD RETENTION POLICY

Lawyers Concerned for Lawyers takes seriously its obligations to preserve information relating to litigation, audits and investigations.

The information listed in the retention schedule below is intended as a guideline and may not contain all the records the Organization may be required to keep in the future. Questions regarding the retention of documents not listed in this chart should be directed to the Chair or Executive Director.

From time to time, the Chair may issue a notice, known as a “legal hold,” suspending the destruction of records due to pending, threatened, or otherwise reasonably foreseeable litigation, audits, government investigations, or similar proceedings. No records specified in any legal hold may be destroyed, even if the scheduled destruction date has passed, until the legal hold is withdrawn in writing by the Chair.

	Item	Retention Period
<b>Corporate Records</b>	Bylaws and Articles of Incorporation	Permanent
	Corporate Resolutions	Permanent
	Board and Committee meeting agendas and minutes	Permanent
	Conflict of Interest Disclosure Forms	5 years
<b>Finance and Administration</b>	Financial statements (audited)	7 years
	Auditor management letters	7 years
	Payroll records	7 years
	Check register and checks	7 years
	Bank deposits and statements	7 years
	Chart of Accounts	7 years
	General ledgers and journals ( includes bank reconciliations)	7 years
	Investment performance reports	7 years
	Equipment files and maintenance records	7 years after disposition
	Contracts and Agreements	7 years after all obligations end
	Contributions records – Restricted	7 years after Restriction is met
	Contributions records – Unrestricted	7 years
	Correspondence – general	3 years
<b>Insurance Records</b>	Policies – occurrence type	Permanent
	Policies – claims –made type	Permanent
	Accident reports	7 years
	Safety (OSHA) reports	7 years
	Claims (after settlement)	7 years
	Group disability records	7 years after end of benefits
<b>Real Estate</b>	Deeds	Permanent
	Leases (expired)	7 years after all obligations end
	Mortgages, security agreements	7 years after all obligations end
<b>Tax</b>	IRS exemption determination and related correspondence	Permanent
	IRS form 990s	7 years

	Charitable Organizations Registration Statements (filed with Minnesota Attorney General)	7 years
<b>Human Resources</b>	Employee personnel files	Permanent
	Retirement plan benefits (plan descriptions, plan documents)	Permanent
	Employee handbooks	Permanent
	Worker's Comp claims (after settlement)	7 years
	Employee Orientation and training materials	7 years after use ends
	Employment Applications	3 years
	IRS Form I-9 (store separate from Personnel file)	Greater of 1 year after end of service, or five years
	Withholding tax statements	7 years
	Timecards	3 years
<b>Technology</b>	Software licenses and support agreements	7 years after all obligations end

1. **Electronic Documents and Records.** Electronic documents will be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document types on the below schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an e-mail message, the message should be printed in hard copy and kept in the appropriate file or moved to an "archive" computer file folder. Backup and recovery methods will be tested on a regular basis.
2. **Emergency Planning.** The Organization's records will be stored in a safe, secure, and accessible manner. Documents and financial files that are essential to keeping the Organization operating in an emergency will be duplicated or backed up at least every week and maintained off site.
3. **Document Destruction.** The Executive Director is responsible for the ongoing process of identifying its records, which have met the required retention period, and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding. Electronic documents will be deleted from all personal computers, databases, networks and off-site storage.  
  
Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.
4. **Compliance.** Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against Lawyers Concerned for Lawyers and its employees and possible disciplinary action against responsible individuals. The Board will periodically review these procedures with legal counsel or the organization's certified public accountant to ensure that they are in compliance with new or revised regulations.

# **TRAVEL AND OTHER EXPENSE REIMBURSEMENT POLICY**

**Approved December 21, 2010**

## **1. Purpose.**

The Board of Directors of Lawyers Concerned for Lawyers (LCL) recognizes that board members, officers, and employees ("Personnel") of LCL may be required to travel or incur other expenses from time to time to conduct Company business and to further the mission of this non-profit organization. The purpose of this Policy is to ensure that (a) adequate cost controls are in place, (b) travel and other expenditures are appropriate, and (c) to provide a uniform and consistent approach for the timely reimbursement of authorized expenses incurred by Personnel. It is the policy of LCL to reimburse only reasonable and necessary expenses actually incurred by Personnel.

