

AGENDA ITEM

54-132 MARCH

DATE: February 27, 2014

TO: Members, Member Oversight Committee
Members, Board of Trustees

FROM: Philip Belleville, Chair,
Lawyer Assistance Program Oversight Committee
Richard Carlton, Acting Director, Lawyer Assistance Program

SUBJECT: Lawyer Assistance Program 2013 Annual Report –
Statutory Report and Filing

EXECUTIVE SUMMARY

Business and Professions Code section 6238 requires that the Oversight Committee of the Lawyer Assistance Program (“LAP”) of the State Bar of California to report on the operations of LAP annually to the Board of Trustees and to the Legislature by March 1 of each year. In this item, the LAP 2013 Annual Report, which has been submitted to the Office of the Secretary of the State Bar and to the Legislature, will be formally presented to the Board.

BACKGROUND

The LAP is premised on early identification of attorneys suffering from substance abuse or mental illness. The program assists the Bar to protect the public, the courts, and the legal profession by offering education and rehabilitative programs to State Bar members. The program also works in conjunction with the State Bar Court Alternative Discipline Program to offer an alternative to traditional disciplinary sanctions. Section 6238 of the Business and Professions Code directs the Oversight Committee of the LAP to submit a report to the Board of Trustees and to the Legislature not later than March 1 each year on the implementation and operation of the program.

In this item, the LAP report filed for 2013 will be officially presented to the Board.

ISSUE

None.

HIGHLIGHTS FROM THE REPORT

During 2013 the LAP provided effective early intervention consistent with the program's mission of enhancing public protection while supporting recovering attorneys in their rehabilitation and competent practice of law. Specific initiatives addressed during the year included: (1) encouraging more law students with histories of substance-related offenses to be evaluated by the LAP prior to applying for membership, (2) continuing to expand education to the membership regarding the problems addressed by the program, including cognitive issues commonly encountered in later life, and (3) completing two promotional videos that use moving testimonial statements from graduates of the program to explain the components and benefits of the LAP experience.

DISCUSSION

None.

FISCAL / PERSONNEL IMPACT

None.

RULE AMENDMENTS

None.

BOARD BOOK IMPACT

None.

RECOMMENDATION

The Lawyer Assistance Program Oversight Committee recommends that the Member Oversight Committee receive and accept the 2013 LAP Annual Report, pursuant to Senate Bill 479, in the form attached to these minutes and made a part hereof.

PROPOSED BOARD COMMITTEE RESOLUTION

Should the Member Oversight Committee agree with the above recommendation, the following resolution would be appropriate:

RESOLVED, that the Member Oversight Committee recommends that the Board receives the report and thanks staff for its submission of the Lawyer Assistance Program 2013 Annual Report, as presented to the Member Oversight Committee this day.

PROPOSED BOARD OF TRUSTEES RESOLUTION

Should the Board concur with the Member Oversight Committee's recommendation, the following resolution would be in order:

RESOLVED, that upon the recommendation of the Member Oversight Committee, the Board hereby receives the report and thanks staff for its submission of the Lawyer Assistance Program 2013 Annual Report, as presented to the Board this day.