



HOW CAN YOU IDENTIFY SOMEONE WITH A GAMBLING ADDICTION?

An attorney may learn about a potential gambling problem in a number of ways in various scenarios:

Review of Financial Information

As you review financial information, you may note patterns that suggest a gambling problem. For example, you may see multiple withdrawals that form a suspicious narrative or you may see that multiple credit cards are at their limit. Further investigation may determine whether a gambling issue is present.

Bankruptcy

An attorney or the trustee could note assets or an unexpected lack thereof and suspect that a gambling addiction could play a role. The presence of a gambling problem may become very relevant in moving a case forward.

Divorce

When it's time to divide up marital assets, one spouse will likely notice that the money he/she thought was there, is not. There could also be joint credit card debt that one spouse is not aware of, as well as unexpected loans, wiped out college savings, an equity line of credit, etc. A lawyer might also see incomplete information or the reluctance of a spouse to be forthcoming. The spouse of a problem gambler may be embarrassed or ashamed.

Child Neglect/Abuse and Domestic Violence

People with a gambling addiction focus all their attention on gambling and may neglect responsibilities to their families. An extreme example is someone leaving their child in the car at a casino while they are inside gambling. Those persons accused or charged with neglect or violence should be referred

for a gambling assessment and a substance use assessment.

Alcohol or Other Drug Addiction

In some cases, a person will switch addictions. For example, they may stop drinking but instead start gambling as a substitute. One study of people with substance use disorder published in the *Journal of Addictive Diseases* concluded that roughly 20 percent of study participants had significant gambling problems or had had such problems at some point in their past.

Suicide Attempts

Suicide attempts may suggest an underlying gambling problem. The National Council on Problem Gambling estimates that one in five problem gamblers attempts to kill themselves, a rate that's about twice that of other addictions. When a financial crisis occurs, those with a gambling addiction and high gambling debts believe there is no way out and their hopelessness drives them to contemplate and attempt suicide.

Other Scenarios

A guardian or conservator for an elderly person might discover unusually frequent trips to the casino or a surprising lack of funds. A criminal defense attorney might discover the problem when representing a client on a variety of crimes (not only theft or embezzlement, although those would be major clues; a prosecutor might notice this as well). An employment lawyer might notice a gambling problem in the context of representing a person who is being terminated for under performance or repeated absences.

RESOURCES

Minnesota Problem Gambling Helpline. 1-800-333-4673 (HOPE). Available 24 hours a day and seven days a week, the helpline offers free, confidential help from counselors trained in crisis intervention.

Minnesota Problem Gambling Treatment Program. Managed by the Department of Human Services, treatment is available at a number of locations. Funding is available for treatment, regardless of income level. Call 1-800-333-4673 (HOPE). You may also visit www.GetGamblingHelp.com.

Gamblers Anonymous (GA). Gamblers Anonymous is a twelve-step support program that holds meetings in approximately 70 communities around Minnesota. Participation in GA is free. www.MinnesotaGA.com and www.GamblersAnonymous.org. 1-855-222-5542 (1-855-2CALLGA).

Gam-Anon. Gam-Anon is an organization for families and close friends of problem gamblers that has meetings in nearly 20 cities around the state. www.GamAnonMN.com. The toll-free helpline is 1-888-435-7166 (1-888-HELP1MN).

National Council on Problem Gambling (NCPG). The NCPG has information that's helpful for those facing financial issues related to gambling. *Problem Gamblers and Their Finances: A Guide for Treatment Professionals and Personal Financial Issues for Loved Ones of Problem Gamblers* is available free of charge on the NCPG website: www.ncpgambling.org/programs-resources/resources/#Financial-Issues.

Northstar Problem Gambling Alliance (NPGA). NPGA is the Minnesota affiliate to the National Council on Problem Gambling. Its website and publications provide educational resources for the general public, addiction and healthcare professionals, clients, families and public policy professionals. www.NorthstarProblemGambling.org.



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Attorney's Guide to Gambling Addiction



FOR ATTORNEYS,
JUDGES,
PROSECUTORS
AND COURT
PERSONNEL



WHAT ARE THE SIGNS OF GAMBLING ADDICTION?

Gambling addiction has been called the silent addiction because it can go unnoticed for years, despite causing great financial and emotional hardship before anyone realizes there's a problem. Gamblers do not "overdose" and end up in emergency rooms, nor do they typically visit a doctor asking for help for their gambling problems. In fact, they will go to great lengths to hide the issue.

However, there are warning signs that can suggest a potential gambling addiction. These include:

- Increased frequency of gambling activity
- Increased amount of money gambled
- Gambling for longer periods of time than originally planned
- Dropping other activities in order to gamble
- Bragging about wins, but not talking about losses
- Pressuring others for money
- Lying about how money is spent
- Escaping to other excesses (alcohol, drugs, sleep, etc.)
- Denying there is a problem

Additional signs of problem gambling may include frequent absences from home and work, excessive phone use, withdrawal from family, personality changes (increased irritability/hostility) and diversion of family or other funds.

