



# The State Bar of California

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## **OPEN SESSION AGENDA ITEM 706 JANUARY 2021**

**DATE:** January 22, 2021

**TO:** Members, Board of Trustees

**FROM:** Donna Hershkowitz, Interim Executive Director  
Lisa Chavez, Director, Office of Research & Institutional Accountability

**SUBJECT:** Updated State Bar Metrics

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### **EXECUTIVE SUMMARY**

The State Bar has had a set of performance metrics for all functional areas of the organization since January 2019 and reports on these metrics bimonthly. Staff recently conducted a comprehensive review of all metrics in conversation with office leaders to strengthen and refine their utility. This agenda item summarizes the result of that review and proposes changing the metrics report's distribution to three times a year.

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### **BACKGROUND**

In January 2019, a set of performance metrics for all of the State Bar's functional areas was introduced to the Board of Trustees. The purpose of the metrics is to assess the organization's overall functioning and provide a comprehensive depiction of the State Bar's work and impact. In particular, performance metrics provide a quantifiable way for organizational leaders to recognize successes, identify areas needing improvement, and for stakeholders to build trust in leadership and see the results of ongoing efforts.

The metrics measure each State Bar office's critical performance objectives, including operational efficiencies, customer responsiveness, and fiscal accountability, and are reported monthly, quarterly, semiannually, or annually. Some metrics are one-time in nature (for example, a specific implementation plan). The majority have performance targets.

The State Bar reports metric results and addresses metrics that did not meet their performance targets in a bimonthly "State Bar Metrics Report." This report is distributed as an attachment to

the executive director's regular report to the Board of Trustees. Metrics for offices under the Regulation and Discipline (RAD) Committee's purview (Office of Chief Trial Counsel, State Bar Court, and the Office of Professional Support and Client Protection, comprised of Probation, Client Security Fund, and the Lawyer Assistance Program) are shared at the RAD meetings, and metrics pertaining to Human Resources, General Services, Information Technology, Finance, and Recruitment & Retention are presented to the Finance committee.

## **DISCUSSION**

### **Metrics Review**

In fall 2020, staff undertook a comprehensive review of all metrics to determine which metrics remain valuable for assessing the office's performance objectives and goals. Current metrics were reevaluated with office leaders and were revised, eliminated, or designated to remain the same. Revisions included modifying wording to clarify language and adding or eliminating targets. Metrics were eliminated for a variety of reasons, including outdated relevance to office objectives. Some metrics for which we consistently met the target goal were also eliminated. Finally, new metrics were added as appropriate to assess the performance of the office and the State Bar.

The list of 87 proposed State Bar metrics across 18 functional areas of the organization are in Appendix A.

### **Proposed Change in Reporting Schedule**

Staff recommends modifying the report distribution schedule to three times a year. This will allow office leaders more time between reporting periods to reflect upon and utilize metric results. The proposed schedule for 2021 is in Table 1 below.

**Table 1. 2021 State Bar Metrics Reports and Contents**

	<b>March 2021</b>	<b>July 2021</b>	<b>November 2021</b>
Monthly Metrics	November, December 2020, January 2021	February through May 2021	June through September 2021
Quarterly Metrics	Q4 2020	Q1 2021	Q2, Q3 2021
Semiannual Metrics	July–December 2020		January–June 2021
Annual Metrics	2020		

The State Bar will continue to publish the Discipline System Statistical Report on a bimonthly basis.

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

Objective 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.

## **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 list of updated State Bar Metrics as described in Attachment A; and it is

**FURTHER RESOLVED**, that the Board of Trustees direct State Bar staff to report on the State Bar Metrics three times a year.

## **ATTACHMENT(S) LIST**

- A.** Updated State Bar Metrics



# The State Bar *of California*

## **Updated State Bar Metrics**

**January 2021**

## **METRICS FOR 2021**

The list below organized by office contains all metrics the State Bar proposes to track in 2021. To clarify timing and meaning, edits to the “Metric Name and Performance Target”, are reflected in strikethrough. Some metrics were time-limited in nature and have phased out; as a result, some metric IDs have changed. All metric IDs below supersede those previously reported.

