

COMMITTEE ON LEGAL PROFESSIONALS WITH DISABILITIES

2002-2003 Annual Report

I. Overview of the Committee

The committee on Legal Professionals with Disabilities ("CLPD") was first established in 1995. The mission of the Committee is to explore, report, address and recommend to the Board of Governors ("Board") policies and programs to promote entry into, and full participation in, the legal profession and legal system for legal professionals with disabilities or chronic medical conditions. It also examines the status and participation of legal professionals with disabilities in State Bar activities and make specific recommendations for increasing that participation.

II. Committee Members

The committee was composed of 14 members, including four officers. The committee members were as follows:

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| Joseph Teglovic (Chair) | Aliso Viejo |
| Suzanne DiPaola (Chair-elect) | Sacramento |
| Armando Wood (Co-vice chair) | Los Angeles |
| George Zugsmith (Co-vice chair) | San Pedro |
| Anil Mehta | Washington, DC |
| Lorraine Woodwark | Santa Barbara |
| Katherine Mottarella | Santa Barbara |
| Stewart Spivak | Camarillo |
| Cassandra Folan | Ventura |
| David Arocho | San Bernardino |
| Patrick Weddle | Santa Barbara |
| Kirsten Wolf | San Francisco |
| Theresa Eggemeyer | Santa Barbara |

III. 2002--2003 Meetings

CLPD held three in-person and three telephone conference meetings during the 2002 -- 2003 term. The meetings were generally directed at receipt and approval of subcommittee reports on the committee's various projects, preparation of our Annual Meeting programs, discussions as to the Committee's brochure publication (and future plans for additional brochures), development of new materials and updates to current CLPD materials on the State Bar website, status reports on the Committee's Online Survey Project (completed 10/03), as well as discussions regarding the most effective way to restart (and eventually expand) the committee's Pledge Project. The committee also developed recommendations to the Board of Governors as to appointments (as well as the committee's internal process for performing this function in future terms) and created two future work plans developed by the subcommittee assigned this task.

IV. Seminars and MCLE

Members of CLPD have presented seminars every year since 1997. These have generally consisted of in-depth "how to" instructions on bringing an action under the federal Americans with Disabilities Act, as well as comprehensive seminars serving to update Bar members on procedural and substantive changes in both federal and state disability law.

Having fully covered the federal ADA in past years (and also in view of its rapidly diminishing importance to California practitioners due to recently enacted, much stronger state law), last term the Committee decided to offer Bar members attending the Annual Meeting, two new courses that would provide additional skills to practitioners involved in disability law. These programs were entitled: (1) Ethical and Practical Considerations in Representing Clients with Disabilities (moderated by Committee member Anil Mehta) and (2) Employment Issues for People with Disabilities (moderated by Committee member Lorraine Woodwork). The format for both programs was a panel discussion including representation by experts from the judiciary, the State Bar, the Judicial Council and private practice. The ethics program had limited attendance due to the novelty of the topic but provided excellent and interesting information on a cutting edge area of the law and may have been the first of its kind ever offered. The employment law seminar was extremely well attended (far beyond what the Committee had expected) and was very well received. Several Committee members participated in the preparation of these presentations.

Also, in January 2003, a Committee-sponsored MCLE Self-Study article entitled, "Disabilities: California Style," written and edited by Committee member Lorraine Woodwork, appeared in the Cal Bar Journal. The article discussed the numerous differences between California and federal disability law.

V. Outreach

The Committee continued its outreach efforts. The most significant effort in this area was the completion of our Online Survey Project, which ran for a period of four months and was completed in October 2003. Over 150 persons responded to the survey. In it, Bar members shared very detailed experiences in the section allowing for written comments, and over 50 percent of the respondents indicated they would be interested in being involved in follow up with by the Bar. A formal report was issued by the survey consultant, Hertz Consulting of Petaluma (which had been contracted by the State Bar for prior surveys and provided its services to CLPD at a very discounted rate due to our limited funds). A full report to the Board will follow in mid-2004.

