



# The State Bar of California

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## **OPEN SESSION AGENDA ITEM 701 JANUARY 2020**

**DATE:** January 24, 2020

**TO:** Members, Board of Trustees

**FROM:** Donna S. Hershkowitz, Interim Executive Director

**SUBJECT:** Adoption of Revised Strategic Plan

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### **EXECUTIVE SUMMARY**

This agenda item seeks Board approval of revisions to the 2017-2022 Strategic Plan to incorporate additions to the plan flowing from the January 23, 2020, planning session and to adjust the timeline for one item currently included in Goal 2 of the Strategic Plan.

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### **BACKGROUND**

The work of the State Bar is guided by the current five-year Strategic Plan, the 2017-2022 Strategic Plan (Plan). The Plan is a critical tool to set goals for how the State Bar will achieve its stated mission - to protect the public, including the primary functions of licensing, regulation and discipline of attorneys; the advancement of the ethical and competent practice of law; and support of efforts for greater access to, and inclusion in, the legal system.

The Plan has been updated annually by the Board of Trustees as part of its planning session which occurs each January. For example, in 2018 and 2019 the Board adopted new Plan objectives related to the State Bar's mandate to increase access to legal services and to increase the diversity of the legal profession and revised the goal statement related to access, inclusion and diversity in 2019.

In addition, staff has periodically brought requests for Strategic Plan modification to the Board "off cycle", the most recent of which occurred at the Board's November 2019, meeting.

On January 23, the Board will receive an update on the Justice Gap Study, including a highlight of key recommendations stemming from the data. Many of those recommendations require collaboration with key stakeholders, and in some cases are entirely within the purview of certain key stakeholders. As a result, staff did not recommend including the Justice Gap Study itself as part of the formal Board planning session. Instead, the Board will review key findings and recommendations, and will be asked to engage staff in identifying the necessary steps needed to determine recommendation feasibility, with anticipated further discussion of these issues to occur at the March Board meeting.

Also not addressed as part of the Board's formal planning session is a letter recently submitted by the California Commission on Access to Justice (CAAJ) to the State Bar outlining recommendations "regarding specific objectives that, subject to State Bar decisions regarding feasibility, timing, and prioritization, could be added to the 2017-2022 State Bar Strategic Plan to further the State Bar's goal of supporting access to justice for all California residents and improvements to the state's justice system<sup>1</sup>." These recommendations were submitted pursuant to the State Bar's recently executed contract with the CCAJ, and are provided as Attachment B.

Because of the strong nexus between the CCAJ recommendations and both the Justice Gap Study and the work of the Task Force on Access Through Innovation of Legal Services (ATILS), the commission recommendations will be discussed at the March Board meeting along with the follow up discussion regarding Justice Gap Study recommendation feasibility and the final ATILS report.

## **DISCUSSION**

### **Revisions to the Strategic Plan Flowing From the January 23 Planning Session**

During the presentation of this agenda item, the Board will have the opportunity to further discuss the information presented at the Planning Session and identify appropriate additions to the objectives set forth in the Strategic Plan. Because that discussion will naturally flow from the conversations on January 23, this written agenda item does not presuppose to identify those new objectives at this time.

### **Alterations to the Structure of the Strategic Plan and Creating an Operational Plan**

As will be raised at the kick off to the Planning Session, staff believes that the current Strategic Plan is essentially part Strategic Plan and part Operational Plan. Quick research suggests that while some of the objectives in the Strategic Plan would accurately be defined as strategic objectives, several are too specific to be considered as such. They might better be defined as operational objectives designed to achieve higher level strategic goals or strategic objectives. Why does this matter? Strategic plans tend to be adopted and remain, as adopted, as the high

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<sup>1</sup> See Board of Trustees Agenda item 702 September 2019, authorizing the execution of a deliverables-based contract with CCAJ, accessible at: <http://board.calbar.ca.gov/docs/agendaitem/Public/agendaitem1000024689.pdf>

level plan governing the direction of the organization for the five-year period (or other such multiyear period) that the plan governs. In other words, while it is appropriate, in fact necessary, for organizations to review progress towards achieving strategic plan goals and set new objectives aimed at moving the needle toward achieving those goals, it appears contraindicated to amend the Strategic Plan with the frequency the State Bar currently does. Instead, the State Bar's current Strategic Plan should be bi-furcated into strategic and operational plans, with subsequent intra-plan term revision work impacting only the latter.

