

## *Out From The Darkness Of Addiction And Into The Light Of Recovery*

by Kent B. Scott

### **Introduction**

My name is Kent, and I am a recovering alcoholic and drug addict. I am also a lawyer who has practiced for forty-seven years. I have five children and fourteen grandchildren whom I love very much. I have also been married for over fifty-two years and serve in the community in which I live. My best times were being a Little League baseball coach. I love my job, and I am honored to be part of this noble profession. I have two children and a son-in-law who are lawyers. I am very proud of the good people they have become. My sister is also a lawyer.

During my career, I have spent one year in suspension from the practice of law and a second year on probation supervised by attorney Bob Babcock with whom I have formed a lasting partnership for the past forty-four years. For the past thirty-seven years, I have been a member of a twelve-step group in which I have attended close to 5,000 meetings and have stayed sober the past 13,500 days, one day at a time.

Today, my wife knows where I am and what I am doing, and so do I. My kids know that when they call I will answer. My grandchildren have never seen me drunk on alcohol or high on heroin or cocaine. Today I am alive and am grateful to share the following story with you. I hope that someone finds some good in its reading.

My story is not a “how I got sober.” It is the story about the concern of lawyers, judges, the Utah Bar, the Office of Professional Conduct, and several Utah Bar leaders who were genuinely concerned about my well-being. My wife and I are most grateful for the concern and help that we have received from members of Utah Bench and Bar. My “go to resource” was Judge Royal I. Hansen and his family. We have remained friends for over the past fifty-five years of time. How about that for good fortune? I also owe my sobriety to a boatload of friends like Rex Thornton who camped out on my lawn and got me running early every morning. He literally ran me into sobriety, and together we have several marathons to our names.

Approximately seventeen years ago I was asked to share my

recovery story in an article titled, “Darkest Before the Dawn,” that was published in the *Utah Bar Journal*. See Kent Scott, *Darkest Before the Dawn*, 16 UTAH B.J. 16 (Aug./Sept. 2003). At present, I have been asked to write a follow up article that would include “the rest of the story.”

This is one grateful man’s story of lawyer wellness that I hope will encourage someone to reach up and reach out for help in finding and growing in their own program of lawyer wellness. Addiction is a disease of responsibility and accountability. In order for recovery to occur, the affected individual needs to find a desire to reach out for help and to work on the recovery principles that are set forth in the following pages of this article.

### **Beginnings**

My story about the road to addiction is pretty garden variety. We alcoholics and addicts are people of all persuasions and members of all kinds of organizations. We are good people who would normally not mix but for our addiction and alcoholism. We have discovered a source of healing that empowers us to stay sober one day at a time. There exists among us fellowship of undescrivable joy as we all have been rescued from a common disaster. And it works if you work at it!

Born and raised in Salt Lake City, I played football on a state championship team and attended church because I liked church basketball and girls. I did not drink or use any drugs during high school or college. I met my wife in college where we both affiliated with the Greek sorority and fraternity system. O HAPPY DAYS!

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We were planning to travel throughout Europe on \$10 a day when I was informed about my newly earned status as a father-to-be. At that time, I was given the opportunity to attend law school at the University of Utah.

At the age of twenty-one, I had graduated from college, was married two years, became a father, and began law school. I also worked part time at a blue-collar job to make ends meet. I was having a “FULL LIFE.” One problem: I became overwhelmed and discovered alcohol as a first-year law student. I thought that I had discovered the magic panacea to the challenges and difficulties of law school. During that first year, I also discovered that I was not as slick, hip, or cool as I thought. Everyone in my law class was just as intelligent, even more so. As it turned out, the law class of 1973 contained a number of very bright and exceptional people. When the first semester grades came out it was confirmed that I was not going to be much of an academic star. Someone had to be in the bottom 50%, and that someone included me.

The descent from *magna cum laude* to just another guy in the lower 50% of the class was painful. However, my biggest mistake and my biggest problem was not sharing with someone about

how I was using alcohol to numb the pain of my self-perceived difficulties. I drank alone. I drank in great quantities. I drank with shame. Most definitely, I drank to numb the pain and to create grandiose realities about fitting in and being a worthwhile young lawyer. In other words I could not drink like a gentleman or a normal drinker. I was self-medicating to fill in that big hole of insecurity that I was creating in my insides, and I did not pay attention to the slippery slope on which I was treading.

### The Utah Survey on Lawyer Well-Being

Unfortunately, my challenges are far from unique in the legal profession. Too many of us struggle with some sort of well-being and health-related concern. Fortunately, our profession is beginning to pay attention. In 2019, the Utah Bar hired researchers from the University of Utah to conduct a study identifying the state of Utah lawyer well-being and the existence and impact of depression, stress, and substance abuse. The goal of this research was to understand where we currently stand and to identify any potential risk and protective factors that can guide our efforts toward effective improvement. In other words, the Utah Bar wanted to better understand *what* is happening, *why* it is happening, and

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how we can make a positive difference.

