



The State Bar *of California*

OPEN SESSION AGENDA ITEM NOVEMBER 2019 REGULATION AND DISCIPLINE COMMITTEE III.F

DATE: November 14, 2019

TO: Members, Regulation and Discipline Committee

FROM: Lisa Chavez, Director, Office of Research and Institutional Accountability

SUBJECT: Review of Metrics for Offices Within Regulation and Discipline Committee
Purview and Discipline System Statistical Report

The August and September 2019 Metrics Report has been submitted to the Board of Trustees as an attachment to the Executive Director's November 14 report. This agenda item addresses those metrics under the purview of the Regulation and Discipline (RAD) Committee where identified performance targets were not met.

RAD METRICS PERFORMANCE

- Metric OCTC-3, Maintain annual caseload clearance rate of 1.0 or higher
 - Target 1.0; August and September performance, .90 and .92 respectively.

The February go-live of the Odyssey Case Management System is still having an impact on this metric as it is a 12 month rolling average. Efficiency continues to improve as users become more familiar with the system. This improvement can be seen in metric OCTC-6 where the overall inventory dropped for the first time since go-live. The recent fee bill that was signed by the Governor included appropriations for additional staffing resources which should assist with case processing times and this metric.

- Metric OPC-1, Ethics Hotline: Maintain historical benchmark of a ratio of 60 percent new callers to 40 percent returning callers with a 10 percent variance
 - Target, 60 percent new callers, 40 percent returning callers; Q3 performance 38 percent and 62 percent.

The significant drop in the number of new callers is thought to be a result of changes to the main State Bar call center and their ability to immediately respond to certain licensee questions and only transferring more complex, and often times, returning calls. Staff will re-evaluate this metric in light of this development and propose changes in the future.

- Metric OPC-3, For E-Learning Courses, Participants report that: (1) courses meet their expectations; and (2) courses contain significant practical content
 - Target, 85 percent; Q3 performance, 73 and 86 percent respectively.

Staff continue to regularly monitor survey results for all e-learning courses. The ratings for the new Rules of Professional Conduct course (New Rules course) concerning the value of the “significant practical content” for this period reflected an average of 86 percent. The relatively lower satisfaction results for this same question were received for the New Attorney Training Program courses and may arise from the fact that the courses are mandatory for new admittees who recently studied similar content in preparing for law school finals and the California Bar Examination. The State Bar is conducting several studies on the admissions process to ascertain the knowledge and skills that a new attorney needs to possess and know how to perform. The New Attorney Training Program may be modified in the future based on an analysis of study results.

In order to address recurring feedback that the New Rules course is taking longer to complete than the two credit hours offered, possible modifications to the course are under consideration to expedite course completion for the knowledge checks and final assessment exercise portions. Modification to completed courses following deployment can be costly and time-consuming so substantive changes to the content have to be weighed carefully. Much of the dissatisfaction with the user experience are common across e-learning platforms that are cloud based sites which are impacted by the stability of the internet connection, compatibility of the user’s hardware, browser or browser settings. Staff continue to respond to learner requests for assistance and update the e-learning portal FAQs as needed.

- Metric SBC2-A, Hearing Department: 90 percent of cases reach final outcome within timelines
 - Target 90 percent; August and September performance, 83 and 66 percent respectively.

Staff has reviewed the cases that resulted in this metric’s performance target not being met and determined that case processing delays were caused by factors outside of the State Bar Court’s control.

- Metric SBC2-B, Hearing Department: All cases reach final outcome within 150 percent of timelines
 - Target 100 percent; August and September performance, 98 and 93 percent respectively.

Staff has reviewed the cases that resulted in this metric's performance target not being met and determined that case processing delays were caused by factors outside of the State Bar Court's control.

Note that none of the Office of Probation metrics are available due to challenges with retrieval of data from the new Odyssey case management system. Staff continues to work on this issue and expects to report these metrics at the next Board of Trustees meeting.

DISCIPLINE SYSTEM STATISTICAL REPORT

Starting in November 2019 the Office of Research and Institutional Accountability will issue a monthly Discipline System Statistical Report. This report will contain 12 months worth of data (where applicable) for all metrics reported for offices within the RAD committee's purview as well as additional measures and analyses pertaining to the discipline system