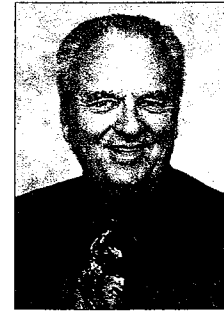


by Gary Guillian

Am I Drinking too Much *is a Rhetorical Question!*

Alcohol use is an integral part of our culture as lawyers. Having been a trial lawyer for well over 40 years, I certainly have had an opportunity to observe alcohol use in our profession. And, of course, I have participated in it.



If you look at the history of our profession, dating to the common law in England, we can understand that alcohol use among barristers, counselors and lawyers goes way back. There is a great bar in London called the "Wig and Pen," which is primarily populated by English lawyers. Barristers, counselors, and lawyers all head for the pub at days end to enjoy a few drinks (or more). There is a great television series about an English barrister called "Rumpole of the Bailey," which was quite popular in the '80s and '90s. Good old Rumpole loved his claret and indulged regularly at night and often times at lunch. This was typical of our English colleagues.

The same is true of American lawyers. Generally we are social people and enjoy social events from bar luncheons to conventions. Alcohol is always a part of these get-togethers and many lawyers are connoisseurs of good wine.

Most trial lawyers are especially fond of alcohol. Having been involved in board meetings, conventions, and numerous social events over the years, I have my own perspective. Most trial lawyers of my generation were hard drinkers. It was part of who we were as courtroom lawyers. Tough, macho and manly (there were very few women lawyers in those early years).

Times have changed a bit. But there is still a lot of drinking and not just among trial lawyers. Any lawyer can get caught up in this habit.

Lawyers have among the highest rates of alcoholism, depression, and suicide of any other profession. Between 50 and 80 percent of all lawyers who have discipline problems have substance abuse problems. There is no clear answer why this is the case. Perhaps it is due to the tough conflictual nature of our profession. Maybe it's part of our social nature. It certainly is a reaction to stress.

There is nothing wrong with the reasonable use of alcohol. Although there are some of us who should not drink at all because of our propensity to alcoholism, that is not true of the great majority of our profession. So the question we need to ask: Where do we draw the line? This is a personal question that each of us needs to answer for ourselves.

So why is the title of this article, "Am I Drinking too Much is a Rhetorical Question?" The answer is quite simple. If you look in the mirror and wonder whether you are drinking too much, then you probably are. Perhaps it happens after a hangover or perhaps you begin to catch yourself increasing your use of alcohol.

For whatever reason, you become concerned. So you ask yourself, "Am I drinking too much?" That question raises a red flag and probably answers itself. Maybe you should begin to reduce your intake. Or, perhaps you should talk to someone about it. But once you ask yourself that question, you need to do something about it.

Many of us who have had serious alcohol problems are known as "functioning alcoholics." There are many people in our profession who can be heavy drinkers and yet are still be able to perform as relatively good lawyers. In my case, I was an evening drinker. I did alright during the day, but drank very heavily when I got home from work, through dinner and after dinner, until bedtime. This is not uncommon. But it usually is a serious sign of impending problems with alcohol.

When do we cross the line from being a social drinker to having a problem? In my opinion, it is when we quit drinking for social reasons and begin to drink for stress. We are in a difficult and conflictual ▶

Take the quiz at the end of this article (see page 15) to obtain one hour of the hard-to-get substance abuse MCLE credit!

Putting your clients' needs first.

Customized Investment and Trust Services
from Mechanics Bank



IRA HILLIER
SENIOR VICE PRESIDENT
INVESTMENT MANAGEMENT
& TRUST SERVICES

- **Expert planning.** Our integrated plans can combine the most up-to-date knowledge in trust, estate, tax, custody and banking services.
- **Expert solutions.** From building wealth and minimizing taxes to effectively implementing wealth transfers and philanthropic wishes.
- **Expert service.** We're independent and locally owned with more than 103 years of experience. And with the only trust department headquartered in the East Bay, you have convenient access to all of our trust professionals.

1333 N. California Boulevard, Suite 600
Walnut Creek, CA 94596
925.256.3033
www.mechanicsbank.com

Investment
Management

Trust &
Estate Services

Private
Banking

Financial
Planning



Mechanics Bank
WEALTH MANAGEMENT

profession and most lawyers have a high degree of stress. Alcohol seems like a quick and easy way to reduce the stress. We have a couple of drinks — we enjoy ourselves — we begin to numb out. Alcohol becomes an anesthetic for the pain we feel due to the stress, anxiety and overwork that is an integral part of our legal profession. So this is the key. Are you drinking to reduce stress as opposed to just having alcohol at social occasions? Are you drinking every day? Do you feel the need to have a drink after a tough day at work? These are all signs that alcohol is turning from a fun part of your life to what can be a very serious problem.

