

Gambling



The "*SECRET*" Addiction

Lawyers Concerned for Lawyers of Pennsylvania

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24 hrs./day, 7 days/week, 365 days/year

www.lclpa.org

- ✓ Free assistance with interventions
- ✓ Free evaluation by a healthcare professional
- ✓ Free information and literature
- ✓ Peer support
- ✓ Lawyer/Judge/Law Student-only support group meetings
- ✓ LCL staff support

**Our services are free, confidential,
non-judgmental and non-obligatory.**

What Is Gambling?

Gambling is defined as any betting or wagering, for self or others, whether for money or not, no matter how slight or insignificant, where the outcome is uncertain or depends upon chance or skill.

What is Problem Gambling ?

- Gambling behavior which causes disturbance in any major area of life: psychological, physical or social
- A progressive addiction
- Increasing preoccupation with gambling, a need to bet more money more frequently
- Restlessness or irritability when attempting to stop
- Continuation of gambling behavior in spite of mounting, serious, negative consequences

(National Council of Problem Gambling, 2004)

Gambling Disorder

It is estimated that 2.6% of the population, nearly 10 million people, in the United States suffer from some form of gambling disorder



(Marotta, Hynes, Rugle, Whyte, Scanlan, Sheldrup, & Dukart, 2017).

Gambling Disorder



In 2013 the Diagnostic and Statistical Manual of Mental Disorders (5th ed.) recognized gambling disorder as the very first non-substance-related addiction disorder



(American Psychiatric Association, 2013).

DSM-5: GAMBLING DISORDER

- The DSM-5 has moved gambling disorder to the section, Substance-Related and Addictive Disorders. The rationale for this change was the growing scientific literature on gambling disorder that has revealed common elements with substance use disorders. Many scientists and clinicians have long believed that disordered gamblers closely resemble individuals with alcohol and drug problems

GAMBLING DISORDER

DSM-5 CRITERIA

Persistent and recurrent problematic gambling behavior leading to clinically significant impairment or distress, as indicated by the individual exhibiting four (or more) of the following in a 12-month period:

GAMBLING DISORDER

DSM-5 CRITERIA

[Redacted]

[Redacted]

[Redacted]

GAMBLING DISORDER

DSM-5 CRITERIA

[Redacted]

[Redacted]

[Redacted]

GAMBLING DISORDER

DSM-5 CRITERIA

[Redacted]

[Redacted]

[Redacted]

GAMBLING DISORDER

DSM-5 CRITERIA

According to Dr. Charles O'Brien, chair of the Substance-Related Disorders Work Group for DSM-5, brain imaging studies and neurochemical tests made a **“strong case that [gambling] activates the reward system in much the same way that a drug does.”**

Disordered gamblers report cravings and highs in response to their stimulus of choice; it also runs in families, often alongside other addictions.



COMPULSIVE GAMBLING IS CHARACTERIZED BY FOUR STAGES:

- 1) The search for action or *winning* phase;
- 2) The chase or *losing* phase;
- 3) The *desperation* phase
- 4) The *hopelessness* phase



The search for action or *winning* phase:

Many gamblers win in the early period of the progression and see that as a product of their personal ability, convincing them that they are “better” or “smarter.” They are convinced they can “win big,” which will enhance their image of themselves.



Gambling is still fun and exciting. Losses are “bad luck.” For others it is a way to escape from problems or troubled relationships. While gambling, all their cares and worries go away.

The *chase* or *losing* phase:

Continued gambling inevitably leads to increased losses of both money and self –esteem. To regain these, the gambler borrows money and bets on credit. More time spent gambling and bigger bets are needed to cover losses and repay loans.



Family troubles arise as time spent gambling and debt increases. Absenteeism and job changes are common. Lies and deception result in risk taking and illegal activity.

The *desperation* phase:

The personal and professional reputation of the gambler is negatively impacted. Bailouts become increasingly common. The gambler becomes increasingly alienated from family, friends, and colleagues. The gambler typically experiences a marked increase in the amount of time spent gambling.



The gambler begins to panic, experience deep depression and often turns to illegal acts and other types of desperate behavior.

The *hopelessness* phase:

The gambler becomes obsessed with getting even and paying off debt. Personal, financial and professional problems multiply. Stealing family and client funds, writing bad checks and fraudulent loans begin to occur as panic sets in.



