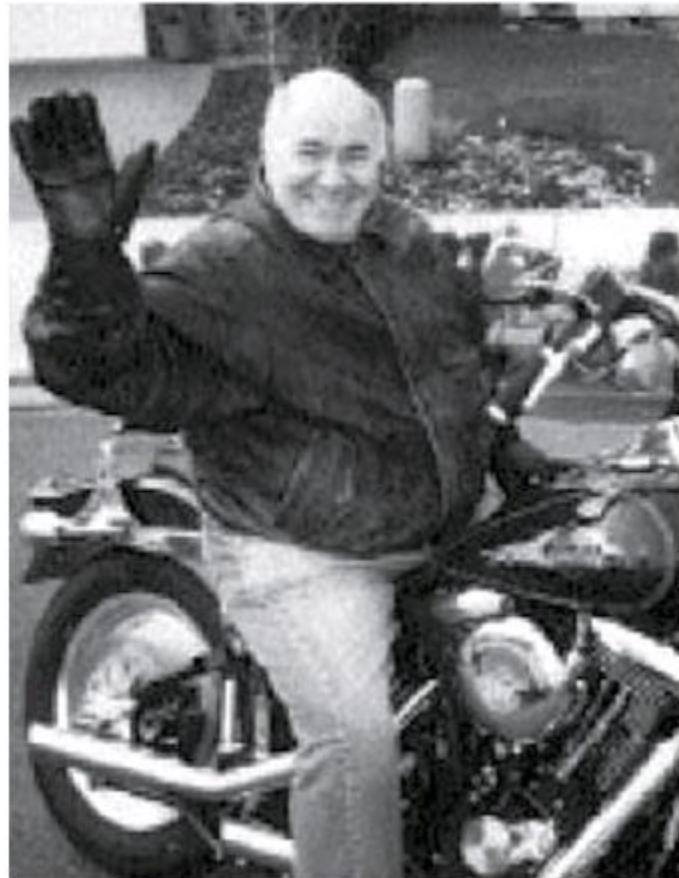


Parting Thoughts  
Remembering Don Muccigrosso  
*By Hon. Ronald Thom*

In early January of 1983 I had progressed from being a social drinker to drinking excessively. I had known for some period of time that I had a problem. My wife and others, including my doctor, had tried to convince me to go into treatment but I had ignored their advice and was going to take care of things "on my own."

Then that day occurred in which I knew I had had enough. Through the grapevine I had heard there was an Italian, with a funny last name, who had been hired by the PLF to help lawyers with my problem. I made that call and got a hold of this Italian gentleman. He advised me to come in to see him. Little did I know that that visit would not only change my life forever but save my life as well as my professional career. Many others would later make the same call.



Courtesy of Professional Liability Fund

I went to see Don in his office at the PLF. When the bald-headed Italian with cowboy boots and a cowboy hat walked into the room, I thought oh my God, what have I got myself into now!

After having a somewhat intimate conversation with Don, he had a way of being able to look into your soul and see inside you. Don convinced me that I ought to come to a luncheon meeting that met every Monday at Wilf's Restaurant at Portland's Union Station. Don had told me it was a subcommittee of a bar committee that helped other lawyers. Since I had been on numerous bar committees this sounded like a safe way to deal with my problem. On that day, after what seemed like the longest walk of my life (from my car to the restaurant), I walked into that room. Sitting in the room were seven lawyers, three of whom I used to drink with, and one of them, Ted M, said "Well we've been waiting for you." and Lon T said "Yeah, didn't think you'd live long enough to get here. Sit down." It turned out to be my first AA meeting.

After the meeting I pulled Lon aside, because I had known him for a long time and Lon looked great, better than I had ever seen him. I asked him, "What's the secret? Are you taking vitamins? Working out? Why do you look so good?" (At that point I wasn't looking or feeling good.) Lon

replied, "Nah. We just don't drink and we go to these damn meetings." So, knowing that Lon and Ted drank like I drank, I started hanging around and going to those meetings.

In a few days Don told me that he was now my sponsor and he would be taking me to the meetings. I was to do exactly what he told me to do and not drink in between meetings and otherwise 'shut the f\*\*\* up.' After one of the first meetings I attended I started to stand up and leave. Don said, "Pick up the ashtrays and empty them." I replied that I don't smoke. He said, "Shut the f\*\*\* up; pick up the damn ashtrays; do what I tell you to do. That's your service work." So, I picked up the ashtrays. "Shut the f\*\*\* up" was Don's way of saying I love you.

Don would call me every day and we would go to a meeting every day. It seemed these meetings, all with different groups, were always in the basement of churches. I got the impression that maybe AA was really a church group. I found out later that it had nothing to do with churches; churches gave the AA groups free rent.

I kept doing whatever Don told me to do, and it started working. Then he started making me help other lawyers. I remember going in and pulling my former partner, Jon H, off a bar stool one night and told him he was going to go to AA meetings with me but Jon had already made the decision to go into treatment and the next thing I knew, he and I were going to meetings together. Then, along with the other lawyers we started bringing 'new lawyers' to meetings.

