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Addressing substance abuse in clients, knowing when to get others to help

Attorneys generally lack the specialized training required to determine whether a client's use of different substances is a significant problem affecting the client's ability to participate in his or her case.

The stress from divorce often causes substance use and abuse to escalate. Family law attorneys often find themselves frustrated and unable to control their client in such situations.

A client's level of substance abuse often varies during the course of the divorce action. He or she may be rational one moment and irrational the next. It is often difficult to discern a client's use patterns and frequency.

As an attorney, you may believe you have had a productive breakthrough with a client only to find out the client used substances prior to attending a meeting.

Representing a client who is abusing substances is difficult. You understand the vulnerable position your client is in, yet you are afraid of inflaming the situation.

You may even wonder whether your client has the capacity to make decisions in the divorce process. When you find yourself representing this client, one of the best things you can do is consult with a specialist.

Sarah Warren, previously served as regional testing psychologist for the NFL Program for Substances of Abuse and launched the substance abuse program for the University of Chicago. She earned her doctorate in clinical psychology at Northwestern University and is the founder of the ARC Professional Group.

Warren offers her own intervention model for families and workplaces. She provides forensic assessments in civil cases, including comprehensive mental health and substance abuse evaluations in family law cases.

Warren also provides confidential, consultative screenings for attorneys of their clients. "My role," she noted, "is to make a difference in a person's life at a critical moment in the divorce process." She

does this by tackling the substance abuse head on with the client, so the attorney does not have to.

As a treater, her one-on-one work with the client aims to put the client in a better position. Her goal is to have the client be thoughtful, clear-minded and to "engage with his or her children without being impaired and to ultimately restore the relationship between a client and the children, which was strained from substance abuse." Warren's relationship with the client's attorney allows her to keep the attorney up to speed on progress.

Intervention

Warren has developed a method known as the Psychodynamic-Systemic Intervention Model.

The technique is a hybrid for individuals who may benefit from treatment, which addresses mental health and substance abuse. The model is appropriate for individuals whose substance abuse problem is interfering with his or her ability to clearly see the problem itself and its effects on family, work and health.

An inability to see the problem and understand the effect impedes an individual's ability to problem-solve and engage in forward thinking. This is the type of thinking required for an individual going through the divorce process.

Intervention and divorce

Warren believes intervention during the divorce process is often successful when the parties are capable of working together in alternative dispute resolution. In one such intervention, the husband of a woman who was recently diagnosed with bipolar disorder called an interventionist, concerned that his wife's erratic moods and recent cocaine abuse could put their three children in harm's way.

The husband stated up front that he recently initiated divorce proceedings. He indicated they



Beth Fawver McCormack is a partner at Beermann. She practices exclusively in family law matters and is a collaborative law fellow, mediator and child representative.

were undertaking a collaborative divorce and stated his belief that there was goodwill on both sides.

The interventionist convened the wife's extended family along with the husband to assess the viability of proceeding with the intervention. The interventionist found the wife's family was cohesive and did not see the husband in a hostile light. The husband did not participate in the actual intervention to avoid his presence making the wife less likely to accept treatment.

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At this intervention, the wife agreed to inpatient treatment for her bipolar disorder and drug abuse. After a week's stay in the hospital, she left treatment with appropriate medication, a psychiatrist to follow up with and a commitment to attend Narcotics Anonymous meetings.

The interventionist had several meetings with the husband and the children to educate them about substance abuse and bipolar disorder and to help the children begin to slowly and cautiously restore trust in their mother.

Warren stated that the couple

successfully settled their collaborative divorce in a matter of several months. She believes the intervention was crucial in attaining this timely and palatable result and preserved the mother's relationship with her children.

Attorney as interventionist

"At times the attorney is in the best position to act as the interventionist," Warren said. In one such case, an attorney referred a client to a therapist to address the client's marijuana use. The attorney was concerned the client's marijuana use would jeopardize her client's position with respect to parenting in a fairly acrimonious divorce.

Her client did not view his marijuana use as a problem and discredited the attorney's referral to therapy. However, the attorney was convinced that her client needed counseling to be an effective parent and to enter into negotiations regarding the parenting plan in the strongest possible position.

The attorney took a strong stance with the client, stating that she would not represent him unless he complied with her counseling recommendation. Her client reluctantly followed through with therapy and signed a release allowing the attorney to obtain information about his compliance.

Over a period of weeks, the therapist worked with the father in assessing his substance use in light of parenting time.

Initially he cut back on his use of marijuana and stopped smoking during his parenting time. He ultimately elected to quit smoking entirely.

"By setting conditions on the attorney's willingness to represent her client," Warren explained, "the attorney successfully 'intervened' on behalf of her client, to everyone's benefit, including the client and her client's children."

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