

# STATE BAR MANDATORY FEE ARBITRATION YEAR END PROGRAM STATISTICS 2012

INTAKE ACTIVITY	Year End <b>2012</b>	Year End <b>2011</b>
Fee Arbitration Requests	74	78
Requests with Jurisdiction Challenges or Removal Requests	20	9
Enforcement Requests	64	90
Phone Intake	<i>5978*</i>	5654

ENFORCEMENT ACTIVITY	Year End <b>2012</b>	Year End <b>2011</b>
Payment Plan	18	17
Orders Filed Assessing Administrative Penalties	20	16
Ex parte App. To Enroll Attorney Inactive	0	0
Prepare Motion **	33	N/A
Motions Filed To Enroll Attorney Inactive	9	2
Attorney Placed on Inactive Status	4	1

\* \*\*This figure was not previously tracked.

OPEN ARBITRATION CASES CURRENT DISPOSITION	Year End <b>2012</b>	Year End <b>2011</b>
Jurisdiction Challenges & Removal Requests	1	1
Fee Waiver/Filing Fee Due	0	0
Request Received/Not Served	7	4
Request Served/Reply Due	11	4
Ready to Assign	6	11
Assigned/No Hearing Set	12	6
Notice of Hearing Date Served	5	5
Findings & Award Due	9	10
Total Cases Currently Open	51	41

Closed Status (Arbitration cases, all years)	Year End <b>2012</b>	Year End <b>2011</b>
Findings & Award Served	32	53
Cases Closed With No Award	33	44
Total Cases Closed	65	97
Cases Currently in Abeyance	3	2

\* Numbers in *italics* indicate numbers generated by a new phone reporting system which was implemented in October 2012. Staff has been informed that this new system is more accurate than the previously used reporting tool, but our numbers will reflect a decrease in the number of calls received.

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## INTAKE ACTIVITY 2012

	JAN.	FEB.	MAR.	APR.	MAY	JUN.	JUL.	AUG.	SEP.	OCT.	NOV.	DEC.	YTD	Year End 2011
Fee Arbitration Requests	6	4	3	3	11	9	12	5	5	6	6	4	74	78
Requests with Jurisdiction Challenges or Removal Requests	2	1	0	0	3	5	4	0	1	1	2	1	20	9
Enforcement Requests	4	7	5	7	8	3	5	6	8	2	3	6	64	90
Phone Intake	545	504	522	433	561	567	527	569	505	526	377	342	5978	5654

## ENFORCEMENT ACTIVITY (All cases, all years)

	JAN.	FEB.	MAR.	APR.	MAY	JUN.	JUL.	AUG.	SEP.	OCT.	NOV.	DEC.	YTD	Year End 2011
Orders Filed Assessing Administrative Penalties	1	0	0	4	2	0	7	1	2	2	1	0	20	16
Motions Filed To Enroll Attorney Inactive	0	1	1	0	0	0	3	2	0	1	1	0	9	2
Attorney Placed on Inactive Status	0	0	0	1	0	0	0	0	1	1	1	0	4	1
Prepare Motion*	N/A	N/A	N/A	N/A	6	11	3	7	3	0	3	0	33	N/A
Impose Penalty	0	1	1	2	1	0	2	5	1	3	1	0	17	15
ExParte App. Inactive/Default	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Attorney on Payment Plan	4	3	0	1	1	0	3	3	0	2	0	1	18	17
Cases Abated	0	0	0	2	0	1	0	2	0	2	0	0	7	2
Cases Paid and Closed	6	6	5	2	2	5	5	4	2	6	2	4	49	36
Cases Closed: Other	2	0	1	11	0	6	10	5	6	5	3	1	50	18

\* This figure was not previously tracked.

Numbers in *italics* indicate numbers generated by a new phone reporting system which was implemented in October 2012. Staff has been informed that this new system is more accurate than the previously used reporting tool, but our numbers will reflect a decrease in the number of calls received.

