

# News Brief

**Lawyers Concerned for Lawyers, Minnesota's Lawyers Assistance Program**  
*Free and confidential services provided by lawyers & judges for members of the legal profession*

MARCH 2003

## NEW MEMBERS

At the March Membership Meeting, LCL welcomed new members [REDACTED] and [REDACTED].

## UPCOMING LCL PRESENTATIONS

- Law Schools: Wm. Mitchell Law School - One hour presentations will be made on mental health issues (with Steve Gordon and Brenda Kittilson) on April 14. U of M Law School. A presentation to a section of P.R. course is scheduled for April 21.
- LCL will participate in a MN CLE course on mental health at the Family Law Institute on April 1 and will have a table there both days. On April 4, a presentation will be made to the Lawyers' Board 18th Annual Professional Responsibility Seminar. We will also participate in the afternoon training session for supervising attorneys. LCL will participate in a MN CLE course on C.D. on April 28 in Mpls. A 2 hour CLE presentation is being provided in conjunction with the District 9 Bar Association in Marshall on April 30. Please check our website for additional CLE course offerings.

## UPCOMING EVENTS

- The interactive workshop that was scheduled for March 21 has been rescheduled to April 25, due to a family crisis. It will address career planning and career transition issues and will be held at noon in the Court International Conference Room. Presenting will be Joan Bibelhausen, J.D., of Career Management Consultants. It is offered at no charge, but pre-registration is required.
- The first *Women Lawyers' Life Balance Group* and the first *Lawyers' Mental Health Therapy Group* are both being very well received by the participants. Additional groups are being formed. If you are interested in learning more about these groups or in participating, please call the LCL office.

## SUPPORT GROUPS

### LAWYERS AA:

- Minneapolis – Tuesday and Thursday; noon (M.S.B.A. Office);
- St. Paul – Monday, 12:15 pm; (Ramsey County Court House, Room 42);
- Other AA Meetings – Fridays, 7:00 am at Perkins on France & 494 Mondays, noon at Silver Spoon on 67th and Penn. Avenue.

### LAWYERS MENTAL HEALTH SUPPORT GROUPS:

- Minneapolis – 1st and 3rd Thursday, 6:30 p.m. (M.S.B.A. Office)
- **St. Paul (NEW)**— 2nd and 4th Tuesday, 6:30 p.m. (LCL Office)

**UPCOMING NOON LCL MEETINGS** (Please let the office know if you would like to receive reminders of the membership meetings and the opportunity to order a box lunch. There is also a deli on site with sandwiches, salad bar, and soup.)

April 16 April 16 Sondra Mattox, Ph.D., specialist in treating gambling addiction.

May 28 open (we have shifted to the 4th Wed. for the summer, due to room unavailability)

## Notes from the Executive Director by Emil Jalonen

### ► LIFE AND THE LAW COMMITTEE BIKE RIDE

The Life and the Law Committee is again sponsoring a bicycle ride in conjunction with the MSBA convention. The bike ride will be held in the afternoon on Friday, June 20 in Minneapolis. A scenic and safe ride is promised, with varying lengths for different fitness or interest levels. There will be beverage and snack stops along the way. The cost for the ride is \$25.

You can donate to this great event and, at the same time, advertise your firm or business (or just show your support) by purchasing a mile marker for \$50. Mile markers will display your name or your firm's

## Jim on Gene

*Judge Gene Farrell, one of LCL's founders, died this month after a long illness. His friend, Jim Klobuchar, wrote the following piece and circulated it to a group of their mutual friends by e-mail. Jim kindly consented to our sharing it with Gene's many friends in LCL.*

—E.J.

Gene Farrell's raffish goatee occasionally gave him the look of a judicial leprechaun. He wore his black robe loosely. From the bench he delivered both his wisdom and his verdicts without pretension or bursts of omniscience. But he invariably made sense and he didn't glower and almost never preached.

Yet not many judges here in the community he served changed the direction of as many lives.

He died at 79 Saturday night in a hospital in Rochester from the effects of a lung disease and pneumonia.

