



**THE STATE BAR
OF CALIFORNIA**

JUDY JOHNSON
EXECUTIVE DIRECTOR/SECRETARY

March 24, 2008

C. Edward Dilkes
President
The Other Bar, Inc.
2443 Park Oak Drive
Hollywood, CA 90068

Dear Ed,

First let me express my thanks to you for taking the time to discuss with my staff the evolving relationship between the State Bar and The Other Bar – and having the wisdom to invite Jerry Braun and Ernie Benck, both of whom are conversant with our history -- to that February 6, 2008 discussion.

For many years, the partnership between the State Bar and The Other Bar has served the members of our profession and the public well. The Other Bar's performance of its contract with the State Bar has helped lawyers overcome and manage their addictions, saving lives and careers. The helping hands you extended to members adrift from their professional responsibilities due to the deleterious effect of their addictions also protected clients that might otherwise have been harmed or abandoned. Outreach campaigns waged by your network of recovering lawyers have been instrumental in helping the entire legal profession understand that substance abuse is a treatable disease rather than a moral failing. For that history and continuing effort, we salute and thank The Other Bar.

Regrettably, however, despite our long working relationship, I cannot approve your proposal to seek "bridge" funding in the amount of \$144,720.00 for 2008. Let me explain our reasoning.

The staff of the State Bar's Lawyer Assistance Program (LAP) with whom you met, gave careful consideration to your proposal, and the continuation of a separate program is incompatible with the direction we feel we must now move the LAP.

As you know, in July 2007, LAP staff advised The Other Bar's leadership about the State Bar's plan to establish its own pilot peer consultant program for LAP participants

"To Improve the Justice System and Assure a Free and Just Society Under the Law"

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beginning in 2008. We can launch such an effort at this time because the LAP, now fully staffed and operational, has the resources to directly supervise this function. This move is one of many steps being taken to eliminate duplication and to make the LAP more efficient, cost effective and accessible to members seeking treatment and support. Monies saved as a result can be redirected by the Board of Governors to address the LAP's burgeoning budget or to fund other member services. While we believe that hiring our own peer counseling consultants will substantially reduce the cost of providing this important service, cost savings is certainly not the only reason to expand the LAP's mission at this time.

While The Other Bar's peer consultants are well versed in matters of substance abuse and addiction, they lack formal credentialing in mental health care, which is an increasing service gap as approximately four-fifths of LAP participants have a mental health diagnosis either singularly or in combination with a substance abuse diagnosis. Our peer consultants will receive in-house training in mental health triage and work closely with the LAP case managers to better triage and serve lawyers suffering from addictions as well as those whose mental illnesses impair their ability to function effectively as lawyers.

Moreover, we believe that our proposed staffing model will promote greater accountability and consistency of coordinated services and our mission -- that all California attorneys receive consistent information about the State Bar and its lawyer assistance programs. While we will now end our formal contractual relationship with The Other Bar, all LAP staff and peer consultants will be directed and expected to work cooperatively with all groups in the recovery community, including The Other Bar.

I also want you to know that I struggled with this decision as I am very sympathetic to your concerns about funding to coordinate your meetings, advertise your programs, and maintain The Other Bar website. The State Bar is, however, legally constrained and cannot use State Bar funds to provide management and infrastructure support to a private, non-profit charitable group that is not within the State Bar's mission and control. As stewards of our member's funds, we fund outside organizations only on a "fee for service" basis. We must also periodically review all vendor relationships to assure that expenditures of member funds are as cost effective as possible, yielding the greatest direct benefit for the fewest dollars spent wisely.

Ed, we all realize that the needs of the lawyer recovery community are great and I am confident that The Other Bar volunteers can work with our LAP staff without compromising The Other Bar's unique fellowship. Please feel free to call upon our LAP staff -- Janis, Pam, and Richard -- and take advantage of their assistance and commitment to the shared goal of providing maximum resources to California attorneys

in need of assistance. To meet your future funding needs, you might consider applying for an operational grant from the California Bar Foundation. I'd be happy to facilitate that application for Foundation funding by introducing you to the Foundation's Executive Director, Leslie Hatamiya, should you wish to pursue this funding avenue. I wish you and your members continuing success.

All the best,

A handwritten signature in black ink, appearing to read "Judy Johnson". The signature is fluid and cursive, with the first name "Judy" and last name "Johnson" clearly distinguishable.

Judy Johnson

cc: Jeffrey Bleich
James Penrod
Starr Babcock
Janis Thibault
Pam Poley
Richard Carlton