

How One Lawyer Overcame Alcoholism – With the Help of Lawyers

By Chuck B.

Editor's Note: In the tradition of Alcoholics Anonymous, the author has asked that his full name not be used.

The less people tolerated us, the more we withdrew from society, from life itself. As we became subjects of King Alcohol, shivering denizens of his mad realm, the chilling vapor that is loneliness settled down. It thickened, ever becoming blacker. Some of us sought out sordid places, hoping to find understanding, companionship and approval. Momentarily we did – then would come oblivion and the awful awakening to face the hideous Four Horsemen - Terror, Bewilderment, Frustration, Despair. Unhappy drinkers who read this page will understand!¹

– Alcoholics Anonymous

This description of an alcoholic vividly describes the plight of a lawyer suffering from alcoholism. Partners, associates, judges, staff, family members and friends can attest to the challenges when trying to have an ordinary, mutual relationship with an alcoholic. In my case, alcohol took me to a place that I never want to return to. Under the lash of alcoholism, I had become a person who Bill Wilson, a co-founder of Alcoholics Anonymous, so aptly described as maladjusted to life, an outright mental defective or in complete flight from reality. What has happened to me can happen to all people who want to stop drinking but find out they can't stop no matter how much they want to stop. If the reader can identify with that feeling of hopelessness or knows someone who seems to be unable to stop drinking or abusing substances, there is hope.

My name is Chuck B; I am an alcoholic.

I started drinking alcohol in eighth grade. My first experience included a blackout, which is a loss of all recall of most of the events of the night: vomiting, lying to my parents, a terrible hangover and astonishingly, great excitement anticipating the next time I could drink. Normal drinkers usually will not drink so much alcohol that they have a blackout, vomit and/or have a profound personality change. If they do experience one or more of those conditions, it will likely never happen again. Not so with me. I couldn't wait for the next chance to drink. Even when I knew that I couldn't stop once I started, even when I consistently awakened from a binge to a host of new problems, even when I had important business the next day – SATs, exams, court, client meetings, hearings and trials. My life became a series of lies, which then led to drinking to take away the feelings that lying and self-deception created as I attempted to rationalize inexplicable thoughts, ideas and unwarranted emotional outbursts. This didn't happen overnight. From one evening in a village park in Western New York, to college and law school in the nation's capital and to the World Trade Cen-

ter and Wall Street in New York City, the effects of living an alcoholic life devoured my being. I had succumbed to the temptation of alcohol on a warm summer evening, and it took over my life in the way that only a cunning, baffling and powerful force can do. Despite drinking weekly, I excelled in high school and did well in college, where my alcohol consumption significantly increased and was seemingly enhanced by using illegal substances (it was the '60s and the revolution was on). I did very well in law school even though I was now daily using drugs to ease the stress and anxiety during the week and resorting to blackout binge drinking on the weekends. I passed the bar exam the summer after graduation and then practiced law in Washington, D.C., for three years, all the while abusing alcohol and drugs daily.

In December 1976, I took the New York Bar Exam, passed it and moved to New York City. Together with two other young lawyers, we opened a firm in Manhattan with offices at One World Trade Center. We were very successful and expanded rapidly. By 1979, we had outgrown our office space. My responsibility as managing partner was to find new space and move the firm by Labor Day. Even though I couldn't see it at the time, drinking and drug use were taking over my life. I was becoming obstinate, sullen, argumentative, moody, defensive, loud and unreasonable.

In March 1979, my mother died unexpectedly. I avoided grieving and instead increased my alcohol and drug use. The combination of pressure from management responsibilities and grief resulted in decisions that were detrimental to the health of the firm and culminated in its breakup in December 1979. On Dec. 14, lawyers and staff were told that they would not be paid that day, that they would not receive their promised Christmas bonuses and, effective Jan. 1, 1980, the firm would be dissolved.