## Admissions

Metric Focus: Quality Control, Cycle Time, Cost Control

Metric ID	Metric Name and Performance Target	Timing	Notes
A-1	Conduct initial review of 80% of Moral Character applications received within <del>60</del> 90 days of receipt	Semiannually	The change from 60 to 90 days is due to increased number of Moral Character applications associated with the new Provisional Licensure Program applications. Note: this should not affect the net processing time to completion (at least six months) that we recommend applicants to allow for processing. Unless the program gets extended, this metric will return to the prior timeline for 2022.
A-2	Reduce exam costs by 5% <del>by Q4 2020</del>	Annually	
A-3A	Reduce time to grade the February Bar Exam from 11 weeks to nine weeks by Q4 <del>2019</del> 2021	Semiannually	This metric has been updated to continue this goal through 2021.
A-3B	Reduce time to grade the July Bar Exam from 16 weeks to 14 weeks by Q4 2021	Semiannually	This is a new metric to distinguish between the February and July exams.
A-4	Complete processing of 75% of applications for the Provisional Licensure Program with two weeks of receipt of a complete application	Quarterly	This is a new metric to ensure continued timely processing of applications for the Provisional Licensure Program.

## Attorney Regulation & Consumer Resources (ARCR)

Metric Focus: Efficiency (Operational Management), Cycle Time

Metric ID	Metric Name and Performance Target	Timing	Notes
ARCR-1A	Less than 40% of Resource Center calls transferred out	Quarterly	Will change performance target to 38% after Q2 2021 with the goal of reaching 35% by Q1 2022.
ARCR-1B	Less than <del>30</del> 25% of calls abandoned	Quarterly	
ARCR-1C	Average call wait time of less than <del>eight</del> seven minutes	Quarterly	Staff consistently met the target of eight minutes, so a new target has been set.
ARCR-2	75% of participants completing phone system survey report a high level of overall satisfaction with their call center experience	Monthly/Quarterly	Reporting of this metric will be paused until Q3 2021. ARCR will implement a new phone system that will allow them to better evaluate overall satisfaction and get higher participation rates. (Results are generated from post call survey given to resource center callers.)
ARCR-3	Process 75% of MCLE applications within 30 days of receipt	Quarterly	
ARCR-4	Continue implementation of LLP online renewal with a goal of 90% LLPs completing online by Q4 <del>2019</del> 2021	Annually	This metric has been updated to carry forward into 2021.
ARCR-5	Fulfill 95% of requests for certificates of standing within five business days of receipt	Quarterly	

**Attorney Regulation & Consumer Resources (ARCR)**

(continued)

Metric ID	Metric Name and Performance Target	Timing	Notes
ARCR-6	Convert 20% of Law Corporations to a strictly online renewal process by Q3 <del>2019</del> 2022	One-time	This metric has been updated to carry forward into 2022 due to a delay in building the online renewal system.
ARCR-7	For Q1 and Q2, 2021, send three email blasts and conduct eight trainings per quarter of the new MCLE provider management system for providers	Quarterly	New metric.



## Board Support, Judicial Nominees Evaluation (JNE) Commission and Appointments

Metric Focus: Efficiency (Operational Management)

Metric ID	Metric Name and Performance Target	Timing	Notes
BJA-1	90% of Board of Trustees <del>stakeholders</del> report a high level of overall satisfaction with quality of operational support provided, <del>by Q4 2019</del>	Annually <del>Quarterly</del>	This metric was updated to specify stakeholders. Feedback is best solicited annually.
BJA-2	100% of JNE candidates evaluated within 90 days	Semiannually	
BJA-3	Standardize public comment process (timelines, submission form/template, and style guides) by Q4 2021	One-time	New metric.