### **When incurring business expenses, LCL expects Personnel to:**

- Exercise discretion and good business judgment with respect to those expenses.
- Be cost conscious and spend LCL's money as carefully and judiciously as the individual would spend his or her own funds.
- Report actual expenses, supported by required documentation.

## **2. Expense Report.**

Expenses will not be reimbursed unless the individual requesting reimbursement submits a written Expense Report. The Expense Report, which should be submitted at least monthly or within two weeks of the completion of travel if travel expense reimbursement is requested, must include:

- The individual's name.
- If reimbursement for travel is requested, the date, origin, destination and purpose of the trip, including a description of each LCL-related activity during the trip.
- The affiliation of all people for whom expenses are claimed (i.e., people on whom money is spent in order to conduct LCL's business).
- An itemized list of all expenses for which reimbursement is requested.

## **3. Receipts.**

Receipts are required for all expenditures, such as airfare and hotel charges. No expense in excess of \$25.00 will be reimbursed to Personnel unless the individual requesting reimbursement submits with the Expense Report written receipts from each vendor showing the vendor's name, a description of the services provided (if not otherwise obvious), the date, and the total expenses, including tips (if applicable).

## **4. General Travel Requirements.**

### **A. Necessity of Travel.**

In determining the reasonableness and necessity of travel expenses, Personnel and the person authorizing the travel shall consider the ways in which LCL will benefit from the travel and weigh those benefits against the anticipated costs of the travel. The same considerations shall be taken into account in deciding whether a particular individual's presence on a trip is

necessary. In determining whether the benefits to LCL outweigh the costs, less expensive alternatives, such as participation by telephone or video conferencing, or the availability of local programs or training opportunities, shall be considered.

**B. Personal and Spousal/Partner Travel Expenses.**

Individuals traveling on behalf of LCL may incorporate personal travel or business with their Company-related trips; **however**, Personnel shall not arrange Company travel at a time that is less advantageous to LCL or involving greater expense to LCL in order to accommodate personal travel plans. Any additional expenses incurred as a result of personal travel, including but not limited to extra hotel nights, additional stopovers, meals or transportation, are the sole responsibility of the individual and will not be reimbursed by LCL Expenses associated with travel of an individual's spouse, family or friends will not be reimbursed by LCL.

**5. Air Travel.**

**A. General.**

Air travel reservations should be made as far in advance as possible in order to take advantage of reduced fares. LCL will reimburse or pay only the cost of the lowest coach class fare actually available for direct, non-stop flights from the airport nearest the individual's home or office to the airport nearest the destination. Fees for one bag will be reimbursed.

**B. Saturday Stays.**

Personnel traveling on behalf of LCL are not required to stay over Saturday nights in order to reduce the price of an airline ticket. An individual who chooses to stay over a Saturday night shall be reimbursed for reasonable lodging and meal expenses incurred over the weekend to the extent the expenses incurred do not exceed the difference between the price of the Saturday night stay ticket and the price of the lowest price available ticket that would not include a Saturday night stay. To receive reimbursement for such lodging and meal expenses, the individual must supply, along with the Expense Report, documentation of the amount of the difference between the price of the Saturday stay and non-Saturday stay airline tickets.

**C. Frequent Flyer Miles and Compensation for Denied Boarding.**

Personnel traveling on behalf of LCL may accept and retain frequent flyer miles and compensation for denied boarding for their personal use. Individuals may not deliberately patronize a single airline to accumulate frequent flyer miles if less expensive comparable tickets are available on another airline.

**6. Lodging.**

Personnel traveling on behalf of LCL may be reimbursed at the single room rate for the reasonable cost of hotel accommodations. Convenience, the cost of staying in the city in which the hotel is located, and proximity to other venues on the individual's itinerary shall be considered in determining reasonableness. Personnel shall make use of available corporate and discount rates for hotels. "Deluxe" or "luxury" hotel rates will not be reimbursed.

**7. Out-Of-Town Meals.**

Reasonable and necessary expenses incurred on behalf of LCL will be reimbursed on a per diem basis not to exceed GAO guidelines in the location where they are incurred.

## **8. Ground Transportation.**

Employees are expected to use the most economical ground transportation appropriate under the circumstances.