Staff will work with the Board leadership to develop draft versions of these plans for the Board's consideration at its July meeting.

### **Revisions to Specified Due Dates in the Current Strategic Plan**

In November 2019, the Board approved minor changes to specific strategic plan objectives to reflect certain realities that had been brought to the attention of State Bar leadership. Staff recommends the following additional change to the following Strategic Plan objective for the reasons stated:

Goal 2 Objective n. *No later than December 2019, conduct a California specific job analysis to determine the knowledge, skills, and abilities for entry level attorneys. Upon completion, conduct a new content validation study.*

Both the California Attorney Practice Analysis Working Group (CAPA) and the working group's Supreme Court liaison have requested that issuance of the final report be postponed. The delay is due to a desire to review the results of the National Conference of Bar Examiner's (NCBE) job analysis, which will be published in mid- to late-January, such that those results can be taken into consideration in developing recommendations flowing from the CAPA surveys conducted during summer 2019. A revised CAPA report due date cannot be set until the NCBE report is published.

### **FISCAL/PERSONNEL IMPACT**

None

### **AMENDMENTS TO RULES OF THE STATE BAR**

None

### **AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL**

None

## **STRATEGIC PLAN GOALS & OBJECTIVES**

Goal: 2. Ensure a timely, fair, and appropriately resourced admissions, discipline, and regulatory system for the more than 250,000 lawyers licensed in California.

Objective: n. No later than December 2019, conduct a California specific job analysis to determine the knowledge, skills, and abilities for entry level attorneys. Upon completion, conduct a new content validation study.

## **RECOMMENDATIONS**

**Should the Board of Trustees concur in the proposed action, passage of the following resolution is recommended:**

**RESOLVED**, that the Board of Trustees approve the adjustments to Goal 2, objective n as outlined in this report.

## **ATTACHMENT(S) LIST**

- A. 2017-2022 Strategic Plan
- B. Recommendations for Strategic Plan Objective by the California Commission on Access to Justice



# The State Bar *of California*

## **2017–2022 Strategic Plan**

Updated November 2019



## MISSION STATEMENT

The State Bar of California’s mission is to protect the public and includes the primary functions of licensing, regulation and discipline of attorneys; the advancement of the ethical and competent practice of law; and support of efforts for greater access to, and inclusion in, the legal system.

## GOAL

# 1

Successfully transition to the “new State Bar”—an agency focused on public protection, regulating the legal profession, and promoting access to justice.

### OBJECTIVES

- a. Determine whether additional State Bar functional areas will transition to the Sections entity, other organizations, or to new standalone entities and develop an action plan for those transitions.
- b. Implement and pursue governance, composition, and operations reforms needed to ensure that the Board’s structure and processes optimally align with the State Bar’s public protection mission.
- c. No later than September 30, 2018, determine the appropriate role of, and Board responsibility for, State Bar Standing Committees, Special Committees, Boards, and Commissions in the new State Bar.