We would go to different AA meetings with Don, and Don would have us all get together at the PLF, after hours, and we would have a lawyers' meeting. At that point more and more lawyers started to turn up and the group started growing. What started as a Portland thing started growing throughout the state.

Don started me on a process whereby I got sober and I stayed sober and now have over 29 years of sobriety. I owe it all to Don and the program of Alcoholics Anonymous, whose cofounder, Bill Wilson, had been a law school graduate.

Later Don started getting me and other sober lawyers involved in other bar meetings and the next thing I know I was chairman of the Lawyers Alcohol and Drug Dependency Committee, which later became part of the Lawyers Assistance Committee. Don decided that what we needed to do was go to all the bar functions and pass out literature and make contact with people who were like us — people who drank too much and needed to do something about it. So we started going to all the bar functions— trial lawyers, insurance defense, criminal defense, etc.

Later Don explained to me how the lawyers' assistance program started. A wonderful gentleman named Lester Rawls had been hired by the bar to set up a malpractice insurance program for members of the Oregon State Bar. Mr. Rawls immediately figured out, after examining the claims made against practicing lawyers, that a substantial number of those lawyers had drug and alcohol impairment. So he had the board of the new PLF think about starting up a lawyers' assistance program to be patterned after the employee assistance programs which were being set up by major local companies. Ironically, Don had migrated to Oregon and had made application to become a member of the Oregon State Bar. He disclosed in his application that he was recovering alcoholic and was brought in for the interview initially by the bar admissions folks

and they asked him how he had gotten sober. Don explained he got sober in New York under the tutelage of his former law professor at Fordham Law School, Prof. Raymond O'Keefe, who had started a program in Manhattan called Lawyers Helping Lawyers.

After Don had explained to the bar admission people and later to the OSB's board governors, he was introduced to Mr. Rawls and the PLF committee. They asked him how he would like to set up a lawyer program here in Oregon. That's how we now have the Oregon Attorneys Assistance Program.

When Don first got here he advised that there were about fewer than 10 lawyers in Oregon who identified themselves as recovered alcoholics. That number grew in the '80s to more than 100 and is now probably approaching 1000.

Don set up a program whereby lawyers throughout the state who were identified as needing help could have assistance generally by way of an intervention. As part of that process a treatment program would be arranged, other attorneys would be assigned the task to cover their legal work so that the clients would be protected during the period of treatment; if they didn't have partners that was done by one of the "group." The intervention generally involved either the presiding judge or one of the judges in the county in which the attorney practiced. Don had arranged for some of us to acquire intervention training to help in that process, and it was very rewarding.

Somewhat later on Don convinced me that I ought to get involved in the national lawyers assistance program sponsored by the American Bar Association. Later I learned that Don had been one of the founders of that nationwide program and not only that, but his "Oregon Plan" was known as the ideal way to go. Oregon is very unique in the fact that the Oregon Attorneys Assistance Program is funded with some of the money paid by lawyers with their PLF dues; in other words, it is self-funding. Oregon doesn't have the problems that most states like California and others have where funding is left to the legislature's whim.

Because of Don's prodding, pushing and contacts, I was eventually appointed to serve on the board of the ABA Lawyers Assistance Program representing the states of California, Oregon, Washington, Idaho and Alaska. It was difficult to follow in Don's footsteps since he was held in such high regard by the ABA and all of the directors of the numerous state attorney assistance programs.

Prior to having the pleasure of being elected Circuit Court Judge in 2000 I was, because of what I had learned from Don and others in the AA program, to participate in the formation of the drug court in Clackamas County — the second such drug court formed in the state of Oregon. After becoming a circuit judge I was able to set up a DUII Court, again the second one in the state of Oregon. I cannot tell you how rewarding that opportunity has been, because there are few things that a judge does that really have positive effect on the community. To me, helping others get clean and sober is the best reward.

When Don retired from the PLF I was given the honor of him emceeing his retirement party sponsored by the ABA at their annual workshop at Skamania Lodge, where Don was honored as one of the leaders and founders of the ABA Lawyers Assistance Program.

His legacy continues. The OAAP, under the tutelage of Barbara Fishleder and her staff, continues to provide wonderful services to any and all lawyers who need help.

Don saved lives, hundreds of them. Many of us owe the fact that we are still alive, still practicing law, and still able to help others to Don, the AA program, and the fellowship of other lawyers in this program. Don, we will all miss you, we all love you, and will someday join you in the AA meetings in the sky. God Bless You. We will never forget you.

#### **ABOUT THE AUTHOR**

*Ronald Thom is the former chair of the Lawyers Alcohol and Drug Dependency Committee (later the State Lawyers Assistance Committee) and board member of the ABA Lawyers Assistance Program, representing west coast states. He serves as judge in Clackamas County Circuit Court.*

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