

CAREY R. DUNNE
PRESIDENT
Phone: (212) 382-6700
Fax: (212) 768-8116
carey.dunne@davispolk.com

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Hon. A. Gail Prudenti Chief Administrative Judge New York State Office of Court Administration 25 Beaver St, Fl 11 New York, NY 10004-2310

## Dear Judge Prudenti:

The New York City Bar Association urges that funding for lawyer assistance programs be reestablished in the Judiciary Budget. These programs provide a vital service for the legal profession as a whole, and the many lawyers who seek assistance each year.

To provide a sense of the scope of the work of those programs, I will describe the activities of the City Bar's New York City Lawyer Assistance Program (LAP). LAP serves lawyers primarily located within the First and Second Departments. Currently there are approximately 100,000 attorneys practicing in these Departments. LAP's purpose is to assist these lawyers and judges, as well as the law firm employees, law students, and family members who are affected by alcohol and substance abuse, stress, depression, gambling, work-life balance and other mental health and quality of life issues. In 2012, LAP opened 331 new case files and gave 35 presentations to judges, attorneys and law students. During the first ten months of 2013, it opened 340 case files – an increase of 26%.

Additionally, LAP provides evaluation and monitoring services for the disciplinary committees and character and fitness committees of both the First and Second Departments. It is also currently monitoring 17 individuals for discipline or admissions in New York, as well as Bar candidates in Florida, California and Louisiana.

While the majority of funding for LAP traditionally has been through the New York City Bar, for ten years the court system provided substantial funding through the New York Lawyer Assistance Trust (LAT). The New York LAT was created in November 2001 by then Chief Judge Judith Kaye as the result of a recommendation made in the Bellacosa Commission Report. The report urged the Office of Court Administration to set up a Trust to provide financial support to lawyer assistance programs statewide.

The Trust's grant program allowed LAP to present additional CLE programs, expand outreach, and expand the scope of lawyer assistance to include gambling, mental health and depression issues. Additionally, the Trust provided LAP with grant money to fund two positions: a Clinical Coordinator and an Administrative Assistant. LAP was also able to offer both group and individual counseling services to clients who were either unemployed or underemployed and lacked the resources to pay for counseling.

As a result of a major funding cut imposed by the Legislature on the Judiciary, the Trust was defunded in 2011. As a consequence, LAP's budget was reduced from \$233,000 in 2010 to \$176,500 in 2012. The LAP could no longer support either the clinical coordinator or administrative assistant positions. Much of the progress LAP had made to expand its mission was reversed.

The New York City Bar believes that the re-establishment of a funding mechanism for the lawyer assistance programs would be a major step to begin to reverse the damage that was done when all funding suddenly ended in 2011. It is critical that the lawyer assistance programs be funded through the Judiciary Budget.

Thank you for your consideration.

Very truly yours,

Carey R. Dunne