**GOAL****2**

**Ensure a timely, fair, and appropriately resourced admissions, discipline, and regulatory system for the more than 250,000 lawyers licensed in California.**

**ATTORNEY DISCIPLINE OBJECTIVES**

- a. For greater transparency, accountability, efficiency, and access, develop and deploy a new case management system for the Office of Chief Trial Counsel, State Bar Court, and the Office of Probation by October 31, 2018.
- b. Develop and implement transparent and accurate reporting and tracking of the health and efficacy of the discipline system, to include: (a) completion of a workload study for OCTC and SBC; (b) identification of staffing and resource needs based on the results of that study; and (c) development of new metrics for measuring the effectiveness of the discipline system including any needed revisions to the statutory backlog metric.
- c. Begin auditing attorney compliance with MCLE requirements in the most cost effective and efficient manner no later than December 31, 2020.
- d. Support adequate funding of the Client Security Fund.
- e. No later than December 31, 2020, evaluate attorney self-assessment models and determine which model will be implemented in California.
- f. No later than July 1, 2021, create a fully articulated preventative education approach to include a self-assessment component as well as client trust accounting modules which may be mandatory for some attorneys.
- g. No later than January 1, 2019, require all attorneys to report firm size and practice type to the State Bar and to maintain and update that information.

**UNAUTHORIZED PRACTICE OF LAW OBJECTIVES**

- h. Monitor improvements in the response to complaints regarding the unauthorized practice of law through tracking and reporting on complaints received, investigation timelines, civil filings, and law enforcement referrals.
- i. Partner with law enforcement agencies to create a coordinated regional response to the unauthorized practice of law.
- j. Identify funding sources, including grant or state funding, to support the Bar's UPL efforts.
- k. Use communications strategies to support UPL enforcement objectives.

**ADMISSIONS OBJECTIVES**

- l. For greater transparency, accountability, efficiency, and access, develop and deploy a new case management system for the Office of Admissions by June 30, 2019.
- m. After the results of the February 2019 Bar Exam are published, evaluate the results of the two-day exam on pass rates and costs.
- n. No later than December 2019, conduct a California specific job analysis to determine the knowledge, skills, and abilities for entry level attorneys. Upon completion, conduct a new content validation study.
- o. No later than December 31, 2018, review special admissions rules to determine whether changes are needed to support the goal of increased access to legal services or for other reasons, and implement needed changes.

## GOAL

## 3

## Improve the fiscal and operational management of the State Bar, emphasizing integrity, transparency, accountability, and excellence.

### EMPLOYEE ENGAGEMENT OBJECTIVES

- a. Improve productivity through performance accountability, training, and professional development.
- b. Improve staff morale and career satisfaction through recognition of performance, career path development, transparent and collaborative communication, and recognition and encouragement of innovation, efficiencies, and money saving ideas.
- c. Conduct an annual employee engagement survey, evaluate changes from prior years, and implement an action plan to address areas needing improvement.
- d. No later than July 1, 2018, develop and implement a Communications Strategy Plan for timely and effective internal communication.

### FINANCIAL MANAGEMENT OBJECTIVES

- e. No later than December 1, 2019, evaluate current collection efforts and determine what might be necessary to improve the Bar's ability to collect discipline and CSF costs.
- f. As part of the annual budget development process, determine, consistent with Business and Professions Code section 6140.9, whether there are excess funds in the LAP Fund which can be transferred to support the CSF.

### INFORMATION TECHNOLOGY OBJECTIVES

- g. Implement a new Enterprise Resource Planning System (the Oracle Fusion suite of applications), beginning with the Human Capital Management module by the end of 2018 and continuing with the Finance and Procurement modules by the end of 2019.
- h. Implement a new Licensee Information Management System (LIMS), replacing AS400, by the end of 2021.
- i. Implement a phased upgrade to the Bar's Information Technology infrastructure (networks, servers, desktops, telecommunications and audio/visual), for enhanced capacity, functionality and security throughout 2018 and 2019.

### MANAGEMENT OF OTHER ASSETS OBJECTIVES

- j. No later than November 30, 2018, develop goals and objectives for each functional area of the Bar and use those to develop organizational performance metrics.
- k. In conjunction with annual budgets, ensure maintenance and use of the Bar's Los Angeles and San Francisco buildings to maximize benefit to the Bar and the people of California.
- l. Pursue a two-year fee bill to ensure a balance between accountability and meaningful implementation of important reforms.