Devastating consequences can occur as the progression continues, including increased use of alcohol and drugs. Unethical and criminal behavior are common. Depression and risk of suicide increase.

The "*SECRET*" Addiction

Gambling is not something that can be detected by the way a person looks. For the most part, there are no physical characteristics or signs: no evidence from breath odor or blood tests, no needle marks or withdrawal symptoms.

This gives the compulsive gambler a better opportunity to conceal their addiction from family, friends and colleagues.

The increased availability of internet gambling opens a wide variety of disguises for the compulsive gambler's use of a phone or computer without detection at home or on the job.

WARNING SIGNS OF A POSSIBLE GAMBLING PROBLEM

- Showing an intense interest in gambling related matters
- Failing at attempts to cut back or stop gambling
- Neglecting personal needs or health
- Using retirement funds to gamble or cashing in an insurance policy
- Suddenly needing money or loans
- Exhibiting mood swings based on winnings and losses

WARNING SIGNS OF A POSSIBLE GAMBLING PROBLEM

- Missing personal or household items
- Hiding gambling losses from family members
- Being secretive or deceptive when asked about gambling
- Receiving late notices or telephone calls from creditors
- Talking only about wins, not losses
- Liquidating assets



WARNING SIGNS OF A POSSIBLE GAMBLING PROBLEM

- Gambling to feel good when faced with a crisis at home or in the work place
- Gambling to celebrate good fortune or mourn bad
- Repeated absence from work station or family activities to use cell phone in private
- Concealing how time is spent away from work/home
- Planning special occasions around gambling



GAMBLING ADDICTION DISORDER and SUICIDE

People suffering with gambling disorder have the highest rate of suicidal ideation and suicide attempt among individuals with substance use and other addictive disorders. According to the American Psychiatric Association (APA), more than one in two disordered gamblers experience suicidal ideation, and approximately one in five disordered gamblers attempt suicide.

LEGALIZED GAMBLING IN THE UNITED STATES



48 States have some form of gambling (Hawaii and Utah do not)



38 States have casinos



18 States plus D.C. have legalized, fully operational sports betting



4 additional States have authorized sports betting starting in 2020



6 States have sports betting legislation pending

LEGALIZED GAMBLING IN THE UNITED STATES

In 2019 gambling revenues in the United States reached a record high of \$43.6 billion dollars



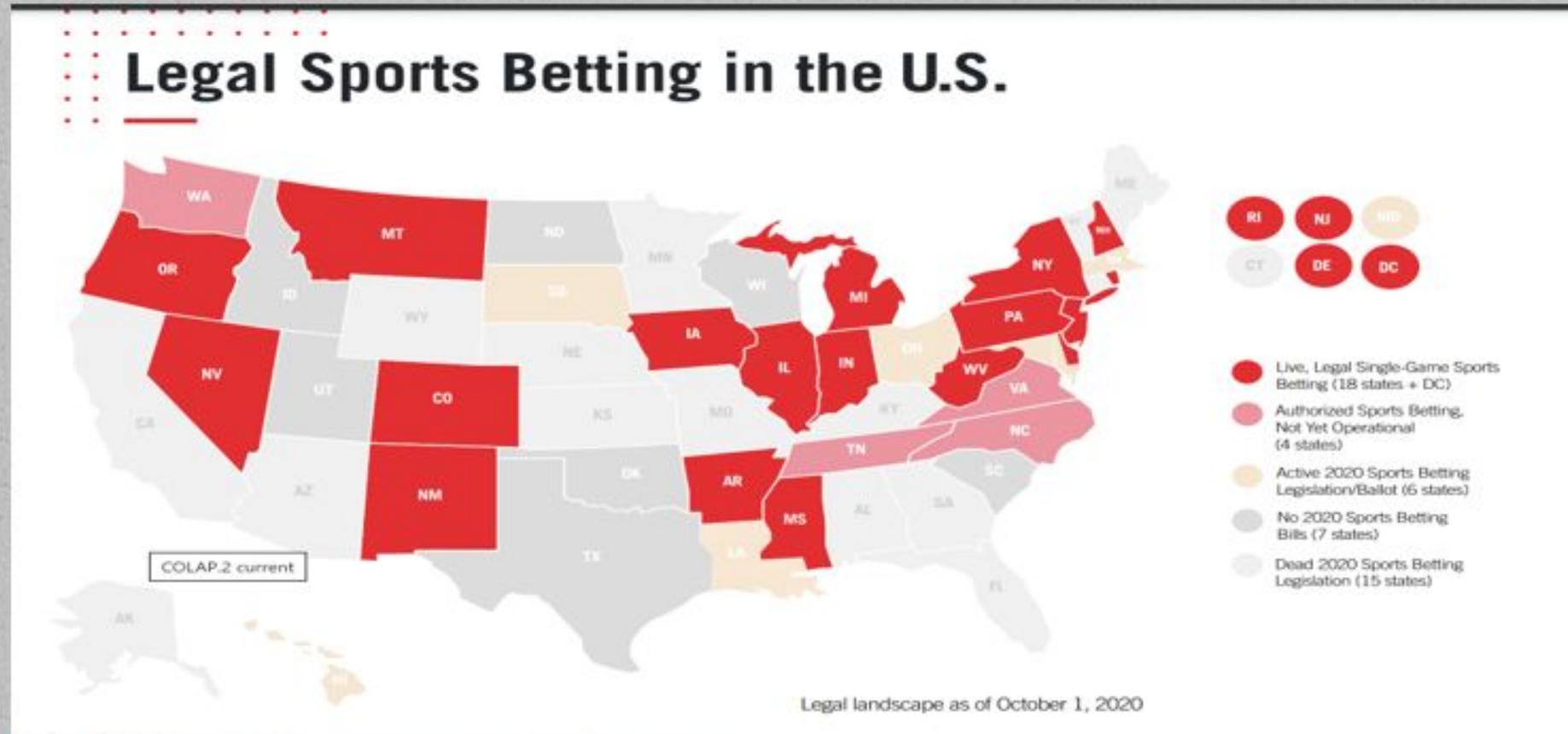
(American Gaming Association, *State of the States 2020*)