Jan. 1, 1980 was a momentous day. Not only was the firm dissolved, but that was the day that I came out of a 10-month brownout, a term that AA members use to describe an extended period of time when we appear to be functioning and in control but have almost no recollection of events that occurred during that time. Later, when I looked at my life through AA's 12-step lens, I discovered that I had been living in a world that was being created in my mind. I had little, if any, connection to reality. Over the course of that January day, I came to realize that all I had worked for all of my life was gone – the law firm, the status of managing partner, the mental ability to practice law, the respect of my colleagues, my friendships, my assets, my self-esteem and my health. As desperate as my situation was, I turned to my reliable friends, alcohol and drugs. The terror, frustration, bewilderment, and despair that had me in its grip seemed to disappear as soon as I used these substances.

For the next nine years, I wallowed in self-pity. In my mind and to anyone close enough to hear me, I cast the blame for my plight on my business partners, employees, the legal profession, bankers and friends who had “abandoned” me. In my delusional mind, I had done nothing wrong; I was the victim. Alcoholics lack perspective, but my lack of perspective in hindsight was astonishing.

There were many twists and turns over the next nine years. I left New York in disgrace in December 1980. I was bankrupt, financially and spiritually. I was alone and afraid. I moved back to my hometown in Western New York, where I lived at my father’s house. I was afraid to practice law because I didn’t ever again want to have the responsibility to clients, associates, partners or the public that accompanies the profession. I was afraid to make money; I thought money had corrupted me. I tried to live as an ascetic so that I wouldn’t be tempted by material possessions. These are just a few of the insane thoughts that occupied my mind. I know today that I was impaired, suffering from a spiritual disease, one that distorts reality in such a way that I become overwhelmed by feelings of restlessness, irritability and discontent. I turned to alcohol and drugs to get rid of those feelings even though I knew that once I started to drink, I wouldn’t be able to stop even if I want to. I was powerless over that spiritual force. I was, as Bill Wilson described, in a complete flight from reality.

I met a woman in the summer of 1981 and we married in 1982. Because my wife had enrolled in a graduate school program, we moved to a larger city. I worked as a substitute teacher while my wife attended school. Eventually I was certified as a social studies teacher and was hired to teach in a local high school. When that school closed, I was hired at another high school to work as the substitute assistant principal. By that time, my marriage was failing and I thought things would be better if she stopped drinking. I was seeing a therapist who kept suggesting that I might want to try to go to Alcoholics Anonymous. I thought he misunderstood me. In my mind, my wife had a drinking problem. I had no idea that my drinking had spiraled out of control.

Out of boredom in my job as substitute vice principal, I decided to return to the practice of law. At an office Christmas party in 1987, an attorney in the firm announced that he was not drinking and explained the effects alcohol had on him and the struggles he had with it. It struck a chord in me. Within months, I found myself in his office, where I learned about a group called Lawyers Helping Lawyers. With the help and suggestion of my therapist, I began individual and group alcohol therapy.

From 1985 to that point, I had tried almost every other means possible to stop drinking to no avail. I had stopped using drugs mostly because I couldn’t afford them; I used every available dollar to obtain alcohol. Finally, in June

1988, after a particularly bad run ending with a major fight with my wife, I went to an AA meeting. From my first meeting, I felt at home. I felt understood. I could identify with the pain that others talked about, the havoc that surrounded them, the selfishness and self-centeredness that sabotaged all their personal relationships. Hearing how their lives had changed because of AA, I left that first meeting with hope. But I didn’t go back the next day. I wanted to kick this habit on my own. I did sporadically attend AA meetings. However, without steady and consistent support, I was unable to stop drinking and unable to save my marriage.