## **9. Personal Cars.**

Personnel are compensated for use of their personal cars when used for LCL business. When individuals use their personal car for such travel, including travel to and from the airport, mileage will be allowed at the currently approved IRS rate per mile. In the case of individuals using their personal cars to take a trip that would normally be made by air, e.g., Minneapolis to Milwaukee, mileage will be allowed at the currently approved rate; however, the total mileage reimbursement will not exceed the sum of the lowest available round trip coach airfare.

## **10. Parking/Tolls.**

Parking and toll expenses, including charges for hotel parking, incurred by Personnel traveling on LCL business will be reimbursed. The costs of parking tickets, fines, car washes, valet service, etc., are the responsibility of the employee and will not be reimbursed. On-airport parking is permitted for short business trips. For extended trips, Personnel should use off-airport facilities.

## **11. Entertainment and Business Meetings.**

Reasonable expenses incurred for business meetings or other types of business-related entertainment will be reimbursed to the extent necessary to carry out LCL business. Detailed documentation for any such expense must be provided, including:

- date and place of entertainment.
- nature of expense.
- affiliation of those entertained.
- a description of the business purpose for the activity including the specific business matter discussed.
- vendor receipts showing the vendor's name, a description of the services provided, the date, and the total expenses, including tips (if applicable).

## **12. Other Expenses.**

Reasonable LCL-related telephone, internet and fax charges due to absence of Personnel from the individual's place of business are reimbursable. In addition, reasonable and necessary gratuities that are not covered under meals may be reimbursed. Finally, emergency secretarial work and/or postal charges incurred are reimbursable for the purpose of work on behalf of LCL.

## **13. Non-Reimbursable Expenditures.**

LCL maintains a strict policy that expenses in any category that could be perceived as lavish or excessive will not be reimbursed, as such expenses are inappropriate for reimbursement by a nonprofit, charitable organization.

## **LCL Employee Protection (Whistleblower) Policy 2013**

It is the intent of Lawyers Concerned for Lawyers to adhere to all laws and regulations that apply to the organization and the underlying purpose of this policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations. An employee is protected from retaliation if the employee, in good faith, reports a violation, suspected violation or planned violation of federal, state or common law to LCL or any governmental body or law enforcement official. If appropriate and if provided with reasonable opportunity, LCL will attempt to investigate and correct the reported activity.

Employees are encouraged to bring any concerns to the Executive Director. If the employee is not satisfied with the Executive Director's response or is more comfortable speaking to the Board Chair or another Board Member, the employee may do so.

Complaints or concerns may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of complaints will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. However, confidentiality cannot be guaranteed.

LCL's Executive Director, working in conjunction with the Chair of the Board, will serve as LCL's Compliance Officer. The Compliance Officer is responsible for investigating and resolving all employee complaints and allegations. The Board Chair or his or her designee will serve in this role if the complaint involves the Executive Director.

My signature below indicates my receipt and understanding of this policy. I also verify that I have been provided with an opportunity to ask questions about the policy.

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Employee Signature

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Date



# **Lawyers Concerned for Lawyers**

## **History**

In May, 1976, a group of recovering chemically dependent lawyers and judges in Minneapolis and St. Paul, Minnesota, met to hear Judge Leon Emerson of Downey, California, who was invited to speak on California's attempt to provide a support system for chemically dependent lawyers. The Twin Cities lawyers were interested in forming a similar organization in Minnesota.

Lawyers attending this meeting included Fred Allen, Warren Eustise, Judge Eugene Farrell, R. J. Fitzgerald, Paul Fling, Gerald R. Freeman, Earl Isensee Jr., John McEachron, William R. Nelson, Ellsworth Serstock, Edward Vaverick, Mike Welch, and Dick Wright. They were founders of Lawyers Concerned for Lawyers (LCL).

After the speech, the group discussed and determined that many lawyers and judges in Minnesota were suffering from chemical dependency and that this condition created problems for themselves, their families, their clients, and their law firms. The group also felt that chemically dependent lawyers and judges cannot accept their conditions unless another lawyer or judge, who is in recovery, intervened face to face. Recovering lawyers and judges, the group said, provided the understanding and compassion necessary to successful treatment when the chemically dependent lawyer or judge was assured of confidentiality.

During the next two months, the group met periodically to discuss creating a formal organization, specifically for lawyers that would benefit not only the judicial system but also clients and families of afflicted lawyers and judges. In addition, this organization would keep membership and recovery information in strict confidence.