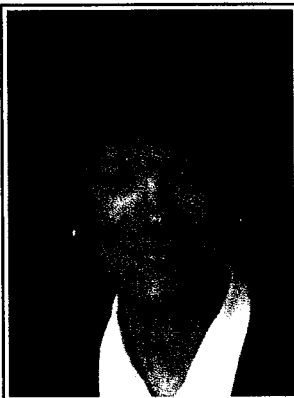
So what can we do about it? Some of us are able to pull back and simply take control of the use of our alcohol. However, it is not that simple. Alcohol is an addicting substance and it is easy to fall into that addiction. Fortunately our profession has become much more sensitive to this problem and we now have support and help for this problem. There are a number of groups as part of our Bar Association that give advice and help for substance abuse. The one that I prefer: The Other Bar. This is a confidential organization that will help and/or assist lawyers who may have an alcohol or substance abuse problem. I strongly urge you to call them and get a confidential consultation if you, your friends, colleagues or partners need help. This organization is not just for serious alcoholics and down-and-out drunks. It is for anyone who questions their drinking and wants some advice. The Other Bar members are made up of the top people in our profession and they are ready to talk to you about the problem and help you answer the question: Am I drinking too much?

You can reach The Other Bar at 800-222-9767 (www.otherbar.org). ♦

— Gary Gwilliam recently wrote a book about his experience with alcohol and his struggle with losses, relationships and all the issues that surround trial lawyers. He can be reached at 510.832-5411.

AT YOUR SERVICE

- Newly retired as a complex litigation judge from Alameda County.
- Named "Trial Judge of the Year" by the Alameda Contra Costa Trial Lawyers Association in 2000.
- During her 20 years on the Bench, Judge Sabraw presided over hundreds of settlement conferences in all categories of civil litigation.



**Hon.
Bonnie Sabraw
(Ret.)**

Areas of Specialization

Business
Employment
Products Liability
Probate
Construction
HOA Issues
Environmental/
Toxic Torts
Personal Injury

**Contra Costa County
Locations Available!**

Also Available:

Hon. Richard Flier (Ret.)
Hon. Richard Hodge (Ret.)
Hon. Joanne Parrilli (Ret.)
Hon. M.O. Sabraw (Ret.)

Hon. James Trembath (Ret.)
Michael Carbone, Esq.
Eric Ivary, Esq.
Michael McCabe, Esq. ...and many more!

Dorene Kanoh, VP
50 Fremont St., Ste. 2110
San Francisco, CA 94105



tel 415.772.0900
fax 415.772.0960

www.adrservices.org

MCLE SELF-STUDY

1. Alcohol use is an integral part of our culture as lawyers. **T or F**
2. If you look at the history of our profession, dating to the common law in England, we can understand that alcohol use among barristers, counselors and lawyers was basically non-existent. **T or F**
3. According to the author, there is a bar in London called "Cheers," which is primarily populated by English lawyers. **T or F**
4. There is a great television series about an English barrister, called "Rumpole of the Bailey," who loved his gin. **T or F**
5. As opposed to the English way of life, alcohol is not usually a part of American lawyers' get-togethers. **T or F**
6. Many lawyers are connoisseurs of good wine. **T or F**
7. Most trial lawyers of the author's generation were not hard drinkers. **T or F**
8. Only trial lawyers tend to be alcoholics. **T or F**
9. Lawyers have among the highest rates of alcoholism, depression, and suicide of any other profession. **T or F**
10. Between 30 and 60 percent of all lawyers who have discipline problems have substance abuse problems. **T or F**
11. Alcoholism can be a reaction to stress. **T or F**
12. Even reasonable use of alcohol is a problem. **T or F**
13. Although there are some attorneys who should not drink at all because of their propensity to alcoholism, that is not true of the great majority of attorneys. **T or F**
14. If you are aware enough to look in the mirror and wonder whether you are drinking too much, then you probably are not. **T or F**
15. If you are a heavy drinker and can still perform as a relatively good lawyer, then you are known as a "functioning alcoholic." **T or F**
16. According to the author, you have crossed the line into alcoholism when you become violent. **T or F**
17. Alcohol is an addicting substance and it is easy to fall into that addiction. **T or F**
18. Unfortunately, our profession is still unaware of this wide-spread problem and attorneys have no where to turn for support. **T or F**
19. The Other Bar is a confidential organization that will help and/or assist attorneys who may have an alcohol or substance abuse problem. **T or F**
20. The Other Bar members are made up of the top people in our profession and are ready to talk to you about your problem. **T or F**

Substance Abuse MCLE Test

December 2008 *Contra Costa Lawyer*

Name _____

Law Firm _____

Address _____

City & Zip _____

Telephone _____

State Bar # _____

- | | | |
|-----|-------------------------------|--------------------------------|
| 1. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 2. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 3. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 4. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 5. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 6. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 7. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 8. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 9. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 10. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 11. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 12. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 13. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 14. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 15. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 16. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 17. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 18. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 19. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 20. | <input type="checkbox"/> True | <input type="checkbox"/> False |

Mail this completed form and the \$20 testing fee (**checks made payable to CCCBA**) to: Michele Vasta, CCCBA, 704 Main Street, Martinez, CA 94553.

The Contra Costa County Bar Association certifies that this activity has been approved for one hour of Substance Abuse MCLE credit by the State Bar of California (Provider #393).