# STATE BAR MANDATORY FEE ARBITRATION PROGRAM STATISTICS

## 2012

ARBITRATION CASES: CLOSED STATUS (All Cases, all years)

	JAN.	FEB.	MAR.	APR.	MAY	JUN.	JUL.	AUG.	SEP.	OCT.	NOV.	DEC.	YTD	Year End 2011
Findings & Award Served	5	4	4	3	0	1	2	3	2	1	3	4	32	53
Cases Closed, No Award	0	1	5	0	1	5	5	7	2	2	3	2	33	44
Total Cases Closed	5	5	9	3	1	6	7	10	4	3	6	6	65	97

### ARBITRATION CASE STATUS REPORT (All Cases, all years)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Year End 2012	Year End 2011
Case Forwarded to PA for Jurisdiction Decision	2	1	0	0	0	1	0	0	0	0	0	1	1	1
Fee Waiver/Filing Fee Due	0	1	0	1	0	0	3	0	0	2	3	0	0	0
Request Received/Not Served	5	5	4	4	7	9	10	4	7	8	6	7	7	4
Request Served/Reply Due	5	4	4	4	9	9	10	12	10	4	8	11	11	4
Ready to Assign	12	14	13	14	13	14	10	11	10	15	12	6	6	11
Assigned/No Hearing Set	6	3	4	5	4	1	7	7	9	8	7	12	12	6
Notice of Hearing Date Served	4	7	1	2	7	6	4	5	6	4	7	5	5	5
Findings & Award Due	8	6	10	5	5	8	8	9	7	10	9	9	9	10
Total Cases Currently Open	42	41	36	35	45	48	52	48	49	51	52	51	51	41
Cases Currently in Abeyance	2	2	1	2	2	2	3	3	4	5	4	3	3	2

## Mandatory Fee Arbitration Requests Filed By Local Bar Programs\*

	2008	2009	2010	2011	2012
1 <sup>st</sup> Quarter	365	400	418	379	365
2 <sup>nd</sup> Quarter	501	392	409	373	454
3 <sup>rd</sup> Quarter	509	395	449	341	368
4 <sup>th</sup> Quarter	343	362	392	392	457
Total	1718	1549	1668	1485	1516

\* This number is based on the number of reimbursement requests from local bars. The State Bar pays to participating local bar programs a flat \$36 fee per MFA case assigned to a mediator or arbitrator. In the third quarter of 2012 this reimbursement fee went up to \$50.00.

## 2012 Quarterly Local Bar Association Reimbursement Requests

County	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year End Total
Alameda	15	18	31	13	77
Beverly Hills	10	6	7	15	38
Contra Costa	9	10	6	8	33
Desert	1	9	3	2	15
Fresno	10	10	20	6	46
Glendale	7	0	0	3	10
Humbolt	0	0	0	1	1
Inyo	1	0	0	0	1
Kern	0	64	0	0	64
Long Beach	4	0	2	1	7
Los Angeles	67	85	72	85	309
Marin	5	2	2	6	15
Mendocino	0	0	0	0	0
Mono	0	0	0	0	0
Monterey	4	4	3	5	16
Nevada	0	4	1	3	8
Orange	41	70	52	27	190
Palo Alto	0	0	0	0	0
Placer	0	0	0	0	0
Riverside	0	25	16	9	50
Sacramento	22	16	11	14	63
San Bernardino	13	4	14	15	46
San Diego	33	23	23	32	111
San Diego (Northern)	4	2	0	2	8
San Fernando Valley	13	4	8	8	33
San Francisco (BASF)	43	30	33	22	128
San Gabriel Valley	0	4	0	5	9
San Luis Obispo	2	2	4	5	13
San Mateo	11	15	7	3	36
Santa Barbara	5	3	0	2	10
Santa Barbara, (Northern)	2	2	1	1	6
Santa Clara	30	26	40	29	125
Santa Monica	8	5	4	0	17
Sonoma	1	5	2	3	11
Ventura	4	6	6	4	20
<b>Totals</b>	<b>365</b>	<b>454</b>	<b>368</b>	<b>329</b>	<b>1516</b>