LEGALIZED SPORTS GAMBLING IN THE UNITED STATES:

In *Murphy v National Collegiate Athletic Association*, 584 U.S. _____ (2018), The U.S. Supreme Court held that sports gambling is legal in the United States



Legalized Sports Betting: Murphy v NCAA



SPORTS
GAMBLING
REVENUE:
YTD THROUGH
AUGUST 2020

NEW JERSEY

3.29 Billion

PENNSYLVANIA

2.01 Billion

NEVADA

1.91 Billion

- American Gambling Association (2020)

THE GAMBLING ESTABLISHMENT

- The Gambling Establishment is a partnership between casinos, online operators, sports, television and State government.
- In the United States it is estimated that public revenue generated directly from gambling represents nearly 3% of state budgets.



NFL Commissioner Roger Goodell on the topic of sports gambling :

2009 - “By legalizing sports betting it will be in Delaware’s interest to create ever larger numbers of new gamblers as the state attempts to maximize any revenue found in this promotion. ***The negative social impact of additional gambling cannot be minimized in a community.***”

2012- “It’s ***a very strongly held view*** in the NFL, it has been for decades, that the ***threat*** that gambling could occur in the NFL or fixing of games or that any outcome could be influenced by the outside ***could be very damaging to the NFL and very difficult to ever recover from.***”

2017- “Society in general has a little bit of a change with respect to gambling in general. We’ve seen that. I think ***we still strongly oppose legalized sports gambling. The integrity of our game is No. 1. We will not compromise on that.***”

2020- “***We think that sports gambling in many ways creates a lot more engagement for our fans. It gives them another opportunity to engage with the game.***”

To Be Continued.....



ABA / Hazelden- Betty Ford Study

(Published February, 2016 *Journal of Addiction Medicine*)

Problematic Drinking*

- 6.4% of entire U.S. population
- **21%** of *all licensed attorneys*
- **32%** of *all attorneys under 30 yrs. old*

* Problematic drinking defined as hazardous, possible dependence



ABA / Hazelden- Betty Ford Study

(Published February, 2016 *Journal of Addiction Medicine*)

Depression, Anxiety and Stress Scale

- Depression – **28%** of all attorneys
- Stress – **23%** of all attorneys
- Anxiety – **19%** of all attorneys
- Higher rates among younger lawyers



GAMBLING DISORDER and CO-MORBIDITY



According to DSM – 5, individuals suffering with gambling disorder have a significantly increased rate of suffering with:



Depression



Anxiety



Substance Use Disorders

Co-Occurring Disorders

Co-occurring disorders often exist among people diagnosed with a compulsive gambling disorder.

