



The State Bar *of California*

OPEN SESSION

AGENDA ITEM

54-111 JANUARY 2021

BOARD EXECUTIVE COMMITTEE III.B

DATE: January 21, 2021

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

FROM: Brandon Stallings, Appointments Liaison, Board Executive Committee
Christine Gonong, Appointments Liaison, Board Executive Committee

SUBJECT: Lawyer Assistance Program Oversight Committee: Appointment of Member

EXECUTIVE SUMMARY

This item presents the candidate recommended for appointment to the Lawyer Assistance Program Oversight Committee to fill the one position that is vacant as of December 31, 2020.

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, all of the Board appointed positions are filled. However the term of Dr. Philip Spiegel, the physician with knowledge and expertise in the identification and treatment of alcoholism and substance abuse, expired on December 31, 2020.

DISCUSSION

It is recommended that Dr. Spiegel be reappointed for another four-year term. The majority of LAP Oversight Committee members were appointed in 2020 making Dr. Spiegel's experience and perspective on the committee especially valuable. He has twenty-five years of experience in the diagnosis and treatment of professionals with substance use and psychiatric issues. Dr. Spiegel has demonstrated that he uses the State Bar's mission of public protection as a guiding principle when making decisions about LAP policy and the use of LAP resources.

Dr. Spiegel is aware that the State Bar may continue 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. Therefore, although he is being recommended for a four-year term, his term may 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 Dr. Philip Spiegel to serve on the Lawyer Assistance Program Oversight Committee for a four year term as the “one member who is a physician with knowledge and expertise in the identification and treatment of alcoholism and substance abuse.”

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 a member of the Lawyer Assistance Program Oversight Committee.

ATTACHMENT(S) LIST

None