ATTORNEY'S GUIDE TO GAMBLING ADDICTION

This brochure provides a brief overview of gambling addiction and suggests ways that attorneys and others may assist someone in getting help when their legal issues involve gambling. Lawyers are in a unique position to provide a helping hand when the client doesn't know where else to turn.

Gambling addiction, like addiction to substances, can lead people to behave in ways that cause problems for themselves and their families. In some cases, the financial devastation created by gambling addiction results in fraud, embezzlement, theft and other criminal activities. Problem gambling also results in legal consequences involving families, jobs, property, debt and other matters.

It's important that those in the legal field become educated about gambling addiction so they can consider whether a gambling problem might be at the root of criminal activity. With appropriate screening and assessment, such problems can be better diagnosed.

For first-time offenders with a gambling problem, referral to treatment may be appropriate. The state of Minnesota offers treatment for gambling addiction at no cost.

WHAT IS PROBLEM GAMBLING?

Problem gambling, also known as gambling addiction or compulsive gambling, is defined as the urge to gamble despite harmful negative consequences or a desire to stop. It's estimated that more than 200,000 Minnesotans struggle with this addictive disorder, which can destroy lives, threaten family relationships and empty retirement savings.

Virtually anyone is at risk for problem gambling. Problem gambling plays no favorites when it comes to sex, age, education, religion, race or socio-economic background. People may become addicted to gambling regardless of the game they choose: horse racing, pull tabs, bingo, lottery, casino games, online gambling and fantasy sports.

IF YOU SUSPECT YOUR CLIENT MAY HAVE A GAMBLING PROBLEM, WHAT SHOULD YOU DO?

As part of encouraging your client to share as much information as possible with you—reminding them that surprises down the road can hurt your ability to represent them—you should be alert to information they share that could suggest a gambling problem. For example, you might say, "When I've seen this financial pattern in other clients, it often suggests there may be a gambling problem. Do you feel that your gambling may be an issue?"

If there's reason to suspect that there may be a gambling problem, a simple screening tool, consisting of two questions, can lead to a conversation about gambling addiction:

1. Have you ever felt the need to bet more and more money?
2. Have you ever had to lie to people important to you about how much you gamble?

The answer to those two questions can initiate a deeper discussion of the gambling behavior and guide you to seek a more comprehensive gambling assessment for your client.

HOW CAN YOU HELP THE SPOUSE OF A PROBLEM GAMBLER?

You may find that you're representing the spouse or "concerned other" of a problem gambler. In these cases, you can help your client by referring them to resources such as Gam-Anon and the publication *Personal Financial Issues for Loved Ones of Problem Gamblers* published by the National Council on Problem Gambling. (See Resources section of this brochure.)

PROBLEM GAMBLING IS TREATABLE

Like other addictive disorders, gambling disorder is treatable, and recovery is real and attainable. This may consist of individual therapy as well as both inpatient and outpatient treatment.

Let your client know that assistance is available. Start by referring them to the Minnesota Problem Gambling Helpline at 1-800-333-4673 (HOPE). Available 24 hours a day and seven days a week, the helpline offers free, confidential help from counselors trained in crisis intervention. Anyone can call the helpline about their own gambling or their concern for someone else.

RULE 82 ASSESSMENTS

The state of Minnesota requires that a person convicted of certain offenses be screened to determine whether or not compulsive gambling contributed to the offense. The screens are performed by probation officers trained to understand the basics about gambling. The requirement that probation officers perform screenings is called Rule 82, but it's actually part of Chapter 9585 (Gambling Assessments) under Minnesota law that covers probation officer responsibilities.

MINNESOTA APPROVED GAMBLING TREATMENT PROVIDERS

The state of Minnesota has a network of approved gambling treatment providers who can help individuals with gambling problems. The network includes private practice therapists, outpatient treatment programs and a residential treatment program. **The state pays for the treatment that gamblers and their family members need.** This list of providers is available via the online resources listed below or by calling the state helpline at 1-800-333-4673 (HOPE).

DID YOU KNOW THAT LAWYERS ARE AT HIGH RISK FOR PROBLEM GAMBLING?

Lawyers themselves are at risk for developing gambling problems given personality characteristics that are commonly attributed to attorneys. Here are some reasons why lawyers are at risk.

1. Lawyers are often risk takers.
2. Risks are often amply rewarded. Success in a high-risk case may result in increasingly risky choices and behaviors.
3. Lawyers may gamble to escape the trauma they've endured and experienced with their clients or to otherwise cope with the stress of the profession.
4. Lawyers have access to settlement proceeds, retainers and other funds that they may access inappropriately in extreme cases.
5. Lawyers are among the most likely professionals to suffer from stress and depression, which plays a role in the development of problem gambling behavior.
6. Alcohol misuse and dependency is twice as prevalent among attorneys compared to non-attorneys. This addiction leaves them at risk for "co-occurring addictions," such as gambling addiction.

If you have concerns about your own gambling, contact Lawyers Concerned for Lawyers (LCL) at 866-525-6466 or www.mncl.org. LCL provides free, confidential peer and professional assistance to Minnesota lawyers, judges, law students, and their immediate family members on any issue that causes stress or distress.