Preliminary study results suggest that the health and well-being of Utah lawyers are at risk. “These concerns include:

- 44.4% of responding lawyers reporting feelings of depression
- 10.5% reporting prior drug abuse
- 48.7% reporting some level of burnout
- Lawyers in the study being 8.5 times more likely to report thoughts of being ‘better off dead or hurting themselves as compared to the general working population.’”

Matthew S. Thiese, *The Utah Lawyer Well-Being Study: Preliminary Results Show Utah Lawyers at Risk*, 33 UTAH B.J. 29, 30 (Mar./Apr. 2020). These findings are not only incompatible to a sustainable legal profession, but they also represent our friends and colleagues.

### Dancing in the Dark with My Addictions

For a more complete story on my early years of developing addictions to drugs and alcohol and for the first fifteen years of my early recovery, see my previous article, “Darkest Before the Dawn.” See Scott, *supra*, at 16.

This was not a fun place to be. Moreover, I did not want to share my secret with others. I became self-centered and isolated and was driven by a hundred forms of fear. Fear that if you really knew me, that you would not like me. Fear that you would know me for the insignificant and fragile person that I felt I was. I even recruited my wife into my little secret society [ENABLER] so that she could “protect” me from the adversities of not showing up when I was supposed to show up and not suiting up where I was supposed to suit up. We alcoholics and addicts are very skilled at recruiting good people to help us maintain our addictive behaviors. Alcoholism can become a communicable disease which affects others who put their trust in us. I became very creative so I could control and manage my addictions without the imposition of adverse consequences. In other words, I became very dishonest with others, but more importantly, with myself.

### There is a Solution – The Five Pillars of Recovery

For me, the solution was simple in its saying and difficult in its application. Indeed, “faith without works is dead.” 1 John 3:16–18 (King James).

Following are five pillars of recovery that I have used and worked in my march to sobriety. A number of these pillars are counterintuitive

to being an advocate in an adversary system. Therein lies the challenge for what we need to do in order to work on and achieve recovery. My five pillars of recovery were and still are:

#### 1. Acceptance.

It is what it is, so do not fight it. When I am disturbed it is because I find some person, place, or situation unacceptable to me. I need to accept life on life’s terms. Otherwise, I will never know joy or happiness. I need to concentrate not so much on what needs to be changed in the world as on what needs to be changed in me and my attitudes.

#### 2. Take care of your side of the street.

Avoid chasing rattlesnakes. If you get bit by the snake, run to the nearest emergency room for treatment. In other words, there is no good purpose in holding onto resentments toward opposing counsel, judges, or clients. It only adds to the rocks that you have to carry in your backpack of resentments. This backpack will only weigh you down leading to hypertension, depression, anxiety, and addictive behaviors.

#### 3. Take the cotton out of your ears and put it into your mouth.

After having spent forty-seven years in the law I am finally convinced that I have learned more through listening than talking. Any value that I might be to others as a mediator or arbitrator requires skillful listening. What is skillful listening? Simply, focus on what is being said rather than centering your attention on what you want to say. Avoid talking over each other. Maybe you will better connect with the judge or your opposing counsel by better understanding one another and one another’s point of view.

#### 4. Help others.

In my view, helping others is the central core value that has empowered me to manage my addictions. Notice that I used the word “manage.” I believe that I am always at risk for relapsing in my addictions. I am like a man who has had his legs cut off. I will never be able to grow new ones. However, I have been given a couple of man-made legs and an occasional wheelchair. I have stopped drinking and using drugs many, many, many times. However, to stay stopped is another matter. For me, I believe that the best way to manage or even be rid of my addictions is to work each day one day at a time on the five pillars of sobriety.

#### 5. It works if you work it – one day at a time.

Act your way into good thinking rather than think your way into good acting. If you have to, “fake it until you make it.” I attribute

a great deal of my sobriety to a twelve-step group made up of men and women who have a desire to stop drinking or using. There are many other twelve-step groups for all forms of addiction. These groups have patterned their programs around the Twelve Steps of Alcoholics Anonymous. Alcoholics Anonymous World Services Inc., *Alcoholics Anonymous* (4th ed. 2003). Those twelve steps can be summarized in six words: “Trust God, clean house, help others.” And I always have to remember that these principles are referred to as “steps,” “not elevators.” I learned early that I needed to do more than learn the steps. I needed to work the steps. I also learned that the steps were easier to learn from someone who themselves have worked them. In the absence of that, a supportive friend, a judge, or a fellow lawyer can make a difference. In my case, I found all three in Judge Hansen.

### Lawyer Wellness – A Plan and a Vision for You

We lawyers are professionals who serve in an honored profession. To this point, we’ve earned grades and test scores that have allowed us to be admitted to good law schools for training and understanding what this profession is all about. We have endured many hours of lectures and endless hours of study time from case law books. We have attended and passed several required classes in law school. We have both studied and passed the bar exam. We have endured long hours of work and effort on behalf of our clients, in response to requests and orders from judges and demands from opposing counsel. We have volunteered our time, talents, and strengths to the practice of law.