*The most frequent are substance use disorders.**

ALCOHOL USE DISORDER – 73%

Drug Disorder – 38 %

Anxiety and/or Mood disorder – Over 40%

* PetryNM, StinsonFS, GrantBF. 2005. Comorbidity of DSM-IV pathological gambling and other psychiatric disorders: results from the National Epidemiologic Survey on Alcohol and Related Conditions. Journal of Clinical Psychiatry 66:564–574

Co-Occurring Disorders

- Drug users with Antisocial Personality Disorder 2 times more likely to be gamblers.
- Prevalence of problem gambling **10 times higher** in substance use population.
- 15-20% of pathological gamblers report a significant suicide attempt rate.*

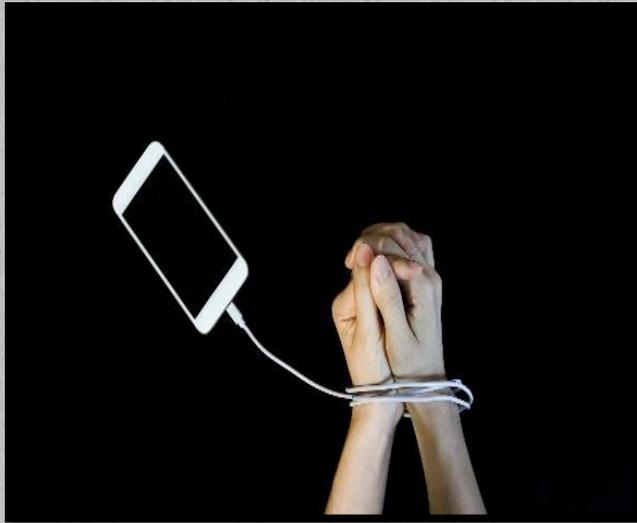
*Ciarrocchi, J. W. (2002). Counseling problem gamblers: A self-regulation manual for individual and family therapy. CA: Academic Press. ISBN#0-12-174653-4

Co-Occurring Disorders

- In 2013, the American Psychiatric Association formally recognized gambling disorder as a disorder related to substance use disorders (as a form of addiction).
- The treatment for a dual diagnosis of gambling disorder and substance use disorder will vary depending on the type of substance the individual was abusing.
- When treating those with a gambling addiction, all of their disorders should be identified for treatment.

GAMBLING - THE IMPACT OF COVID -19





INTERNET GAMBLING



Boredom, Depression and Anxiety

Few of us are used to spending so many hours, day after day, in our own homes. Cut off from our regular outdoor activities, classes, and even workspaces, many people began feeling bored, anxious, and even depressed.



The pandemic itself lent to stress not only about our health, but also about our work and relationships. These feelings, plus the shift of most interactions to an online forum, created a perfect storm for susceptibility to clicking onto an online gambling site.

Why Are Legal Professionals at High Risk of Mental Health & Substance Use Disorders?

- Conflict driven and adversarial profession
- Emotional detachment
- Win-lose, black-white, often rigid thinking
- Perfectionism
- Excessive self-reliance



These traits are great for a successful career but not so great for mental health.

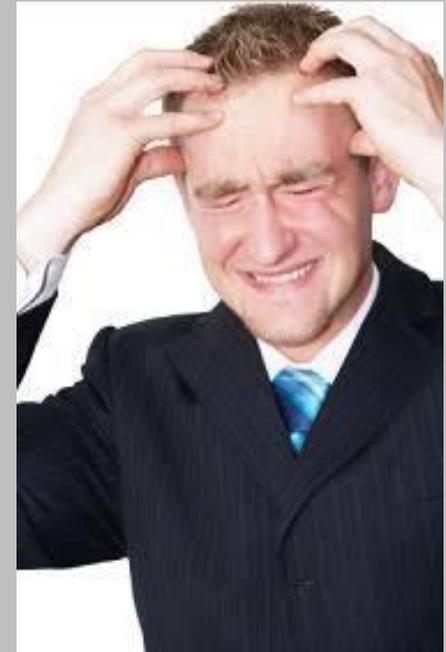
Why Are Legal Professionals at High Risk of Mental Health & Substance Use Disorders?

