

# AGENDA ITEM

**MARCH 54-135**  
**Lawyer Assistance Program**  
**2007 Annual Report**

**DATE:** February 20, 2008

**TO:** Members, Board of Governors  
Members, Board Committee on Member Oversight

**FROM:** Philip Belleville, Chair, Lawyer Assistance Program Oversight Committee  
Janis Thibault, Director, Lawyer Assistance Program  
Richard Carlton, Special Assistant, Lawyer Assistance Program

**SUBJECT:** Lawyer Assistance Program 2007 Annual Report

## EXECUTIVE SUMMARY

The Lawyer Assistance Program ("LAP") of the State Bar of California presents the LAP 2007 Annual Report, pursuant to Senate Bill 479, due on March 1<sup>st</sup>. The Report is being printed and bound. The Report will be distributed to you at the meeting. Board members with questions or concerns may contact Janis Thibault, 916-564-5184 or [janis.thibault@calbar.ca.gov](mailto:janis.thibault@calbar.ca.gov)

## 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 SB 479 directs the Oversight Committee of the LAP to report to the Board of Governors and to the Legislature not later than March 1, 2003, and annually thereafter, on the implementation and operation of the program.

## HIGHLIGHTS FROM THE REPORT

The LAP provided effective early intervention and made great progress toward meeting the goals of the Oversight Committee's Long-Range Strategic Plan during 2007. One clear sign of the program's success is the continued high proportion (nearly one-half) of new participants who are self-referred without pending disciplinary charges. This demonstrates clearly that the goal of early intervention is being achieved. Another sign of the success of the program is that the vast majority of disciplined attorneys who participate in the LAP are now honoring their obligations to their clients and to the profession.

The program has grown steadily since inception. A total of 823 attorneys received assistance from the program during 2007, six percent more than the prior year. At the end of 2007, there

were 401 attorneys actively participating in the program, an increase of nine percent over the number of participants at the end of 2006.

#### **FISCAL IMPACT**

None

#### **BOARD BOOK/ADMINISTRATIVE MANUAL IMPACT**

There is no impact on the Board Book/Administrative Manual

#### **PROPOSED RESOLUTIONS**

Should the Board Committee on Member Oversight concur with the Lawyer Assistance Program 2007 Annual Report, it would be in order to approve the following resolution:

**RESOLVED**, that the Board Committee on Member Oversight recommends that the Board of Governors receives the report and thanks staff for its submission of the Lawyer Assistance Program 2007 Annual Report, in the form attached to these minutes and made a part hereof.

Should the Board concur with the recommendation of the Board Committee on Member Oversight, it would be appropriate to adopt the following resolution:

**RESOLVED**, that the Board of Governors receives the report and thanks staff for its submission of the Lawyer Assistance Program 2007 Annual Report, in the form attached to these minutes and made a part hereof.