Also, we lawyers are a generous lot, despite what others may say or think. Look around and see who is involved with government affairs, community service, and non-profit institutions. Remember, that while the doctors were bleeding George Washington to death, our Founding Fathers were writing the Constitution, with its Bill of Rights and had previously authored the Declaration of Independence.

The question today is whether or not the legal profession is capable of serving society’s needs and is up to the challenge of preserving the rule of law. Are our legal institutions capable of delivering equal access to justice? What happens if we continue to experience addictive behaviors, depression, and anxiety at the current rates? What will the quality of justice look like in our society? Our best choice is to buckle up and focus on lawyer wellness. I remembered the counsel given to me by my twelve-step sponsor who died forty-seven years clean and sober: “Suit up, show up, and wait for the miracle to happen.” It can, and it will.

The following are a few recommendations for your consideration, particularly if you are in your first ten years of practice.

- Everyone: acknowledge the problem and take personal responsibility for its solution.
- Everyone: reduce the stigma of mental health and substance use disorders.
- Judges: monitor for impaired lawyers. If not you, then who?



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- Law firms and solo practitioners: encourage connectivity and quality mentoring through personal example, pro bono work, and bar-related service. Create a culture of quality mentoring. Avoid “check-box” mentoring. Remember, there are no graduation certificates for being a mentor or a mentee. We can all learn and grow through the Utah Standards of Professionalism and Civility.
- Law schools: create a system for detecting and assisting students experiencing anxiety and stress. This can be one of your greatest contributions to a better and a nobler profession.
- Utah State Bar: establish a mental health committee and a confidential diversionary program for impaired attorneys. Also, consider adding to the growth of Lawyers Helping Lawyers and providing them with a budget and paid personnel to advance well-being. Look at what we are spending in the prosecution of lawyers through the Office of Professional Conduct (OPC). Their efforts are well needed, and the Utah Bar’s continued support of the OPC is critical. Why can we not at least equal the OPC’s resources in order to prevent the downfall of our attorneys and preserve their talents? Think about preserving the value to those attorneys, their families, and the legal profession. How much time and money do we spend on the prosecution of lawyers compared with the amount of money we spend on addressing and implementing programs dealing with lawyer wellness and lawyer rehabilitation?

### Young Attorneys – Consider the Odds

For those of you who are either in law school or in your first ten years of practicing law consider your odds as reported in a recent medical journal article.

- 72% of your peers have named instability as a serious problem for your profession to address.
- 42% of lawyers and 45% of judges believe that civility and professionalism is a significant problem among the members of the Bar.
- 21% of attorneys qualify as problem drinkers, with a higher rate of 38% occurring in younger attorneys. The statistics also show that women qualify as problem drinkers in an increasing number.
- 28% of attorneys experience depression.
- 23% of lawyers reported high stress symptoms.
- 19% of lawyers report anxiety symptoms.

See Patrick R. Krill et al., *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, 10 J. ADDICTION MED. 46, 46–52 (2016).

### Conclusion

My story of dancing in the darkness with addiction and emerging into the light of recovery remains an ongoing story for our fellow Bar members. As for myself, I believe that recovery starts and ends with the affected individual. There is no beginning without a personal desire to do whatever is necessary to break the chains of addiction. There is no ending unless the affected individual works the principles outlined in the twelve steps and practices the principles set out in the Utah Standards of Professionalism and Civility.

Stress does not have to be the enemy. Properly channeled, stress can provide a good resource for serving the needs of the client and addressing the challenges of the legal profession. It is the lack of acknowledgement of stress disorders that continue to build until that stress explodes and is expressed through negative behaviors.

Lastly, consider the need to handle and eliminate fear and self-centeredness. Fear is the condition of fighting both the loss of something you have or not getting something you want without doing the footwork. As lawyers, and particularly young lawyers, we have weathered fears about passing our law classes, fears over passing the bar exam, fears about displeasing a partner, and lastly fears about losing a case or not getting the outcome that we wanted. Simply stated, fears are a creation of our own design and can be addressed by applying the principles set out in both the twelve steps and the Utah Standards of Professionalism Civility.

The Well-Being Committee for the Legal Profession (WCLP), co-chaired by Justice Paige Petersen and attorney Cara Tangaro and managed by Executive Director Martha Knudson, is a significant step forward in acknowledging that our well-being is vital to our being at our best personally and professionally. The WCLP has also launched a website with resources designed to help you learn to best care for it. It can be found at [www.wellbeing.utahbar.org](http://www.wellbeing.utahbar.org). Use it. Connect with it. Build your well-being. Above all, help others to do the same. As you do, I think you will find that there is no greater joy in watching someone (yourself included) walk out of the darkness of addiction and into the light of recovery. Happy Journey!

**AUTHOR’S NOTE:** *The author sincerely thanks Martha Knudson, Executive Director of the Utah State Bar’s Well-Being Committee for the Legal Profession, for her assistance with this article.*