



LAWYERS IN RECOVERY HAVE LOW CLAIM RATES!

A recent study by the Oregon Attorney Assistance Program (OAAP) reconfirmed what the OAAP proved when it was first established – that getting lawyers into recovery saves lives and dollars.

The study was conducted by OAAP program attorney Michael Sweeney and confidentiality was completely protected. The study is an update of a similar study done when the OAAP first began in the early 1980s. The updated study involved 55 recovering lawyers who were in private practice for five years before and five years after their sobriety dates. The first portion of the study examined the incidence of malpractice claims for that ten-year period, while a second portion looked at discipline complaints.

During the five years before sobriety, the 55 lawyers had 83 malpractice claims filed against them, whereas the number dropped dramatically – to 21 claims – in the five years after sobriety. This represents a 30 percent annual malpractice claim rate before sobriety, and an 8 percent rate after sobriety. The same lawyers had 76 discipline complaints during the five years before sobriety and 20 discipline complaints during the five years after sobriety. This represents a 28 percent annual discipline complaint rate before sobriety, and a 7 percent discipline complaint rate afterwards.

These statistics show that malpractice and discipline complaint rates for lawyers before recovery are nearly four times greater than those in recovery. In addition, applying Oregon's average malpractice cost per claim (\$16,500) to claims made against the 55 lawyers in the study, the reduced incidence of malpractice resulted in a savings of approximately \$200,000 per year – attributable to just 55 lawyers in recovery!

Lawyers in recovery also have lower malpractice and discipline complaint rates than the general

population of lawyers. In Oregon, the current annual malpractice claim rate for lawyers in private practice is 13.5 percent, compared to 8 percent for lawyers in recovery. The current annual discipline complaint rate for Oregon lawyers is 9 percent, compared to 7 percent for lawyers in recovery.

These results prove, once again, that dollars spent on the OAAP are dollars well spent. In addition to saving lives and careers, recovery saves malpractice and discipline dollars.

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