## GOAL

## 4

**Support access to legal services for low- and moderate-income Californians and promote policies and programs to eliminate bias and promote an inclusive environment in the legal system and for the public it serves, and strive to achieve a statewide attorney population that reflects the rich demographics of the state's population.**

**ACCESS TO JUSTICE OBJECTIVES**

- a. Support increased funding and enhanced outcome measures for Legal Services.
- b. Study and implement improved programmatic approaches to increasing access to justice.
- c. By December 31, 2018, review Lawyer Referral Services certification rules with a goal of increasing access to justice.
- d. Commencing in 2018 and concluding no later than March 31, 2020, study online legal service delivery models and determine if any regulatory changes are needed to better support and/or regulate the expansion of access through the use of technology in a manner that balances the dual goals of public protection and increased access to justice.
- e. No later than December 31, 2019, complete a California Justice Gap Study. The Justice Gap Study will be modeled on the 2017 Legal Services Corporation Justice Gap Study but will also include an evaluation of the costs of legal education in California and the impact of those costs on access to justice, as well as possible approaches to addressing the costs of legal education including loan forgiveness programs or other means.
- f. No later than December 31, 2020, explore options to increase access through licensing of paraprofessionals, limited license legal technicians, and other paraprofessionals.

**DIVERSITY AND INCLUSION OBJECTIVES**

- g. Work with the California Accredited Law Schools and registered schools to develop enhanced demographic reporting requirements by February 28, 2020.
- h. Identify means of supporting existing law school programs to improve retention by December 31, 2020.
- i. No later than March 31, 2020, identify ways that diversity and inclusion principles can be institutionalized in Bar exam development and grading analyses with final proposals, including any formal guidelines or rule proposals, to be submitted to the Board by December 31, 2020.
- j. Assuming positive results from the Productive Mindset Intervention, expand implementation by February 2020.
- k. Continue development and implementation of initiative to collect demographic data about licensed attorneys through all stages of their career through 2019.
- l. No later than December 31, 2019, analyze available data to identify the particular obstacles to diverse attorneys' entry into, retention, and advancement in the legal profession.
- m. By December 31, 2020, adopt revised rules to modify the Elimination of Bias MCLE requirements in a manner that considers the creation of sub-topics and expanding the number of hours of requirement and is consistent with the time lines adopted in Business and Professions Code section 6070.5.
- n. Develop and publish an annual report card on the state of the profession by January 31, 2020, and annually thereafter.
- o. Partner with the Judicial Council to complete the Judicial Diversity Toolkit.

**GOAL****5**

**Proactively inform and educate all stakeholders, but particularly the public, about the State Bar’s responsibilities, initiatives, and resources.**

**OBJECTIVES**

- a. No later than July 1, 2018, develop and implement a Communication Strategy Plan for timely and effective communication about public protection goals, objectives, and accomplishments to external audiences including the public, oversight bodies, regulated parties, and other bars.
- b. Develop metrics to measure both the quality and effectiveness of the Bar’s communication and stakeholder engagement strategies and use those metrics to inform modifications to strategy.
- c. Maintain and enhance relationships with courts and other regulatory and enforcement agencies that share a mission of public protection.
- d. Improve transparency, accountability, accessibility, and governance by increasing the availability of meeting materials and public access to meetings and records and reporting these efforts to stakeholders and the general public.

## CALIFORNIA COMMISSION ON ACCESS TO JUSTICE

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December 13, 2019  
Via Email

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Re: Recommendations and Advice on the State Bar's Strategic Plan

Donna,

As you know, in the Independent Contractor Agreement between the State Bar and the California Commission on Access to Justice, the Commission undertook "by no later than December 16, 2019, [to] provide the State Bar with written recommendations and advice regarding specific objectives that, subject to State Bar decisions regarding feasibility, timing, and prioritization, could be added to the 2017-2022 State Bar Strategic Plan for the 2020 calendar year to further the State Bar's goal of supporting access to justice for all California residents and improvements to the state's justice system."