- High expectations and accountability
- Lack of work-life balance
- Always on call to solve others problems
- High stress level are consistent predictors of SUD's and their severity.
- Need to be in control threatened by COVID
- Inherent pessimism



HARM CAUSED TO OUR PROFESSION BY THE ATTORNEY WHO IS IMPAIRED BY GAMBLING

- Violation of Rules of Professional Conduct
- Theft of trust account funds
- Neglected clients and cases
- Missed deadlines and Statutes of Limitations
- Reputation of attorney and profession is ruined
- More DB complaints and claims to LFCS
- Higher license fees and insurance premiums



HARM CAUSED TO OUR PROFESSION BY THE ATTORNEY WHO IS IMPAIRED BY GAMBLING

There are significant connections between anxiety, work and unethical behavior

- Job-related stress is likely to lead to negative coping behaviors.
- Anxiety has been shown to lead to worse outcome in negotiations.
- Anxiety negatively impacts creativity and productivity.
- Anxiety triggers feelings of self-threat, which may increase unethical behavior.

ETHICAL DILEMMAS and ANXIETY

Compared with individuals in a neutral state, anxious individuals are more willing (a) to participate in unethical actions in hypothetical scenarios and (b) to engage in more cheating to make money in situations that require truthful self-reports



ETHICAL DILEMMAS COVID-19 ANXIETY

Anxious individuals are more willing to participate in unethical actions.

- Anxiety increases threat perception.
- Acquiring resources from unethical acts is used to “overcome” threat.
- **GAMBLING**
- Falsifying time sheets, records
- Accessing client funds and misuse IOLTA
- Anxiety increases risk of developing alcohol and substance use disorder.



GAMBLING DISORDER and FINANCIAL CRIMES

- It has been estimated that up to 1/3 of people suffering with gambling disorder will commit financial crimes.
- Risk factors include:
 - Being in a position of trust
 - Access to the funds of other
 - Increased financial pressure
 - Ability to rationalize as "borrowing"
- *The applicability and relevance of these 4 risk factors to the legal profession must not be overlooked.*



What keeps lawyers and judges from seeking or accepting the help they so desperately need



FOUR MAJOR BARRIERS

- Shame and embarrassment - STIGMA
- Denial
- Insidious nature of addiction and mental illness
- Enabling

Lawyers are trained to deal with and solve problems. Thus, it is most difficult for the attorney to seek help since by doing so she or he is admitting failure.



Complicating this problem further is the tendency of the attorney's or judge's peers to indulge in a conspiracy of silence (enabling), and lighten the normal stresses of our profession.

What Can You Do ??

- CALL LAP's 24hr. CONFIDENTIAL HELPLINE.
- ASSESSMENT and EVALUATION by an experienced healthcare professional is essential to recovery.
- IDENTIFY any CO-OCCURRING illnesses.
- DEVELOP an appropriate TREATMENT plan.



What Is an LAP ?

Our mission:

To provide a caring peer assistance program to save the lives and restore the health and professional competence of lawyers and judges, members of their families, and law students who are at risk as a result of alcohol and drug use, gambling, depression or other serious mental illness. We carry out this mission through a combination of confidential helpline services, volunteer support and education.

CONTACT THE PROGRAM IN YOUR STATE FOR AVAILABLE SERVICES

We Protect Your Identity and Information

A LAP does **not** report or disclose any identifying information to the Supreme Court, the Judicial Conduct Board, the Disciplinary Board, the Board of Law Examiners or any other agency of the Supreme Court; nor do we report or disclose any identifying information to a State Bar Association, local Bar Associations or any judicial or law related organization. We do not report any identifying information to anyone without your prior consent.

You may remain anonymous and still receive our services.

