



LAWYER ASSISTANCE PROGRAM

Monitoring Agreement

WHEREAS, the Monitored Attorney has requested that monitoring services be provided as set forth herein *for a period of* _____ *months/years, beginning on* _____ *and ending on* _____:

NOW, THEREFORE, the Monitored Attorney, the Monitor and Supervisor agree as follows:

I. The **Monitored Attorney** agrees

- (1) To remain abstinent from all alcohol and other mood-altering substances, except when drugs are prescribed by a licensed health care provider who is treating the attorney or supervising such treatment and such medications. A release of information for the treatment provider to discuss prescribed medications with LAP is required. Over-the-counter drugs that contain alcohol or mind and mood-altering substances can not be taken; feasible substitutes must be recommended by a licensed health care provider.
- (2) To submit to an evaluation by a licensed health care provider and attend any and all recommended treatment. The Monitored Attorney shall ensure the treatment provider submits monthly reports confirming attendance (refer to Treatment Provider form).
- (3) To attend a structured recovery support group:
 - (a) If the Monitored Attorney agrees to attend a structured recovery support group
 - i. Then he/she shall attend daily, for the first 90 days of sobriety. This requirement may be waived if 90 meetings in 90 days were completed within the last year and this fact can be substantiated by a sponsor. Once the 90/90 requirement has been met, the Monitored Attorney shall attend a minimum of four meetings per week for the duration of the monitoring term. The Monitored Attorney must have the attendance log sheet signed at each meeting; logs must be given to the Monitor.
 - ii. Attendance at an appropriate structured recovery support group meetings for attorneys, located within a reasonable distance from the Monitored Attorney's residence or office, may suffice as one of the required meetings.
 - iii. He/she shall obtain a sponsor who shall report at least monthly to the assigned Monitor regarding the Monitored Attorney's progress in the recovery program. The Monitored Attorney shall be responsible to insure that his/her sponsor contacts the Monitor as required.
 - iv. He/she must make a *bona fide* effort to actively engage in working a recovery program.
- (4) To submit to, and bear the costs of, random alcohol and drug screenings when requested by the Monitor and/or the Supervisor. The Monitored Attorney shall be present at a specified drug testing site for a random screening within **twelve** hours of any request and fulfill the specimen requirements as soon as possible after arrival at the site. (LAP can help make arrangements for

these required alcohol/drug screens). If the Monitored Attorney is in treatment then alcohol/drug testing should be done by the treatment provider.

- (5)
 - (a) To execute the attached HIPAA Consent to Release of Information form and other similar forms intended to allow the flow of medical, treatment, and recovery information between the health care providers (providing services to the Monitored Attorney), sponsor, referring authority, the Monitor and Supervisor.
 - (b) To promptly advise health care providers and other relevant service providers of the terms of the Monitoring Agreement.
 - (c) To take all other necessary action to facilitate communications between the persons providing medical and other related services to the Monitored Attorney and the Monitor and Supervisor.
- (6) To contact his/her Monitor on a weekly basis, and to meet periodically with the Monitor, on a schedule to be determined by the Monitor and the Supervisor.
- (7) To notify the Monitor before traveling away from his/her business or residence on any trip involving one or more overnight(s).
- (8) To immediately report arrests of any nature to his/her Monitor.
- (9) To comply with the terms of the Monitoring Agreement, and cooperate with the monitor and supervisor. Failure to comply with the terms of this agreement and/or cooperate may be grounds for discharge from the Monitoring Program.
- (10) That the Referring Authority, by court order or request, may impose additional terms to the Monitoring Agreement and that the Monitored Attorney shall comply with all terms.
- (11) That neither the Monitor nor the Supervisor nor the Lawyer Assistance Programs, nor the lawyer assistance committees or its authorized agents are responsible for any act or omission by the Monitored Attorney with regard to the Monitoring Agreement.

II. The duties and responsibilities of the **Monitor** are

- (1) To periodically provide reports to the Supervisor
- (2) To report to the Supervisor
 - (a) Any arrest of the Monitored Attorney.
 - (b) Failure by the Monitored Attorney to comply with the terms of the Monitoring Agreement.
- (3) Upon information that the Monitored Attorney has used alcohol or any other drug during the Monitoring Agreement term, the Supervisor, in consultation with the Monitor, may change the terms of the Agreement and require the Monitored Attorney to participate in detoxification, in-patient rehabilitation or an outpatient intensive treatment program or take other appropriate action.

III. The duties and responsibilities of the **Supervisor** are

- (1) To submit regular reports to the Referring Authority as determined by the Referring Authority.
- (2) Upon information that the Monitored Attorney has used alcohol or any other drug during the Monitoring Agreement term, the Supervisor, in consultation with the Monitor, may change the terms of the Agreement and require the Monitored Attorney to participate in detoxification, in-patient rehabilitation or an outpatient intensive treatment program or to take other appropriate action.
- (3) To consider request(s) from the Monitored Attorney to modify the requirement regarding the number of meetings the Monitored Attorney must attend during the first ninety days or subsequently during the remaining term of the Monitoring period and to determine whether to grant the request(s).
- (4) To receive and review information from providers, testing agencies, and sponsors in relation to compliance and to periodically report to the Referring Authority regarding the Monitored Attorney's compliance with the terms of this agreement.

Monitored Attorney	
Signature	
Address	
Date	
Phone Number & E-mail Address	
Monitor	
Signature	
Address	
Date	
Phone Number & E-mail Address	
Supervisor	
Signature	
Address	
Date	
Phone Number & E-mail Address	