

OPEN SESSION AGENDA ITEM

50-2 DEC 2017

DATE: November 22, 2017

TO: Members, Board of Trustees

FROM: Dag MacLeod, Director, Office of Research & Institutional Accountability

SUBJECT: Lawyer Assistance Program Consulting Contract

EXECUTIVE SUMMARY

This item requests approval to amend an existing contract with Krill Strategies, LLC, (Krill) a consulting firm engaged to evaluate the Lawyer Assistance Program (LAP) and provide recommendations on program design, implementation, and improvement. The existing 2017 contract is for \$68,000. The proposed amendment for additional services adds \$82,000 for additional work on the implementation of recommendations from the first phase of work and to provide content for Continuing Legal Education on substance abuse and mental health challenges facing attorneys, bringing the total contract value to \$150,000.

BACKGROUND

Board Book Tab 4.3, Section 2, requires that any project for consulting services, capital equipment or technology purchases with anticipated expenditures exceeding \$75,000 must be specifically identified in the annual budget process and approved by the Board of Trustees. The existing \$68,000 contract with Krill was accounted for in the 2017 budget approved by the Board of trustees. Because the value of the amended contract will be over \$75,000, the amendment is now before the Board.

DISCUSSION

The LAP is statutorily mandated to provide support for attorneys with substance abuse and/or mental health issues. The LAP is in the process of implementing the strategic plan approved by its Oversight Committee in March 2017. The plan consists of two main elements: program design/development and outreach/education.

Patrick Krill, principal of Krill Strategies, LLC, is a nationally-recognized authority on addiction and mental health issues in the legal profession. He is an attorney and a licensed and board certified alcohol and drug counselor. Work under the existing contract, already completed or in progress, includes: review of all current LAP processes; development of educational materials for current attorneys; development of educational materials for newly admitted attorneys and

law students; development of self-study materials for newly admitted attorneys; development of an approach and materials addressing age-related cognitive impairment among attorneys.

Additional services that are contemplated with this contract amendment include: assistance with the implementation of recommendations from the previous scope of work; providing consultation regarding the larger organizational structure of LAP and its institutional location within the State Bar pursuant to the ongoing review of State Bar sub-entities being conducted by the Task Force on Governance in the Public Interest; and development of additional educational materials related to substance abuse. The estimated cost of these additional services is \$82,000.

FISCAL/PERSONNEL IMPACT

Funding for this additional work has already been included in the LAP portion of the 2018 preliminary budget adopted by the Board at its November meeting; this will be included in the final budget presented to the Board for adoption in January 2018.

RULE AMENDMENTS

None

BOARD BOOK IMPACT

None.

STRATEGIC PLAN GOALS & OBJECTIVES 2017-2022

Goal: 1. Successfully transition to the “new State Bar”— an agency focused on public protection, regulating the legal profession, and promoting access to justice.

Objective: e. Determine the appropriate role of, and Board responsibility for, State Bar Standing Committees, Special Committees, Boards, and Commissions in the new State Bar.

RECOMMENDATION

Staff recommends that the Board of Trustees approve the following resolution:

RESOLVED, that the Board of Trustees approves a contract amendment for Krill Strategies, LLC in the amount of \$82,000 for the additional services described herein.

ATTACHMENT(S) LIST

A. None