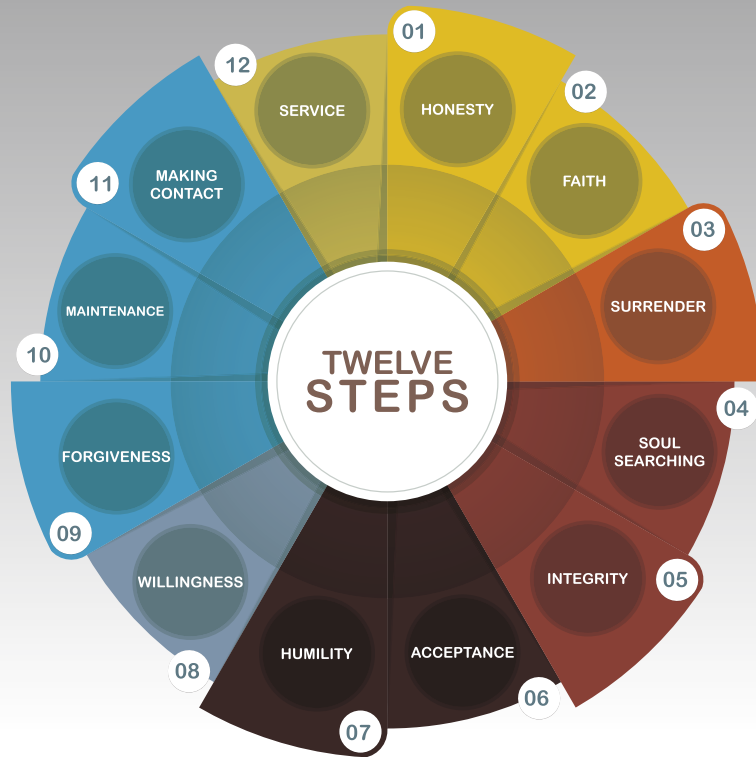
After 14 or 15 months of continued self-delusion, and with the assistance of my attorney friend, I attended an AA meeting on Aug. 9, 1989, and with the grace of God and the help of Alcoholics Anonymous, I haven’t had a drink of alcohol or used a mood-altering drug since.

Here’s what I did: I began to regularly attend AA meetings. I also went to a scheduled Tuesday luncheon where I met and made friends with lawyers in recovery who helped me navigate the difficult course of early recovery and practicing law. I also became actively involved in service in AA and with the Lawyers Helping Lawyers committee in my area.

A Tidal Wave of Change in the Legal Community

The help available to me in 1989 was not there in 1979 when I hit my bottom and lost my law firm. At that time, lawyer recovery groups were fledgling organizations. There were only a few lawyers available to provide guidance and direction in a handful of states. The New York State Bar Association, which established the Special Committee on Lawyer Alcoholism in 1978, was one of only a few bar associations that acknowledged the efficacy of Alcoholics Anonymous.² There was certainly no one I knew in 1979 who could have helped me understand that I was suffering from a treatable disease.

My life followed the peaks and valleys of many alcoholic lawyers – struggle, recognition, success, more success, isolation, frustration, despair, disgrace and discharge. I left a trail of humiliation, harm and destruction. Family, friends, employees, associates, and partners were saddened, confused and deeply hurt during the years I was drinking. In the ’70s and early ’80s when alcoholism affected a lawyer’s performance, the law firm was generally in denial about the real cause of any problems with work performance. Most firms dealt with alcohol problems by hiding them as long as they could and then firing the attorney. Alcohol rehabilitation centers were available but there were only a few and they were expensive. Although alcoholism was diagnosed as a disease by the American Medical Association in 1956, it was more often seen in the legal community as a moral or behav-



ioral issue.³ When a lawyer's conduct became too great of a burden, they were discharged and, if they weren't disbarred, they often found it difficult or impossible to find new employment.

By 1989, the approach to attorney alcoholism within the bar was undergoing a tidal wave of change. What happened to change the attitude and outlook on attorney alcoholism, substance abuse, mental health and well-being is a remarkable story. This is my recollection based on my personal participation and a multitude of conversations with many of the co-founders of the lawyer assistance movement in the United States and Canada.

As late as the 1970s, the stigma of alcoholism in the legal profession was so strong that identification as an alcoholic could result in clients terminating their relationship or firms discharging associates or dissolving partnerships of long standing. Attorneys of high repute were often disbarred or discharged and left to fend for themselves because of the unacceptable behavior that accompanied their alcoholism. Stories about drunk lawyers abounded in the legal profession. Tales of neglect and rude, inconsiderate and inexcusable behavior, personally and professionally, were whispered in the halls of many firms. When a firm recognized that an attorney was an alcoholic, every effort was made to cover it up. Alcoholics were often terminated from their positions. The firm absorbed the costs of repairing the wreckage left behind. Alcoholics were considered a scourge with no redemptive value.

