



THE STATE BAR
OF CALIFORNIA

INTER-OFFICE
COMMUNICATION

DATE: November 7, 2008

TO: Members of the Board Committee on Regulation,
Admissions and Discipline Oversight

FROM: Doug Hull, Board Committee Coordinator

SUBJECT: Proposal for Modifications to the California State Bar
Alternative Discipline Program—Request for Release for Public Comment

ISSUE

Should the Regulation, Admissions and Discipline Oversight Committee authorize a request for release for public comment of proposed modifications to the State Bar Court's Alternative Discipline Program ("ADP")?

DISCUSSION

In 2001, the State Bar Court implemented the ADP. The ADP addresses the substance abuse and mental health problems of attorneys against whom formal disciplinary proceedings have been initiated in the State Bar Court.

At the March, 2008 Board of Governors meeting, attorney Nancy Keough presented her suggestions for modifications to the ADP. As part of the presentation, Ms. Keough distributed the recommendations in writing to the board. Ms. Keough requested that her proposal for modifications receive consideration. A copy of those modifications is attached to this item as Appendix A.

PROPOSED RESOLUTION

If you agree that the Proposal for Modifications to the California State Bar Alternative Discipline Program (Appendix A) should be released for public comment in its entirety, or in part, your approval of the following resolutions would be appropriate:

RESOLVED, that the Board Committee on Regulation, Admissions and Discipline Oversight hereby authorizes the release of the Proposal for Modifications to the California State Bar Alternative Discipline Program in its entirety or in part as set forth in the form attached hereto as Appendix A, for a 90-day public comment period; and it is

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FURTHER RESOLVED that the release of the aforementioned Proposal for Modifications to the California State Bar Alternative Discipline Program for public comment does not constitute, and shall not be considered, as approval by the Board of Governors of the State Bar of California of the matters published.”

Attachment