

AGENDA ITEM

701 JULY 2016

DATE: July 20, 2016
TO: Members, Board of Trustees
FROM: Leah T. Wilson, Chief Operating Officer
SUBJECT: Workforce Planning Implementation Activities

EXECUTIVE SUMMARY

On May 13, 2016, the California State Bar submitted a Workforce Planning Report to the California State Legislature as mandated under Business and Professions Code 6140.16.¹ Drafted by consultants from the National Center for State Courts (NCSC) under contract with the State Bar, the report contained over 65 recommendations for changes to the organization and workflow of six Departments included in its review: the Office of the Chief Trial Counsel (OCTC), State Bar Court (SBC), the Office of Probation (Probation), the Lawyer Assistance Program (LAP) and Member Records and Compliance (MRC), and the Client Security Fund (CSF).

In addition to the mandate to submit the report by May 15, 2016, the statute further directs the Bar to “complete and implement its workforce plan by December 31, 2016.”

Executive Office staff began working to implement the recommendations contained in the report almost as soon as it was completed. This agenda item provides an overview of the work conducted to date on the implementation of these recommendations, and specifically provides implementation plans, outlining the specific activities and steps required to reach a successful December 31, 2016, “go live” date. The Board is asked to consider and approve these implementation plans.

BACKGROUND AND DISCUSSION

The report by the National Center for State Court (NCSC), *State Bar of California Workforce Planning: Report to the Executive Director*, contained approximately 65 recommendations divided as follows.²

¹ See *State Bar of California, Workforce Planning*, Report to the Office of the Executive Director, <http://www.calbar.ca.gov/LinkClick.aspx?fileticket=sql7pgRpfPY%3d&tabid=224&mid=1534>

² The number of recommendations should be considered approximate because often a single recommendation will contain multiple components. For purposes of this memo, recommendations were counted as reported by the NCSC without further analysis to ensure that the recommendations were actually comparable in scale and scope. Subsequent reporting on the implementation process will likely subdivide and organize the recommendations somewhat differently.

Area	Number of WFP Recommendations
OCTC	17
SBC	11
LAP	10
Probation	10
CSF	9
MRC	8
Total	65

The largest number of recommendations for any single entity within the State Bar discipline system focus on OCTC with the second largest number of recommendations focused on the SBC. Looking at the role that both the LAP and Probation play in supporting the work of the SBC, however, it may be more useful to think of the LAP and Probation recommendations as part of a larger whole which includes the SBC. Viewed in this light, the vast majority of the recommendations (48 of the 65) relate to the investigation and prosecution of complaints (OCTC), their adjudication (SBC), and the tracking of compliance (Probation and LAP) with SBC orders.

To advance the written recommendations from report narrative to implementation-ready, each functional area covered by NCSC recommendations, or work stream, was assigned a staff lead – either the Chief Operating Officer or staff from the Office of Research and Institutional Accountability (ORIA). In addition, each Department established a working group comprised of those staff impacted by the recommendations. These working groups began meeting shortly after the May submission of the Workforce Planning report, and in some instances have met as often as weekly since that time.

Additionally, the Board President established Board working groups for each work stream . Board working groups have been tasked with reviewing the progress of staff and providing input and direction as to the development of tangible implementation plans.

With regards to SBC recommendations, given concerns regarding the Court's independence, a decision was made that it would not be appropriate to establish a Board of Trustee working group . As an alternative to the approach taken for all other work streams, Senior staff responsible for Court administration partnered with the SBC Presiding Judge to develop the Court's implementation plan, which will be presented separately from this agenda item. Board working groups and assigned staff by work stream are identified in the table below.

OCTC	LAP/Probation	CSF	Member Records
Miriam Krinsky (Chair)	Danette (Chair)	Renee (Chair)	Terry F. (Chair)
Jim	Joanna	Todd	Hernan
Michael	Stacie	Janet	Jason
Denny	Terry W.	Glenda	
Gwen	Brandon		Andrew
Leah Wilson	Justin Ewert	Andrew Conover	Conover
Dag MacLeod	Dag MacLeod	Linda Katz	Linda Katz

The attached implementation plans reflect the results of these efforts. The Board is asked to approve these plans; subsequently, staff will move to advance the plans with a December 31, 2016, implementation date in mind for most recommendations. At its October meeting, the Board will receive an update on implementation plan progress, as well as information regarding the resource implications of the recommendations, particularly with respect to personnel and information technology needs.

FISCAL/PERSONNEL IMPACT

None.

RULE AMENDMENTS

No rule amendment is necessary.

BOARD BOOK IMPACT

None.

BOARD COMMITTEE RECOMMENDATIONS

Staff recommends that the Board of Trustees approve the following resolution:

RESOLVED, that the Board of Trustees approves the Workforce Planning Recommendation Implementation Plans for the Office of the Chief Trial Counsel, Lawyer Assistance Program, Office of Probation, Member Records and Compliance, and the Client Security Fund.

ATTACHMENT(S) LIST

- A. Workforce Planning Implementation Plans