While the stigma of alcoholism still exists in some circles, thanks to Alcoholics Anonymous and other 12 step-

based programs, the efforts of thousands of recovering alcoholic attorneys, state bar association lawyer assistance programs, the American Bar Association Commission on Lawyer Assistance Programs and Judiciary Law Section 499, the vast majority of members in the legal profession are now educated not only about the disease of alcoholism, but also drug addiction, substance abuse and mental illness. There is now more of an awareness of the recovery program of Alcoholics Anonymous and a multitude of other methods of treatment available to attorneys suffering from alcoholism, one or more forms of substance abuse disorders and/or mental illness. Rather than sweeping the problem under the rug by denial or discharge, the profession now focuses on attorney well-being, striving to develop a work environment that promotes the importance of exercise, healthy diets, family life and other ways to reduce stress and anxiety customarily associated with the practice of law.

The Origins of Lawyers Helping Lawyers

In the mid-1970s, a California lawyer, Ted C., who was suffering from alcoholism, conspired with a doctor and an insurance agent to defraud an insurance company of \$600 by creating a fake auto accident, medical treatment plan and damages. Ted C. was convicted and sentenced to a year in prison. Prior to sentencing, Ted C. started attending AA meetings. While in prison, he was assigned to a work release program outside the prison. Every morning, he would meet a local attorney in recovery and another recovering alcoholic for breakfast at a restaurant close to the work site, and they would have an AA meet-

ing. This was the first informal lawyer assistance program in the nation. The lawyer was impressed with the efficacy of the program. After Ted C. was released from prison, he started a volunteer lawyer assistance program in California staffed by unemployed and disbarred attorneys. The program centered on the AA 12-step recovery program and reinforced the idea that lawyers in recovery from alcoholism can help lawyers new to the program simply by telling the stories of their own experience using the 12 steps to recover from the disease of alcoholism. The program expanded outside of Los Angeles and eventually covered the entire state. Its success led to the establishment of a permanent committee of the State Bar of California with a significant funding commitment.

The Commission on Lawyer Assistance Programs

The other significant event spurring on the development and growth of lawyer assistance programs occurred at the 1975 Alcoholics Anonymous International Convention in Denver. Lawyers in recovery attending the international conference agreed to meet separately in Niagara Falls, Canada. This meeting ultimately led to the formation of a group for lawyers in recovery known as International Lawyers in Alcoholics Anonymous. This grew from a small group of attorneys to an organization with hundreds of members. Today, International Lawyers of AA consists of a vast and diverse group of lawyers recovering from alcoholism and/or other substance abuse disorders, depression and/or other issues of mental health. Lawyers from the U.S., Canada, Mexico, England, Ireland, Europe, Africa and Australia have attended the annual convention. The group is an invaluable resource for attorneys in recovery providing fellow-

ship, guidance and direction – one member to another throughout the year. A lawyer or judge in recovery can join International Lawyers of AA through a portal on its website (www.ilaa.org).

At the group's convention in Philadelphia in 1984, a Kentucky lawyer with big ideas, Billy H., conceived the idea of a national commission on lawyer assistance programs. With much hard work and the cooperation of the American Bar Association, the first meeting of the ABA Commission on Lawyer Assistance Programs met in 1986 in Nashville, Tennessee. The commission consisted of ABA members, mostly in recovery, and directors of state lawyer assistance programs.

Around 1990, an anecdotal survey of lawyers suffering from alcoholism revealed that as a group, alcoholism was present in 20% of attorneys.⁴ This was double the rate found in most population groups. It was an alarming statistic, but was most helpful in convincing the profession of the need to support efforts to assist attorneys who are recovering from the disease, rehabilitating lawyers to successfully return to the profession, providing assistance and support to identify the disease in its early stages and provide an environment helpful in reducing the emotional strain customarily associated with the legal profession.

With the strong support of the ABA and many state programs, the Commission on Lawyer Assistance Programs grew from a coalition of a few state programs generally staffed by volunteer attorneys in recovery to a nationwide network of lawyer assistance programs, most with paid professional directors. Every state and the District of Columbia has one of these programs.



