

book review

## **Never Enough: One Lawyer's True Story of How He Gambled His Career Away**

By Michael J. Burke. (2008). American Bar Association: Chicago, IL. 250 pp., ISBN: 9781590319918. Price: \$29.95 USD (paperback).

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I had traveled from Las Vegas to my home town of Ann Arbor to attend *the* game—Ohio State versus Michigan. My cell phone rang; on the line was Mike Burke. He wanted to discuss pathological gambling with me, as he had found my name on a Google site focusing on gambling. He began his story. He had been a solo practicing attorney but was disbarred after revelations that he had stolen well over a million dollars of client funds to support his gambling. He served three years in Michigan's Jackson Prison. I told him my cell phone would not hold out too long, and that I was not in Las Vegas, but rather 30 miles down the road from him. I suggested that if he really wanted to talk, we could do so in person. He agreed, and in less than an hour, we met.

We soon discovered that we were both natives of Ann Arbor, and that his father and grandfather had been close attorney friends of my father in the Ann Arbor legal community. His father moved to Howell when Mike was 6 years old and became the state liquor commissioner. He chose to locate his new residence half-way between Detroit, where most of his business was, and the state capital, Lansing. Mike's grandfather had not only been a mentor to my father, but he had also been a judge at the Nuremberg Trials after World War II. Mike Burke had a very good pedigree in the legal profession. After discussing our local "roots", the conversation turned to Mike's gambling career. He told me his story, which was soon to be published in book form by the American Bar Association.

It is appropriate that the top organization of attorneys has chosen to publish this story. While the words on the pages do not shout it out explicitly, the message of the book is that lawyers have a special vulnerability regarding gambling addiction. As I listened to Mike's story, and as I read the story in the book, I was drawn to a litany of factors that might in turn draw attorneys to this particular addiction, and indeed, to other addictions as well.

Mike's story tells of a journey that has led him into many contacts with problem gamblers, from a speaking tour to his work as an addictions counselor at a local hospital. He relates how the majority of problem gamblers have had experience with other addictions, particularly alcoholism. Mike himself was deeply into alcohol abuse when he began law school. Law school seems a fitting place to look for antecedents to a career of pathological gambling. They may, on the one hand, attract persons with certain personality traits, and on the other hand, reward such individuals. For example, studies have reflected on typical personality traits of attorneys—leaning toward *Type A* profiles, the need for logic, the need for control, introversion, competitiveness, and the need to dominate (e.g., by exerting a notion of having superior information or intelligence). Without a doubt, these are generalities. Nevertheless, the law school experience demands for most—especially in the first year—an intensity and a focused concentration that may never be demanded again. Burke tells how he found he could not survive that first year unless he stopped his drinking. When the first year ended, his sense of pressure release demanded a replacement, and he returned to alcohol. I may comment that I felt the same release after failing to survive the first year of law school. When I quit the struggle, I quickly replaced the missing pace of life by joining the Marine Corps. I still offer that I would willingly take another 11 weeks of boot camp at Parris Island over a single week in law school. I believe that the values of law school may mesh in quite compatible ways with the values of intense gambling activity.

Alcoholism may burden many a lawyer beyond his or her capacity to compete successfully at the job. In severe cases, choices have to be made. Mike Burke relates that he eventually had to retreat into a recovery program at a local hospital (the same hospital where he now counsels others). He stopped drinking entirely, and after doing so became a faithful member of Alcoholics Anonymous. But once again, he was faced with a void in his life, as alcohol had served a function for his personality drives. He could have become a compulsive runner, swimmer, musician, or crossword puzzle addict. He found gambling. For certain, he had enjoyed occasional trips to Reno and Las Vegas, and to a casino 2 hours from his home. But when a large casino opened only 58 miles away in 1994, that is when Mike's trouble started. He pointed out to me that a survey of the National Gambling Impact Study Commission found that when casinos are located close to a community, the rate of problem gambling doubles. He is convinced that this finding is accurate.

Certain features of his law practice (and law practices generally) gave Mike the ability to develop his addiction unchecked. For example, he was a solo practitioner, and had a very good reputation locally. He participated in many positive community activities, several connected with the local public schools. This is typical of the kinds of activities in which lawyers take part. He found that he could, rather easily at first, rearrange his appointment schedules, and even get local judges to schedule court appearances around his gambling activity. He could explain his early morning or late afternoon absences with stories about the need to take a deposition in another town. Time was on his side.

The accessibility of the casino was also enhanced by his accessibility to money. As his gambling—and, accordingly, his gambling losses—mounted, he turned to others for loans that would bail him out. An abundance of friends with expendable money is an attribute of the legal community. This works for a while—once or twice—and then the source is no longer available. He mortgaged his house, which is no problem for a respected member of the local legal community. However, you can only do this once or twice as well. After he had turned to all the legitimate sources of money that are presented to a good local lawyer, he considered “borrowing” funds from several trusts that he controlled. As he made the giant leap to putting his hands on money that was not his, and doing it in a secretive way that violated legal ethics and, in fact, the law, he told himself the biggest lie of all—that when he won, he was going to pay it back. And indeed, he won. Four times he won slot machine jackpots in excess of \$100,000 each. However, only rarely did he leave the casino with even part of those winnings. The money just went right back into the machines. He “chased” wins and he “chased” losses.

As he reflected back on his appropriation of funds entrusted to him by clients, he wondered at the fact that the local bank allowed him to cash checks on the accounts without question. In the last 18 months of his gambling “career,” he cashed more than 100 such checks at a local bank. He surmises that he was able to do this because he was a lawyer with both integrity and a pedigree—at least that was how he was viewed in the community.

His story became strikingly like that of other compulsive gamblers. As one set of losses chased another, lies did as well. The stress affected Mike. He had heart pains and high blood pressure. The idea hit him—he had a cover for suicide. Mike lived in a snow belt; he figured that by loading his garbage receptacle with bricks and blocks, he could push the receptacle through the heaviest snow in hopes he could activate a fatal heart attack. My own studies of Gamblers Anonymous members found that between 25 and 30 percent had attempted suicide. Inhibitions of shame and family disgrace often lead pathological gamblers to hide their attempts. For example, Las Vegas has a high incidence of fatal crashes involving one car only.

It all came to an end when Mike decided to turn himself in to the State Bar, and then the State Attorney General. He bared his soul and accepted the shame of what he had done. So too, his family accepted a shame they had not anticipated. However, his wife stood by him. Within the next 10 weeks he would be arraigned, enter a plea of guilty as charged, and be sentenced in the very courtroom where he had practiced law for 25 years. He was sentenced to a term of 3 to 10 years in the state’s largest prison. While there, his legal training served him well, as being an “inside lawyer” offered a veil of physical protection.

However, after release, Mike found that his legal talents were no longer a marketable commodity. He had hoped that a law firm would hire him for a research role, but none wanted him. The American Bar Association chose to publish his story in part to educate lawyers about their vulnerabilities—something often difficult, as so many lawyers believe there is nothing they need to learn. And these are precisely the kind of people casino managers love to have walk through their doors. Today, Mike does command good speaker fees for telling his story and educating others about pathological gambling.

*Never Enough* is a very good read. It moves fast and is a compelling story. In truth, it is not a unique story, but it does have a unique quality. It is about a lawyer, and it is about how the practice of law can place a person drawn to gambling squarely in the trigger sites of a very dangerous activity.

All proceeds of Mike's share of the book will be paid to his victims.