YOU MUST CONSULT THE ETHICAL RULES OF YOUR STATE

GUIDANCE FROM THE COURT

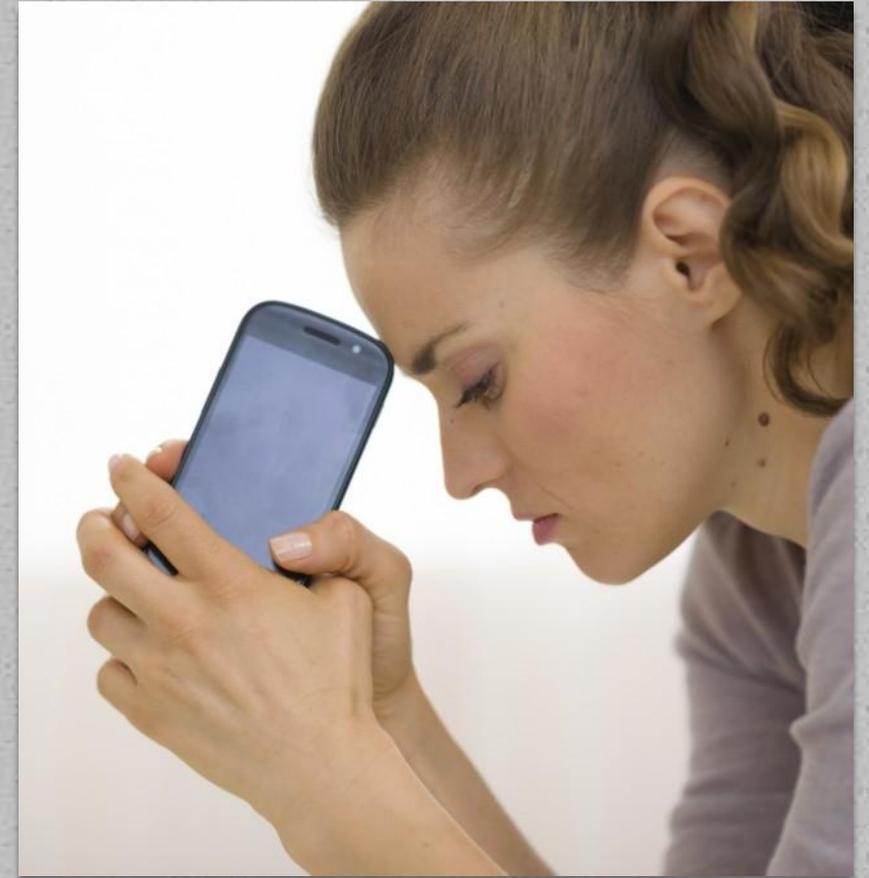
MOST* Rules of Professional Conduct address that concern by providing an exception to the duty to report by not requiring disclosure of information otherwise protected by the Rules or information gained by a lawyer or judge while participating in an approved lawyers assistance program.

Providing for an exception ... encourages lawyers and judges to seek treatment through such a program. Conversely, without such an exception, lawyers and judges may hesitate to seek assistance from these programs, which may then result in additional harm to their professional careers and additional injury to the welfare of clients and to the public.

***Check the Rules of Professional Conduct for your state**

To Call LAP...or Not to Call ?

