



SHEILA S. BOSTON
PRESIDENT

July 26, 2021

Via Email

Hon. Karen Peters
Co-Chair, New York State Bar Association Attorney Well-Being Task Force
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Libby Coreno
Co-Chair, New York State Bar Association Attorney Well-Being Task Force
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James Barnes
Chair, CLE Working Group of NYSBA Attorney Well-Being Task Force
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Re: Creation of a Mental Health/Substance Use CLE in New York

Dear Judge Peters, Ms. Coreno and Mr. Barnes:

Thank you for the significant work being undertaken by the State Bar's Attorney Well-Being Task Force and for your leadership on an issue of great importance to the legal profession. We have been following your progress through the participation of Eileen Travis, Director of the City Bar's Lawyer Assistance Program. You should be commended on the breadth of this undertaking and I very much look forward to reading the final report.

As former State Bar President Scott Karson said when he established the Task Force, "We need to eliminate the stigma associated with mental health treatment and make it easier for all lawyers to seek out the help that they need. We all must recognize that the mental and physical well-being of attorneys is critical to the effective practice of law, protection of the public trust and the vibrancy of our profession." To that end, the City Bar issued a [report and recommendation](#) last June urging that New York include programs regarding mental health,

About the Association

The mission of the New York City Bar Association, which was founded in 1870 and has 25,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world.

THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK
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substance use and well-being in the legal profession as a separate required credit for New York attorneys.¹

As described in that report, attorney disciplinary committees, bar associations and lawyer assistance programs have long seen evidence of significant mental health and substance use issues in the legal profession.² The public health crisis precipitated by COVID-19 has only exacerbated the problem, and now we face the stressors of another transition— a return to “normal” and whatever that means for each of us, our employers, and our families. And mental health or substance use issues are concerns not just for lawyers and their families: the harms such impairment can cause to the level and quality of legal services we provide may seriously affect our clients’ lives and livelihoods.

For these reasons, we believe a stand-alone mental health/substance use CLE is eminently appropriate for MCLE certification because its “primary objective [is] to increase the professional legal competency of the attorney in ethics and professionalism, skills, law practice management [and/or] areas of professional practice.”

I sincerely hope our recommendation will be incorporated into the Task Force’s final report, and would be happy to discuss the proposal with you further if that would be helpful. Together, I believe we can make a real difference in the lives of New York’s lawyers and their clients.

Thank you for your consideration.

Best regards,

A handwritten signature in blue ink that reads "Sheila S. Boston". The signature is fluid and cursive, with the first name "Sheila" being more prominent.

Sheila S. Boston, President
New York City Bar Association

Contact

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¹ See “Report in Support of Mental Health, Substance Use and Lawyer Well-Being Continuing Legal Education (CLE) Requirement for New York Attorneys,” New York City Bar Association, June 2020, *available at*: <https://www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/mental-health-substance-use-and-lawyer-well-being-continuing-legal-education-requirements>.

² See Patrick R. Krill, Ryan Johnson, Linda Albert, “The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys,” *Journal of Addiction Medicine*, Jan./Feb. 2016, *available at*: https://journals.lww.com/journaladdictionmedicine/Fulltext/2016/02000/The_Prevalence_of_Substance_Use_and_Other_Mental.8.aspx.