



Supreme Court of Appeals State of West Virginia

News

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Supreme Court approves Lawyer Assistance Program three-year pilot project

For immediate release July 10, 2012

CHARLESTON, W.Va. – The Supreme Court has approved a three-year pilot program to help attorneys who have addictions, or physical or mental health conditions, that affect their ability to practice law.

The program was initially proposed by the West Virginia State Bar, through its Committee on Lawyer Assistance and Intervention, in November 2008. The Proposed rules at that time were published for comment. After review of the comments, the committee amended the proposed rules in August 2011, and the Court published those for public comment in October. The Court considered those comments, amended the rules, and has now approved a three-year pilot program known as the Lawyer Assistance Program. The rules implementing the Lawyer Assistance Program replace Rules 5.0 through 5.15 of the West Virginia Rules of Lawyer Disciplinary Procedure. The new program replaces the Committee on Lawyer Assistance and Intervention.

At the conclusion of the first two years of the pilot project, the Board of Governors of the West Virginia State Bar is required to file a report with the Court so the Court can evaluate the program at that time.

The Supreme Court order setting out the new rules is available on the Supreme Court website at the following link: <http://www.courtsvw.gov/legal-community/court-rules/Orders/2012/06-19-2012Lawyer-Assistance.pdf>.

The purposes of the program are to protect the public; assist attorneys who need help to begin and continue recovery; educate the judiciary, attorneys, and the public about the causes of impairment; and develop prevention programs specifically to help attorneys.

The Lawyer Assistance Program will be funded through the West Virginia State Bar. The total annual salaries, costs, and expenses of the program may not exceed \$60,000 each year. The program will be managed by a volunteer, fifteen-member board appointed by the West Virginia State Bar's Board of Governors. Services provided by the program and information given to the board and staff will be confidential.

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