Section 499 of Judiciary Law

The other major event that significantly contributed to the acceptance and growth of programs that support the treatment of alcoholism, addiction and mental health issues in New York was the adoption of Judiciary Law 499. In 1993, the New York State Bar Association Committee on Lawyer Alcoholism and Substance Abuse (now known as the Lawyer Assistance Committee) led by its chair, Dave P., was instrumental in the passage of Section 499 of the Judiciary Law. Section 499 was the product of a collaborative effort by NYSBA committee members and had a sweeping impact on the willingness of attorneys suffering from substance abuse disorders to seek the help of the state and local county lawyer assistance committees. Section 499 provides immunity to attorneys who are acting as agents of a lawyer assistance program and treats communication between an attorney seeking assistance and all agents of the committee as privileged communications. This law revolutionized the effectiveness of local lawyer assistance programs in New York. It allows suffering attorneys to have open, honest communication with agents of the committee, communications that are necessary and can greatly assist the lawyers in embracing a 12-step program early in the recovery process.

The problems of lawyer alcoholism, substance abuse and mental disorders have not been solved by any means. The percentage of lawyers suffering from alcoholism remains high as a percentage of the population. According to a 2016 ABA study done in collaboration with the Hazelden Betty Ford Foundation, 20.6% of licensed, employed attorneys reported problematic drinking, compared with 11.8% of the total workforce with equivalent education.⁵ However, the rate of recovery is now substantially higher due to the help of lawyer assistance programs in New York and throughout the country. Thousands of lives that would have been lost have been changed. People who had thought their lives were hopeless have again become useful, contributing members of the profession.

These three components have produced an international network of lawyers in recovery from alcoholism, substance abuse, mental health and depression. Working AA's 12 steps has awakened me, and countless other attorneys, to the knowledge of an inner resource that has helped to free me from the "bondage of self." I have been given far more than I ever thought possible. I was able to return to the practice of law and given the opportunity to give back to the law what I had squandered and abused so many years ago.

Alcoholics Anonymous identifies alcoholism as a spiritual disease stemming from selfishness and self-centeredness. Recovery depends upon daily maintenance of my spiritual condition. The maintenance consists of the constant thought of others and what I can do to help meet their

needs. With my own willpower I can never achieve this. With the help of my sponsor, and other lawyer friends in AA, I worked the steps of the AA program of recovery, had a spiritual awakening and as a result, I have been able to live a useful, purposeful life, in AA and in the practice of law. I met my wife in 1993 and we married a year later. We have both been in recovery from alcoholism for 36 years. We have three beautiful children who have never seen me drink or use drugs. The debt I owe for regaining a life I thought was forever lost can never be repaid in full. The repayment terms are simple: When someone asks for help, I help them without thinking about myself. That's not easy for a person whose nature is best described as selfish and self-centered. I can only do it with the help of the Power I have connected with through working the steps of AA. When I ask that Power for help, I will always get the help I need.

If you know of someone who is, or if you are, struggling with alcoholism, substance abuse or a mental health issue, contact the Lawyer Assistance Program at the New York State Bar Association or your local bar association; you will be given a chance that simply was not available to lawyers before 1975. You won't regret it.

We have shown how we got out from under. You say, Yes, I'm willing. But am I to be consigned to a life where I shall be stupid, boring and glum, like some righteous people I see? I know that I must get along without liquor, but how can I? Have you a sufficient substitute?

Yes, there is a substitute, but it is vastly more than that. It is a fellowship in Alcoholics Anonymous. There you will find release from care, boredom and worry. Your imagination will be fired. Life will mean something at last. The most satisfactory years of your existence lie ahead. Thus, we find the fellowship and so will you.⁶

— Alcoholics Anonymous

Endnotes

1. Alcoholics Anonymous, 151 (4th ed. 2001).
2. Brandon Vogel, *30 Years of the LAP: Countless Lives Saved and Careers Resurrected*, NYSBA News Center, Sept. 16, 2020, <https://nysba.org/30-years-of-the-lap-countless-lives-saved-and-careers-resurrected>.
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4. G. Andrew H. Benjamin, Elaine J. Darling and Bruce Sales, *The Prevalence of Depression, Alcohol Abuse, and Cocaine Abuse Among United States Lawyers*, International Journal of Law and Psychiatry 13(3) (1990), 233–46. [https://doi.org/10.1016/0160-2527\(90\)90019-Y](https://doi.org/10.1016/0160-2527(90)90019-Y).
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6. Alcoholics Anonymous, 152 (4th ed. 2001).