In July, 1976, Lawyers Concerned for Lawyers (LCL) was formed. One month later, the founders incorporated LCL as a non-profit organization and began a campaign within the Minnesota State Bar Association to publicize its mission to help lawyers and judges recover from the effects of chemical dependency. LCL then asked two highly respected judges, Edward Devitt, U.S. District Court, St. Paul, and Susanne Sedgwick, Hennepin County District Court, Minneapolis, to serve on its first board of directors although they were not chemically dependent. Their presence in LCL, according to its founders, would help members of the bar and bench become aware of LCL's mission.

In 1999, LCL and the Minnesota State Bar Association jointly presented a petition to the Minnesota Supreme Court that asked for partial funding of LCL's expansion in creating a broad brush Lawyers Assistance Program (LAP) to include help for those lawyers and judges afflicted with mental health problems as well as chemical dependency and other addictions.

### **Organization**

The purpose of LCL is to convey the message of recovery to lawyers and judges. LCL assists families and other concerned people in arranging and conducting interventions, visits lawyers and judges who are in treatment, and offers on-going recovery support to the afflicted and their families. In addition, LCL provides educational information on chemical dependency to Minnesota law schools, law firms, judges' organizations, and the bar and bench in general.

LCL provides a location where lawyers and judges who are in recovery can meet twice a month, share their experiences, and further their growth by helping others. It also organizes various Alcoholic Anonymous (AA) groups for recovering lawyers and judges to join as a follow up to their recovery. In addition, LCL sponsors an on-going depression group.

Confidentiality is crucial to LCL's success. All information is kept confidential because lawyers and judges who need help would not come forward if they feared disciplinary actions against them. LCL is independent of any legal disciplinary body-- Minnesota Supreme Court, Minnesota Board of Professional Responsibility, and Judicial Board of Standards. It is not a committee of the Minnesota State Bar Association.

LCL's phone operates 24 hours a day to help all callers. Its program coordinator directs calls to the proper sources while keeping all information confidential.

### **Membership**

LCL is open to lawyers who are licensed in Minnesota and who are recovering from chemical dependency and to non-dependent people who show a sincere interest in assisting lawyers and judges in the area of chemical dependency.

As of 2001, LCL is the only peer/professional chemical dependency service available to Minnesota's lawyers and judges. It has approximately 400 members throughout every judicial district in Minnesota.

LCL's operating funds come from donations and grants by its members, law firms, various bar associations and bar foundations. Members donate their services to help other legal professionals.

For more information, call LCL at (651) 646-5590 or visit its website at [www.mnlcl.org](http://www.mnlcl.org).



## **Lawyers Concerned for Lawyers**

### **HISTORY AND MISSION**

**Lawyers Concerned for Lawyers was founded in 1976 by 14 lawyers, all recovering alcoholics, "to confidentially aid and assist chemically addicted lawyers and judges in the state of Minnesota". LCL is the oldest continuing program of its type in the nation although nearly every state and Canadian province now has a similar organization. For the first few years, LCL volunteers and staff were mainly concerned with helping lawyers and judges with alcohol and drug issues, providing support, counsel and often assisting with interventions.**

**With a growing awareness of the magnitude of depression in the profession, the MSBA in 1999 established a task force, which included members of LCL, to study the incidence of lawyer depression and other mental illnesses. The study resulted in the unanimous adoption of a proposal to the Minnesota Supreme Court to establish a lawyer funded Lawyers Assistance Plan (LAP). The order establishing the LAP was issued in 2000 to provide services to lawyers, judges and law students.**

**LCL was awarded the contract to provide the LAP services. Since depression, other mental illnesses and substance misuse are commonly co-existing conditions, LCL is uniquely positioned to be of great value in providing help and hope to members of our profession, their families, colleagues and law firms. We do this through our committed professional staff and many volunteers.**

**From the beginning, LCL has held to the strict policy of confidentiality. We do not report to any disciplinary, ethics or licensing committees of the bar. It is our longstanding firm belief that we can only be of help to our colleagues who still suffer if they can reach out for help without fear that by doing so, they might harm their reputations or livelihood.**

**A particular strength of LCL is the many committed lawyer volunteers who are eager to share their experience, strength and hope with other lawyers, judges and law students that they may recover from mental health and addiction issues that are interfering with their lives and livelihood. In this way, we also serve the interests of the bar at large.**