He had been wounded with Patton's Third Army in the Battle of the Bulge in Belgium in World War II, struck by shrapnel from German artillery. He'd been cited for that battle, and he was generously honored for professional and civic service in the years that followed. Yet none of those recognitions seemed as important to him a few weeks before he died as the bronze medallion he held in his hand, sitting in a wheelchair in a restaurant in St. Louis Park, surrounded by friends.

Engraved on one side were the words "To Thine Own Self Be True," and beneath them the Roman numeral XXX. They signified Gene Farrell's 30th year of sobriety as a recovering alcoholic. As he held the medallion in his hands, his luncheon companions gave brief testimonials to what he had meant in their lives. He was weakened but lucid and he smiled at some of their recitals—particularly the ones about his relentless inadequacy on the golf course. In the midst of some of the others he turned away to conceal tears, as though that were possible. It was a last-time anniversary. He must have known that. It was a reprise of all of those Friday morning ceremonies that the old judge had experienced stretching back to the first year when he finally faced a truth:

He could sit all day in judgment of burns

name for all riders to see. To sign up as a sponsor, contact either Sue Bores at the MSBA office (612) 278-6325 or Judy Rush (651) 625-4998.

Please note that all proceeds go to LCL. (Last year's ride provided over \$2700.) Expenses for this year's ride have already been covered, so all additional funding will benefit LCL.

#### ► HABITAT FOR HUMANITY PROJECT

The MSBA is coordinating an effort again this year to provide affordable family housing by building a house at 843 Magnolia on the East Side of St. Paul.

They are in need of "Project Managers." Each of these unpaid positions is for a two week segment at forty hours per week. The only qualifications an attorney needs to assume one of these positions is to be physically able to move about the site and know what a hammer looks like and is used for. It mostly involves coordinating the other volunteers' efforts. This is an opportunity for an out of work attorney to give something back to the profession and do some networking. The project is scheduled to start in mid-April and will continue through May. If interested, call Tim Groshens at the MSBA (612) 333-1183.

In addition, there may still be a need for individuals to donate a day of their time to assist in the work effort (only minimal carpentry skills needed). Feel free to contact Jennifer Brinkworth or Lisa Wilde by e-mail at [habitat@mnbbar.org](mailto:habitat@mnbbar.org) or at the MSBA office (612) 333-1183 or (800) 882-6722 if you have questions.

#### ► FALL RETREAT DATES

A member suggested that we provide the dates for LCL's Fall Retreat to allow members to avoid scheduling conflicts. After all, it is spring already and we know how fast summer flies by. The retreat is scheduled for September 26 - 28, 2003 at beautiful Lost Lake Lodge on Gull Lake Narrows near Nisswa, Minnesota. You can call or email Tim, Cindy or K.C. Moore to reserve a cabin. Phone: (218) 963-268; Toll Free: (800) 450-2681; or email: [www.lostlake.com](http://www.lostlake.com).



#### LAWYER'S BOARD UPDATE (PART 2) by Emil Jalonen.

Ken Jorgenson, recently promoted Executive Director of the Office of Lawyers' Professional Responsibility (OLPR), spoke at the February LCL Membership Meeting. In last month's Newsbrief, Ken's comments on the Minnesota Bar's commitment to self-regulation and the impact of the state budget cuts were discussed. This month's article addresses his views on the interplay between OLPR and LCL.

Ken acknowledged that his shop hasn't stayed abreast of LCL's metamorphosis to become a full service Lawyers Assistance Program addressing mental health issues, in addition to chemical health. LCL will be presenting at their 18th Annual Lawyers Professional Responsibility Seminar, both to a plenary session and, in greater depth, to a sub-group of supervising attorneys.

Ken identified a growing group of attorneys who are getting in trouble with the board and who are in need of LCL's services. Its members are described as being in a "solo practice by default." Many graduated from law school with a lot of debt and were unable to get jobs with firms or in whatever area motivated them to enter law school. Thus, they open a solo practice.

