

Vermont Commission on the Well-Being of the Legal Profession

Charge and Designation

The Vermont Supreme Court wishes to establish a Commission on the Well-Being of the Legal Profession in Vermont for the following reasons, and for the purpose set forth below:

- In December 2016 the American Bar Association Commission on Lawyer Assistance Programs and the Hazelden Betty Ford Foundation published a study of practicing lawyers that found between 21 and 36 percent of lawyers qualify as problem drinkers, approximately 28 percent struggle with some level of depression, 19 percent suffer from severe anxiety and 23 percent with elevated stress.
- A similar Survey of Law Student Well-Being published in 2016 showed 25 percent of students were at risk for alcoholism, 17 percent experienced some level of depression, 14 percent severe anxiety, 23 percent mild or moderate anxiety, and 6 percent had serious suicidal thoughts in the past year.
- Supporting lawyer, judge and law student well-being contributes to success in the delivery of legal and judicial services, and enhances lawyer and judicial ethics.
- The National Task Force on Lawyer Well-Being was convened with representatives from the ABA Commission on Lawyer Assistance Programs, the National Organization of Bar Counsel, the Association of Professional Responsibility Lawyers, the ABA Center for Professional Responsibility, the ABA Standing Committee on Professionalism, the ABA Young Lawyers Division, and the ABA Law Practice Division Attorney Well-Being Committee.
- The National Task Force on Lawyer Well-Being issued a report in August, 2017, "The Path to Lawyer Well-Being: Practical Recommendations for Positive Change" which contains 44 recommendations, including recommendations for judges, regulators, legal employers, law schools, bar associations, lawyer assistance programs, and lawyer professional liability carriers.

- The Vermont Supreme Court fully supports the concept of lawyer, judge and law student well-being as a critical component of lawyer and judicial competence and access to justice for Vermonters and reinforces the critical role of the Supreme Court in overseeing the profession.
- The Vermont Supreme Court recognizes its desire to take an active role in the development of effective mechanisms through convening the relevant stakeholders in Vermont to improve the well-being of the profession and the bench.

Therefore, the Vermont Commission on the Well-Being of the Legal Profession is hereby established for the purpose of creating a state-wide action plan with specific proposals for the Vermont Supreme Court and its relevant committees to consider regarding the three areas identified below. By December 31, 2018 the Commission shall report to the Court with specific proposals and accompanying proposed rule changes to implement the proposals in the following areas:

1. Develop a policy for confidential interventions for lawyers, judges and law students struggling with mental health, well-being and/or substance abuse challenges.
2. Develop a plan to support and sustain a Lawyers Assistance Program in Vermont, to assist lawyers, judges, and law students with mental health, well-being and/or substance abuse challenges.
3. Provide on-going educational opportunities for lawyers, judges and law students regarding mental health, well-being and/or substance abuse self-assessments, programs and resources.

The Vermont Bar Association is requested to provide the Commission with necessary staff and administrative support and will seek grant funding to provide technical assistance as necessary.

The Vermont Supreme Court hereby appoints to the Commission the following persons. In addition to serving on the Commission, each will chair the Committee designated in italics below his or her name. Each will also name the members, including a co-chair if desired, of their respective committees. The Commission will also identify a health care provider who will serve as a resource to the related Committees.

Paul L. Reiber Chief Justice, Chair

Judge William D. Cohen, Co-Chair

Chair, Judges Committee on the Well-Being of the Legal Profession

Therese Corsones, Esq., VBA Executive Director

Chair, Bar Association Committee on the Well-Being of the Legal Profession

Michael Kennedy, Esq., Vermont Bar Counsel

Chair, Regulators Committee on the Well-Being of the Legal Profession

Thomas McHenry, Esq., Dean and President, Vermont Law School

Chair, Law School Committee on the Well-Being of the Legal Profession

Joshua Simonds, Esq., Director, Vermont Lawyers Assistance Program

Chair, Lawyers Assistance Program Committee on the Well-Being of the Legal Profession

Ian Carleton, Esq., Principal, Sheehy Furlong & Behm

Laura Wilson, Esq., Morrissette, Young & Wilson

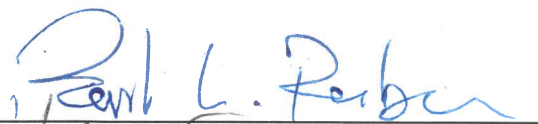
Co-Chairs, Legal Employers Committee on the Well-Being of the Legal Profession

Christopher Newbold, Esq., Executive V.P., ALPS Lawyers' Malpractice Insurance

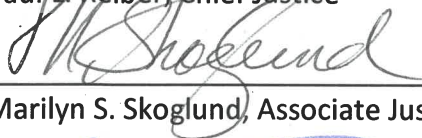
Chair, Lawyer Professional Liability Carriers Committee on the Well-Being of the Legal Profession

This Charge and Designation shall be effective on this date through January 15, 2019 unless further extended by the Court.

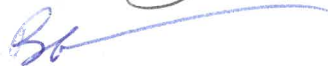
Done in Chambers at Montpelier this 2nd day of January 2018.



Paul L. Reiber, Chief Justice



Marilyn S. Skoglund, Associate Justice



Beth Robinson, Associate Justice



Harold E. Eaton, Jr., Associate Justice



Karen R. Carroll, Associate Justice