

AGENDA ITEM

MARCH 54-132
Lawyer Assistance Program
2008 Annual Report

DATE: February 10, 2009

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 2008 Annual Report

EXECUTIVE SUMMARY

The Lawyer Assistance Program (“LAP”) of the State Bar of California presents the LAP 2008 Annual Report, pursuant to Senate Bill 479, due on March 1st. 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

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 2008. One clear sign of the program’s success is the continued high number of new participants who are self-referred without pending disciplinary charges. This demonstrates clearly that the goal of early intervention is being achieved. Another indication of this success is that the vast majority of all LAP participants are actively practicing law.

The program has grown steadily since inception. A total of 834 attorneys received assistance from one or more of the services offered by the program during 2008, eleven more attorneys than during the prior year. A total of 542 attorneys participated in the structured recovery component

of the LAP during 2008, the largest number of participants ever served by the LAP. There were 368 attorneys actively participating in structured recovery at the end of 2008.

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 2008 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 2008 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, upon recommendation of the Board Committee on Member Oversight, that the Board of Governors hereby receives the report and thanks staff for its submission of the Lawyer Assistance Program 2008 Annual Report, in the form attached to these minutes and made a part hereof.