

**KENTUCKY BAR ASSOCIATION
RULES OF THE SUPREME COURT OF KENTUCKY**

PRACTICE OF LAW

SCR 3.920 Kentucky Lawyer Assistance Program Commission (KYLAP Commission)

- (1) The Board of Governors shall appoint a Commission to be called the Kentucky Lawyer Assistance Program Commission or "KYLAP Commission", which shall have general responsibility for the administration of KYLAP in accordance with these Rules.
- (2) The Commission shall consist of fifteen (15) persons, as follows: (a) two members of the Board of Governors; (b) an active member of the Association (either a lawyer or judge) from each of the seven Supreme Court Districts; (c) two other active members of the Association (either lawyers or judges); and (d) four (4) citizens of the Commonwealth who are not members of the Kentucky legal community. The Board shall appoint persons who have a demonstrated interest in issues of impairment and shall also endeavor to make appointments which create a diversity of knowledge and life experience within the Commission's membership.
- (3) Each member of the Commission shall be appointed for a period of four (4) years. However, in order to achieve staggered terms, the initial members of the Commission shall be appointed as follows:
- (a) Five of the Commission members who are lawyers or judges shall be appointed for two-year terms;
 - (b) Four of the Commission members who are lawyers or judges shall be appointed for three-year terms;
 - (c) Two of the Commission members who are lawyers or judges shall be appointed for four-year terms;
 - (d) Two of the Commission members who are not members of the Kentucky legal community shall be appointed for three-year terms; and
 - (e) Two of the Commission members who are not members of the Kentucky legal community shall be appointed for four-year terms.

Thereafter, when any vacancy occurs in the membership of the Commission, that vacancy shall be filled by appointment by the Board of Governors. When a vacancy occurs prior to the expiration of a member's term, the new member shall be appointed for the remainder of the unexpired term. When a vacancy occurs because of the expiration of a term, the new member shall be appointed for a four-year term.

- (4) The Commission shall have a Chair and a Vice-Chair. The Chair shall be appointed annually by the Board of Governors with input from the Commission and the KYLAP Director. The Vice-Chair shall be elected annually by the members of the Commission.
- (5) The Commission shall meet quarterly or upon call of the Chair or upon the request of five (5) or more members. A member's failure to attend three (3) consecutive meetings will automatically result in the vacancy of that member's position on the Commission.
- (6) The Commission shall have general responsibility for the administration of KYLAP in accordance with these Rules. In discharging its responsibility KYLAP shall have the authority to:
- (a) Adopt operating policies and procedures as necessary and appropriate to implement these Rules and administer KYLAP, provided that, before such policies and procedures are implemented, they shall receive approval of the Board; and

(b) Make reports to the Board and Court annually or as otherwise required, provided that such reports shall be of a statistical and summary nature and shall not compromise the confidentiality of any referral under SCR 3.950 or any assignment under SCR 3.960.

HISTORY: Adopted by Order 2003-4, eff. 1-1-04; temporary amendment adopted eff. 3-17-03 (Order 2003-2)