The Commission's staff and leadership prepared a draft that was discussed during the Executive Committee's meeting on December 4 and during the meeting of the full Commission on December 5, 2019. With revisions to the draft suggested by the Commission, this letter provides recommendations and advice regarding objectives that could be added to the State Bar Strategic Plan. (A copy of Goal 4 of the Strategic Plan and the Access to Justice Objectives as they stand now is attached at the end of this letter.)

Existing Access to Justice Objectives a and b continue to be of vital importance, and other objectives are being implemented by significant effort. However, our task is to recommend additions that we consider important and worthwhile. The Commission understands from our discussions with the State Bar that the Board of Trustees must determine whether proposed Access to Justice Objectives are within its current mission and purview, and whether its priorities allow undertaking the objectives we discuss. We also know that the State Bar is dedicated to doing the utmost, within the bounds of its mission, to create and sustain practices and institutions so that California's attorneys provide competent, effective help to all those in our State who face legal problems. Please consider the following recommended additions to the Strategic Plan:

**First Proposed Added Objective: Support and Participate in Public Education About Problems Not Recognized as Legal.**

The State Bar’s Justice Gap study, which carries out Access to Justice Objective e, has added empirical confirmation to recent scholarly views that a significant cause of the lack of legal help for problems faced by low and moderate income Californians is a “knowledge gap.” (See the section on “Gap in Knowledge” in the California Justice Gap Study Executive Report.) Many people do not know that the problems they face have a legal aspect. Our justice system provides rights, obligations, remedies, and applicable procedures for people in circumstances involving housing, health care, work, public education, disabilities, civil disputes, and interactions with the government at all levels. But these may be ephemeral for people who have no idea that they exist.

In the words of Professor Rebecca L. Sandefur:

The most common way in which people described their actionable civil justice problems is that it's either bad luck or God's will for them. ... If I think something has just happened to me in my life because of forces outside my control, I'm probably not going to go down to the local legal office and ask for legal help with a problem that I don't understand is legal.<sup>1</sup>

The knowledge gap is a fundamental problem, and not easily solved. But ways of addressing it can include improving civics education to identify civil justice problems and solutions and special purpose instruction for high schools and adult education; looking for opportunities to support public service announcements and programs online, on television, radio, and via other media. The State Bar’s media relations personnel should be aware of this issue and alert to opportunities to raise awareness that legal aspects of common problems are as important as, and more controllable than, bad luck or fate.

Work alongside other organizations — the Judicial Council, California Lawyers Association, California Change Lawyers, the Legal Aid Association of California, the Access Commission, among many others — will be necessary for an effective approach. We leave it to the Board of Trustees to decide priorities and purview. But we have no doubt that its mission to “support efforts for greater access to, and inclusion in, the legal system” can be advanced by addressing this proposed added objective.

**Second Proposed Added Objective: Cooperate With Well-Considered Innovations Aimed at Lowering the Cost of Competent, Effective, and Available Help With Legal Needs.**

Providing more funding to pay for legal services for underserved people — Access to Justice Objective a — is crucial. But a significant increase in public funding would be necessary to approach meeting the needs of low-income people alone. To improve significantly in helping

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<sup>1</sup> Quoted from Robert v. Wolf, “How the Law Intersects with Everyday Life: Promoting Access to Civil Justice,” Center for Court Innovation (2018) at <https://www.courtinnovation.org/publications/how-law-intersects-everyday-life-promoting-access-civil-justice>

moderate income people with underserved legal needs, the delivery of services needs to be done more efficiently.