Unfortunately, many of these solo (by default) practitioners are not prepared for the many business and legal issues they will have to address. With the advent of personal computers and the internet, a solo attorney who has no clue about how to run a law office or a law practice can appear to be a going concern to an untrained legal consumer. Unless a law student carefully selects courses to prepare for a solo practice, which the "solo by default" (by definition) would not have done, he or she will not be able to either manage their firm or provide effective legal services. (Please note that this is no reflection on the many successful attorneys with the knowledge and experience to provide quality legal services in their solo practices or the institution of the solo practitioner.)

By the time these attorneys end up at the lawyers' board, they are in need of professional help. Their anxiety and worry has eliminated their ability to function on a day to day basis. In addition, their mood is depressed. The staff attorneys advise them first to get a lawyer and then to get professional help for their other problems.

Generally, attorneys in this situation are not willing to seek help. They will often indicate that there is no need for a lawyer, that's why they went to law school. They are either unable to see the need for professional help or are unwilling to admit the need due to their pride or the stigma associated with mental health issues. Even if they are able and willing to see the need, often they are unable to afford help. (Ken estimates that over 80% of the attorneys in this situation feel they do not have adequate insurance.)

Ken stated that the inability to get these attorneys to seek help is one of the most frustrating experiences he's had with the board. The staff attorneys do provide referrals to LCL. Even if the referral is accepted, however, this is only a stop gap measure, since our services through TEAM are generally limited to four counseling sessions per year. Ken identified the need for long term counseling for attorneys in this situation, noting that there currently aren't resources available to them (until they have lost virtually everything and qualify for medical assistance).

On a positive note, Ken indicated that he believes the stigma about mental health issues is declining, that more and more attorneys are willing to acknowledge having issues in this area. The number of attorneys voluntarily admitting chemical health issues remains extremely low, however. Ken attributes much of this to the denial inherent in the disease.

CONCLUSION—Ken opened up the floor to questions and the LCL members expressed their appreciation for a very informative and thought provoking presentation.

and crooks and drunks who came before him, in municipal court in Minneapolis and later in Hennepin County District Court, and he did it competently and sometimes creatively. But after he struck his gavel and hung up his robes he couldn't resist walking a couple of blocks from the courthouse to his favorite bar and circulating for hours, the toast of the party, a story-teller, the most popular guy in the place, getting high, getting drunk.

Which made him no different than the boozers who stood before him the next day. But once he'd made the admission, that he was addicted and that he needed help, he would not walk down that same road of deception and self-abuse again. He finished his career as a judge of high respect and a man with hundreds of friends, including dozens of alcoholics he'd counseled from the bench and steered into successful lives.

I was one Gene counseled in my early years of recovery. He never laid on with iron mitts. He was a squat and animated figure, smiling and slapping shoulders but dead earnest about sobriety. Staying sober isn't that hard, he'd say. Don't drink, go to meetings. A year before he died he wore robes again at my wedding, as he had for dozens of friends. He came slogging through a snowstorm with his goatee, his fur cap and a copy of Kahlil Gibran's "The Prophet." Gene was a social creature but his role in the marriage ceremony gave him a special spark as choreographer and the bearer of rings and all good things. Be committed to each other, he would tell the betrothed, but also find time and place to be yourself. Gibran was the invisible guest at the wedding, invited by the judge. "Give your hearts, but not into each other's keeping," Gibran had written. "For only the hand of life can contain your hearts. And stand together yet not too near together: For the pillars of the temple stand apart, and the oak tree and cypress grow not in each other's shadow."

It was the kind of wisdom Gene Farrell the Judge had espoused on the bench. The chief judge of the Hennepin District Court, Kevin Burke, had said on Farrell's retirement 10 years ago, "What he gave to his years as a judge was something precious. It was applying his common sense and patience to the most difficult kind of courtroom issues and trials. So often, the law is simply a guide. A man like Gene deepens it. He (brought) calm and knowledge of the human condition. I remember him telling me when we first met. 'Sometimes there are no really right decisions. Something is missing and it can't be found. You just have to be honest and decide it the best you can.'"

His best usually met the test of justice and the judge's conscience.

He is survived by his wife, Helen, and four children.

—Jim Klobuchar