



The State Bar *of California*

OPEN SESSION

AGENDA ITEM

54-111 JANUARY 2020

BOARD EXECUTIVE COMMITTEE III.A

DATE: January 24, 2020

TO: Members, Board Executive Committee
Members, Board of Trustees

FROM: Mark Broughton, Appointments Liaison, Board Executive Committee
Juan De La Cruz, Appointments Liaison, Board Executive Committee

SUBJECT: Lawyer Assistance Program Oversight Committee – Appointment of Members

EXECUTIVE SUMMARY

This item presents the candidates recommended for appointment to the Lawyer Assistance Program Oversight Committee (Committee) to fill currently vacant positions. This item recommends the appointment of four members to the Committee. In addition, this item recommends the appointment of Justin Delacruz to the position of Chair of the Committee.

BACKGROUND

The Committee oversees the operation of the Lawyer Assistance Program (LAP) as necessary to establish policies, practices, and procedures to support the goal of offering education and rehabilitative programs to attorneys, former attorneys, State Bar applicants, and law students suffering from substance use and mental health disorders.

Pursuant to statute, the Board appoints six members to the twelve member Committee. By statute, the six State Bar appointments must include:

- Two members who are licensed mental health professionals with knowledge and expertise in the identification and treatment of substance abuse and mental illness,
- One member who is a physician with knowledge and expertise in the identification and treatment of alcoholism and substance abuse,

- One member of the board of directors of a statewide nonprofit organization established for the purpose of assisting lawyers with alcohol or substance abuse problems, which has been in continuous operation for a minimum of five years, and
- Two members who are lawyers, at least one of whom is in recovery and has at least five years of continuous sobriety.

Currently, of the Board appointed positions, only the physician member position is filled with a returning member.

DISCUSSION

The four candidates recommended for appointment are James Heiting, Justin Delacruz, Kelly Ranasinghe, and Dr. Martin Williams.

James Heiting is a candidate for appointment to the category of “member of the board of directors of a statewide nonprofit organization established for the purpose of assisting lawyers with alcohol or substance abuse problems, which has been in continuous operation for a minimum of five years.” Mr. Heiting is a named partner at Heiting and Irwin in Riverside. He served as the President of the State Bar of California in 2005 - 2006, and has been active in recovery issues and helping others for over 30 years. He has been an active and contributing member of the Other Bar for many years, and currently serves as a board member for the Other Bar.

Justin Delacruz is a candidate for appointment in the category of “two members who are lawyers, at least one of whom is in recovery and has at least five years of continuous sobriety.” Mr. Delacruz is currently on the LAP Oversight committee. He was appointed by the Governor for a term ending December 31, 2018. Because of the uncertainty about whether the Committee would continue at the State Bar after 2019, the Governor’s office chose not to reappoint Mr. Delacruz, but encouraged him to continue to serve in a holdover capacity, which he has. At this time we are recommending the Board formally appoint Mr. Delacruz. Mr. Delacruz has ably served the Committee for the last 4 years, and we recommend that he be appointed as Chair at this time. The current and outgoing members of the Oversight Committee also recommended Mr. Delacruz to serve as Chair. Mr. Delacruz is an attorney who serves as the principal consultant to the California State Assembly Labor and Employment Committee and has demonstrated his value to the LAP.

Kelly Ranasinghe is a candidate for appointment in the category of “two members who are lawyers, at least one of whom is in recovery and has at least five years of continuous sobriety.” Mr. Ranasinghe is an attorney with Henderson and Ranasinghe LLP in El Centro, California. He is the co-founder of the Imperial Valley Mental Health Support Group, is a certified Peer Mental Health Facilitator and is involved in numerous volunteer organizations that focus on mental health issues.

Dr. Martin Williams is a candidate for appointment in the category of “Two members who are licensed mental health professionals with knowledge and expertise in the identification and

treatment of substance abuse and mental illness.” Dr. Williams is a licensed psychologist who is very familiar with the Lawyer Assistance Program. He is both a former Evaluation Committee member and a former Group Facilitator for the LAP. His previous work with the program has been of excellent quality and he has shown himself to be dedicated to the work of the LAP. Justin Delacruz, as discussed above, is recommended not only as a new Board appointment but is recommended to serve as the Chair of the Committee

The State Bar is continuing to pursue legislative support for the transition of the LAP to the California Lawyers Association. At such time as that transition occurs, the LAP Oversight Committee of the State Bar will sunset. Those individuals recommended for appointment understand that although they are being recommended for four year terms, their terms may actually only extend for one year.

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES OF THE STATE BAR

None

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: None - core business operations

RECOMMENDATIONS

Should the Board Executive Committee concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the Board Executive Committee recommends that the Board of Trustees approve the appointment of the following new members to serve on the Lawyer Assistance Program Oversight Committee for a four year term:

Member Appointments

1. Jim Heiting, as a member in the category of “member of the board of directors of a statewide nonprofit organization established for the purpose of assisting lawyers with alcohol or substance abuse problems, which has been in continuous operation for a minimum of five years;

2. Justin Delacruz, as an attorney member;
3. Kelly Ranasinghe, as an attorney member and;
4. Dr. Martin Williams as a “member who is a licensed mental health professional with knowledge and expertise in the identification and treatment of substance abuse and mental illness.”

FURTHER RESOLVED, that the Board Executive Committee recommends that the Board of Trustees approve the appointment of the following member to serve as Chair of the Lawyer Assistance Program Oversight Committee:

Officer Appointments

Justin Delacruz, Chair (2020)

Should the Board of Trustees concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee approves the recommended appointments for members and officers of the Lawyer Assistance Program Oversight Committee.

ATTACHMENT(S) LIST

None