The Modest Income Committee of the Access Commission will soon publish a practice guide for lawyers who serve moderate income clients. The guide contains citations and discussions of the many rules of professional conduct that are involved in doing so ethically and competently. Forms and templates are provided for rules compliance. We do not suggest that rules of professional conduct should be relaxed for the sake of imagined cost savings. But as the body responsible for enforcement of the rules, the State Bar might consider whether lawyers can be assisted by training and standardized forms to be able to comply with the rules and practice ethically in the most efficient ways. It is vital to provide practical education and support for lawyers whose fees must be affordable for most people. The Modest Income Committee's practice guide is an example. Training lawyers is a large part of the mission of California Lawyers Association; but in this area, the State Bar's role at least as a partner is important and potentially of great benefit. In addition, there may be ways in which the rules of professional conduct and the procedures for their application can be modified to accomplish the public-protection and ethical-practice purposes of the rules in ways that impose less burden and require less time from conscientious lawyers.

A past example of improved efficiency and lowered cost is limited scope legal assistance, which the Access Commission pioneered. Despite widespread beliefs that ethical rules would not permit this innovation, no rules of professional conduct were required to be changed. Acceptance of the practices, however, required the participation of the State Bar and the Judiciary in blessing them. The same may well be required for other beneficial innovations.

Another example could be support for innovations to deliver legal services for a charge, but in more efficient ways. One of the objectives of the Incubators pilot program was to create law practices capable of delivering affordable service to people of moderate means. In other places, such as the State of New Mexico and clinics in Washington, D.C., legal aid programs provide an entry point for persons who are not eligible for a legal aid lawyer. Instead, the legal aid program evaluates a prospective client's problem and, for those who have needs of the types for which referrals are available, the client is sent to a lawyer who charges low — below market rate — fees or a flat rate. Participating lawyers may get access to work product and other efficiencies in return for charging less. The attention that the State Bar has devoted to Lawyer Referral Services (Access to Justice Objective c) could well include ways in which they could expand the delivery of low-cost and limited scope legal services.

Facilitating a continuum of services also would increase efficiency and lower the cost of legal assistance and other justice-related services. A broad range of meaningful and appropriate services and delivery models could supplement full-scope representation in some cases or contexts. Legal clinics, law libraries, self-help, alternative dispute resolution, lawyer-referral services and private attorney referrals, and other services and delivery models can help efficiently address the justice gap. Having a broader focus on ways to address the justice gap acknowledges both the needs of moderate income people who are not eligible for traditional

free legal assistance and cannot afford a private full-scope lawyer as well as those interested in resolving their issues outside of the court system.

The State Bar will participate in enhancing access to justice if it participates in supporting these kinds of innovations — by voicing encouragement and approval, providing guidance, and perhaps in other ways. As in the case of the Limited Scope innovation, this may not require an investment of money or a change in the formal rules.

**Third Proposed Added Objective: Support Well-Considered Measures to Attract and Retain Lawyers in Legal Aid and Similar Organizations.**

Legal aid and similar organizations play an indispensable role in our justice system. The State Bar’s Justice Gap study confirms that such organizations lack the resources to meet all the existing needs (the “service gap”). But when people with income below 125% of the Federal Poverty Level of income do receive help, 39% of the time it comes from legal aid. (Justice Gap Executive Report, Figure 10.) This understates the importance of legal aid programs because they also make it possible for low income people to connect with pro bono lawyers in private practice, who provide another 19% of the help. (*Id.*) The capacity of legal aid programs to continue at even this level faces a serious threat.

Several converging trends and developments are obstructing efforts by legal aid organizations to hire and retain lawyers. Cost is a major factor. For most people, becoming a lawyer requires going deeply into debt. Prevailing salary levels in legal aid programs are low enough that they simply are not an option for many qualified and motivated lawyers because they would not be able to repay their student loans. The economic obstacles are all the greater in many areas of California where the cost of housing precludes many who earn what legal aid pays. Plainly, if legal aid programs must pay more to staff themselves, their financial constraints will multiply.

