



## Mental Health Care Program In Tokyo Bar

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Place: IBA Tokyo Panel Pre-Discussion

“Sex, drugs and legal practice: stress, alcohol and substance abuse in the profession”

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# Incidents



- In Japan, a few year ago, we were surprised at the news report that a lawyer, who had been a chair of a certain regional federation of bar associations, was arrested on a charge of fraud against his client, an elderly lady for whom he was appointed as a supervisor of her legal guardian.
- It seems that he suffered from depression due to which he faced difficulties in his office management.
- Since then, there have been several similar cases.

# Objectives



- We, legal profession, should serve to our clients, ultimately to the society, and thus, when some of our members struggle with addiction, substance abuse, depresses or other mental health problems, we should provide them with adequate support to keep our legal service sufficiently responsible to the society.

# Lawyers Helping Lawyers



- We learned that the “Lawyers Helping Lawyers” organizations provide confidential and non-disciplinary support to members of the legal profession in the U.S.A. who experience professional impairment as a result of the addiction, abuse and mental health problems.

# Concerns



- We, Japanese bar associations, were concerned of how the program should be organized and operated, specifically,
- How can we discover and rehabilitate lawyers embracing the mental health problems? And,
- Whether and to what extent should a bar association(s) take responsibility for the damages incurred by misconducts of lawyers suffering from such problems?

# Mental Health Program in Tokyo (1)



- In light of increasing number of lawyers' misconducts caused by depression or other mental health problems, the Tokyo Lawyers Health Insurance Association (<http://www.bengoshi-kokuho.or.jp/>) established its confidential and non-disciplinary support program in June 2013.

## Mental Health Program in Tokyo (2)



- For the program, the Association entered into a contract with the Tokyo Counseling Center, which was established in 1996 and is operated by certified clinical psychologists(<http://www.tcchp.com/>).
- Under the contract, the Association pays the Center JPY 1,500,000 (=US\$15,000) per year, and in exchange, each of lawyers, their family members and law firm staffs (who are the member of the Association) can use the Center's counseling service five times per year free of charge.

# Mental Health Program in Tokyo (3)



- During the fiscal year of 2013 (from June 2013 to March 2014),
  - 34 meeting counseling services (male 8/female 26);
  - 61 telephone counseling services (male 31/female 30); and
  - 4 web counseling services (male 0/female 4);
  - total 99 counseling services (male 39/female 60) were used.



# Remaining Issues



- This mental health care program has just started and does not cover alcoholic or substance abuse.
- On the other hand, there have been several lawyers who were arrested due to their possession and/or use of drugs. Those lawyers were disbarred and there is no public record that any of them has been re-registered as a lawyer again.
- We would like to study more and exchange information about mental health programs for legal profession in other jurisdictions in order to develop ours. (End)