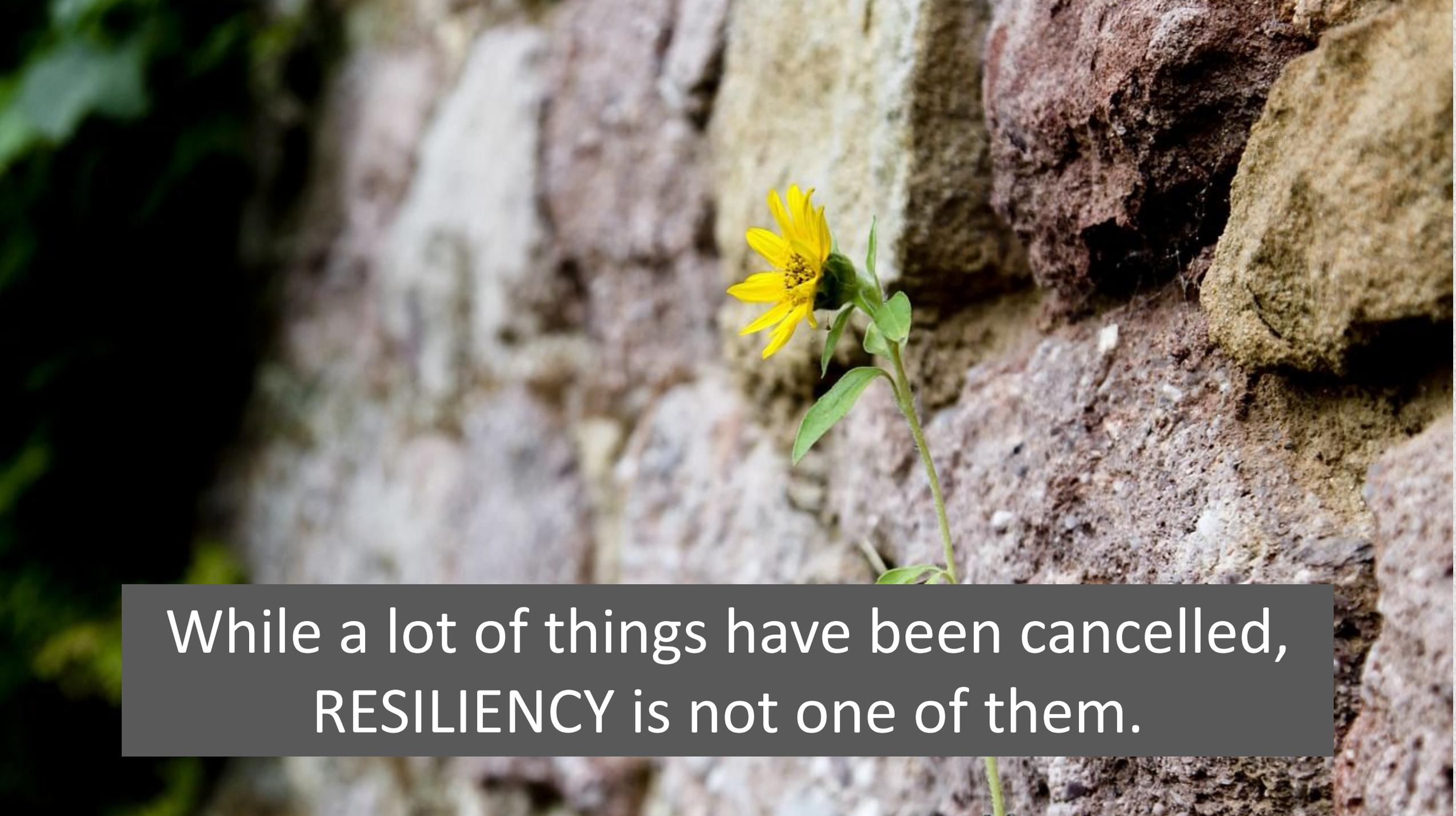
- I'm ok. I can work this out for myself.
- I'm not like a "real" addict anyway.
- I want help but I don't want anyone to know.
- Will I be reported to Discipline?
- I already tried to get help and it didn't work.
- I don't have the money to pay for treatment.
- What will people say about me if I ask for help?
- It's no use – nobody will understand.



To Call LAP...or Not to Call ?

- I want to help but I don't want to get involved.
- Will I harm his/her or the firm's reputation?
- Must I report him or her to Discipline?
- I already tried to help and it didn't work.
- Is this really any of my business?
- Let's wait and see. Maybe it will get better.
- I really don't have time for someone else's problems.





While a lot of things have been cancelled,
RESILIENCY is not one of them.

GAMBLING

The “*Secret*” Addiction

Thank you all for attending today’s Continuing Legal Education program.

If you have any questions that were not answered or would like to contact me for any reason, please call or email me at the following:

Brian S. Quinn, Esq., Education and Outreach Coordinator

LAWYERS CONCERNED FOR LAWYERS of PA, INC.

(717) 460-3385

brian@lclpa.org

Call the Lawyers Assistance Program in **YOUR** State

Directory of Lawyers Assistance Programs by State

https://www.americanbar.org/groups/lawyer_assistance/resources/lap_programs_by_state.html

ADDITIONAL RESOURCES

- 2017 CoLAP National Conference for Lawyers Assistance Programs, [Well Being Tool Kit](https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_Brafford_Tool%20Kit.authcheckdam.pdf)
https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_Brafford_Tool%20Kit.authcheckdam.pdf
- **The Well-Being Resources Page** offers a collection of worksheets, tip sheets, infographics, slides, book recommendations, videos, and more. <https://lawyerwellbeing.net/well-being-week-resources/>
- National Task Force on Lawyer Well Being, [The Path to Lawyer Well Being](#)
- UCLA Gambling Studies Program, Freedom From Problem Gambling 2014