Demographic change deepens the need. A generation of legal aid lawyers are coming to the end of their careers. Whether they can be replaced with a new generation is an open, and vital, question. Anecdotal reports from many programs indicate that a job opening that, years ago, would have attracted hundreds of applicants may provoke only a handful today.

This is a difficult problem. Some impediments — such as recalcitrance and possible mishandling on the part of the United States Department of Education and its loan servicers of public interest loan forgiveness applications — compound the problem further. The State Bar should support State legislative and policy measures to accomplish the same results. Solutions could include a state-funded law school loan repayment program that provides repayment from the beginning of the attorney’s tenure in a legal aid program. The State Bar could also work with the Legal Aid Association of California to identify other ways to lower barriers to legal aid hiring and retention. The State Bar is the appropriate entity to decide whether the process of admission to the bar might be made more hospitable to new legal aid practitioners. One way to do so could be to eliminate the cap on the number of years a Registered Legal Services attorney can practice law in a qualified legal services program.

**Fourth Proposed Added Objective: Support and Collaborate With Other Access to Justice Organizations.**

The State Bar has for decades been a key supporter of measures to enhance access to justice. Its Strategic Plan should explicitly reflect a continuing commitment to collaborate with the Judicial Council, the California Lawyers Association, local bar associations, California Change Lawyers, the Legal Aid Association of California, the Access Commission, and other organizations that are involved in providing more help in new ways to people who have legal problems but are not in a position to hire a private lawyer. Examples of ongoing work by these organizations are: improving self-help programs; developing programs with roles for non-lawyers as “navigators” in the courts to assist self-represented people and other possible roles for non-lawyers, including multilingual paraprofessionals to enhance language access; and implementing ways to bring the supply of urban lawyers willing to do pro bono work together with the demand for help among rural clients.

We recognize that the new role of the State Bar must be guided by the Board of Trustees. Some of the work of other organizations may be outside the scope that the State Bar could undertake on its own. But to the greatest extent possible within its proper scope, we urge the State Bar to express its support for the good work of other organizations to enhance access to justice in California.

We understand that the State Bar will seriously address the Access to Justice Objectives in its Strategic Plan. With that in mind, as well as the short time period we have been in operation as an independent entity, since October 1, we have chosen to be selective in the presentation of recommended additions in this report. We look forward to significant interactions with the State Bar on its Access to Justice Objectives between now and the time when we provide recommendations and advice on the Strategic Plan at the end of 2020. In that report, we may propose even more ambitious recommendations. If the State Bar undertakes what is proposed above, however, it can provide essential help for many Californians and further the performance of its mission.

Sincerely,



Judge Mark A. Juhas  
Chair

**[From the State Bar of California 2017–2022 Strategic Plan (Updated March 2019)]**

**GOAL 4:** Support access to legal services for low- and moderate-income Californians and promote policies and programs to eliminate bias and promote an inclusive environment in the legal system and for the public it serves, and strive to achieve a statewide attorney population that reflects the rich demographics of the state’s population.

**ACCESS TO JUSTICE OBJECTIVES**

- a. Support increased funding and enhanced outcome measures for Legal Services.
- b. Study and implement improved programmatic approaches to increasing access to justice.
- c. By December 31, 2018, review Lawyer Referral Services certification rules with a goal of increasing access to justice.
- d. Commencing in 2018 and concluding no later than December 31, 2019, study online legal service delivery models and determine if any regulatory changes are needed to better support and/or regulate the expansion of access through the use of technology in a manner that balances the dual goals of public protection and increased access to justice.
- e. No later than December 31, 2019, complete a California Justice Gap Study. The Justice Gap Study will be modeled on the 2017 Legal Services Corporation Justice Gap Study but will also include an evaluation of the costs of legal education in California and the impact of those costs on access to justice, as well as possible approaches to addressing the costs of legal education including loan forgiveness programs or other means.
- f. No later than December 31, 2020, explore options to increase access through licensing of paraprofessionals, limited license legal technicians, and other paraprofessionals.