The Committee also continued its established contacts with the Judicial Council's Access and Fairness Advisory Committee and its Disabilities work group, through committee member Lorraine Woodwork. We also continued establishing ties with the other Access and Fairness Committees of the State Bar.

Several committee members (notably Anil Mehta, Lorraine Woodwark and Katherine Mottarella, who are also the Committee's officers for next term) were very active in outreach in their respective communities and/or professional associations. In order to encourage Bar members with disabilities and chronic medical conditions to apply for committee membership and participate in our online survey, I presented a brief pitch for both at the beginning of each of our MCLE seminars at the Annual Meeting. Finally, CLPD contributed two articles that were published in the Center for Access & Fairness newsletter, "Diversity and the Bar."

VI. Other Activities

Last term the committee received two grants from the State Bar Foundation (one to complete our online survey and the second to create a brochure regarding employment rights of people with disabilities). Both of these projects were successfully completed. The Committee's brochure entitled, "I am Disabled" is now available to the public. This brochure, written and edited by Committee member Anil Mehta, was specifically designed for lay readers. It explains the general requirements of the law under the Americans with Disabilities Act and explains how to get further information.

The Committee began an ambitious overhaul of the content on the State Bar website and a subcommittee is currently working on what is to be included there, as well as the standards for authenticity and reliability that will be employed. The Committee also began its interface with the State Bar's Office of Admissions. In this regard, I attended a meeting in November 2003 attended by Office of Admissions Director Jerome Braun, Office of Legal Services, Access & Fairness Programs Director Patricia Lee, and Rod Fong from her staff, and reported back to the Committee. As a result of this meeting (and at the request of Mr. Braun), the Committee is examining the forms currently used by the Office of Admissions and examining the current rules applicable to the bar exam, to see if the process can be improved for law students with disabilities who sit for the bar exam.

Two sets of work plans (for the next two committee terms) were developed by a subcommittee consisting of members George Zugsmith, Armando Wood and myself, and were approved by the Committee. In them, we recommend to the Board that we continue with our current projects, plus for the next term, add an additional new goal consisting of a study of insurance issues relevant to the bar members with disabilities and chronic medical conditions.

Finally, the committee participated in the selection of the recipients of the Bar's Diversity Awards.

VI. Future Projects

The Committee plans to meet three times over the coming year, with several additional conference calls as needed. The Committee will develop a plan for additional brochures relating to the rights of persons with disabilities.

The Committee will study the results from its On-line Survey Project and based upon this study, will formally report and recommend further action to the Board. The committee will continue its collaboration with the Office of Admissions re the bar examination and offer suggestions regarding making the process more sensitive to law student with disabilities. The committee plans to continue its reinstitution of the Pledge Project by contacting law firms who previously pledged to seek out employees with disabilities (to see what progress has been made and how the State Bar can assist them in their efforts), follow up with a "best practices" guide for employing legal professionals with disabilities, and by recruiting additional law firms to sign the "pledge." We will begin adding reliable reports and links to the website that would be useful to our constituency. CLPD will conduct at least two MCLE seminars at the next Annual Meeting. The committee will continue to coordinate with the Judicial Council's Access and Fairness Advisory Committees, and continue to reach out to bar organizations and local bar associations.

VII. Other

On behalf of the Committee, I would like to acknowledge and thank Patricia Lee, Director, Office of Legal Services and Access and Fairness Programs, for her support and highly professional guidance to the Committee in her role as the Committee's liaison to the State Bar. I am particularly grateful for her consistent (but gentle) nudging to keep the Committee projects going forward, her quite useful insights and expertise on how to best accomplish the Committee's charge, and her compassion and high interest in our work.

Respectfully submitted,

Joseph T. Teglovic
Chair, Committee on Legal Professionals with Disabilities, 2002-2003 Term