## Client Security Fund

Metric Focus: Customer Satisfaction, Efficiency, Cost Control, Cycle Time

Metric ID	Metric Name and Performance Target	Timing	Notes
CSF-1	Resolve at least 1,350 cases in 2021	Annually	
CSF-2	Decrease time to payout after final discipline by 5%	Annually	

## Finance

Metric Focus: Fiscal Management/Operational Efficiency, Quality, Cycle Time

Metric ID	Metric Name and Performance Target	Timing	Notes
F-1	Provide <del>accurate, timely and informed</del> budget projections to enable efficient financial planning by client division/office and the executive director	Quarterly	Removed language to make this metric performative.
F-2	Pay 90% of vendor invoices within 30 days of receipt	Quarterly	
F-3	Process 100% monthly financial statements accurately and on time within 20 business days of the close of the month	Monthly	Added “business” for the metric clarity. Due to the fiscal calendar this metric is reported for the months of June through December.
F-4	90% of internal clients report a high level of overall satisfaction with services provided by finance staff	Annually	

## General Services

Metric Focus: Cycle Time, Quality

Metric ID	Metric Name and Performance Target	Timing	Notes
GS-1	Process 90% procurement requisitions with 100% accuracy within 3 days	Quarterly	
GS-2	Process 85% of all facilities requests (not requiring parts/equipment ordering) within three business days or less	Quarterly	
GS-3	90% of internal customers report a high level of overall satisfaction with services provided by General Services staff	Annually	
GS-4	Advance capital improvement projects per the capital improvement plan by Q4 2021 including <ul style="list-style-type: none"><li>• Complete HVAC/Chiller project;</li><li>• Execute contract for Generator project and prepare site for 2022 installation;</li><li>• Execute contract for Elevator Modernization project for 2022–2024 phased upgrade.</li></ul>	One-time metric	New metric.

## Human Resources

Metric Focus: Cycle Time, Customer Satisfaction

Note: Metrics related to recruitment and retention are now under the Recruitment & Retention office.

Metric ID	Metric Name and Performance Target	Timing	Notes
HR-1	Conduct 80% of performance evaluations by anniversary date or, for executives, the due date <del>Process performance evaluations within 30 days of due date</del>	Monthly/ Quarterly	This metric was modified to direct performance toward meeting deadlines associated with performance evaluations.
HR-2	90% of internal customers report a high level of overall satisfaction with services provided by Human Resources staff	Annually	

## Information Technology

Metric Focus: Efficiency, Customer Satisfaction

Metric ID	Metric Name and Performance Target	Timing	Notes
IT-1	90% of stakeholders report a high level of overall satisfaction with new technology deployments	Quarterly	
IT-2	Process 85% of all IT service requests (not requiring parts/equipment ordering or software development) within five business days or less	Quarterly	
IT-3	Complete 90% of planned major IT projects on schedule and on budget	Quarterly	
IT-4	90% of internal customers report a high level of overall satisfaction with services provided by IT staff	Annually	

## Lawyers Assistance Program

Metric Focus: Utilization, Customer Service, Outreach

Metric ID	Metric Name and Performance Target	Timing	Notes
LAP-1	Increase intakes by 10%	Annually	
LAP-2	Respond to 100% of requests for presentations within two business days	Quarterly	
LAP-3	Complete <del>20</del> 10 law school presentations and <del>10</del> 20 Bar Association/law firm presentations in 2021	Annually	This metric was modified to reflect needs.
LAP-4A	80% of survey participants report that the Lawyer Assistance Program addressed their goals	Quarterly	
LAP-4B	80% of survey participants report they are satisfied with their Lawyer Assistance Program experience	Quarterly	
LAP-5	Track successful completion rates for Alternative Discipline Program cases (and reasons for termination)	Quarterly	This metric will be modified in 2021 after office completes strategic planning.

**Office of Access & Inclusion**

Metric Focus: Efficiency (Operational Management), Compliance

Metric ID	Metric Name and Performance Target	Timing		Notes
OAI-1	Closely monitor IOLTA rates, including continued strategy around Leadership Bank program, to stabilize funding	Quarterly		New metric.
OAI-2	Issue report on law school retention by Q3 2021	One-time		New metric.
OAI-3	Provide commissioners meeting materials 5 to 7 days in advance at least 80% of the time	Biannual		New metric.
OAI-4	Issue 80% of monitoring visit and fiscal visit findings within 60 days	Biannual		New metric.



## Office of Chief Trial Counsel

Measurement focus: Cycle Time, Quality

Metric ID	Metric Name and Performance Target	Timing	Notes
OCTC-1	Decrease number P-1 cases in backlog for respondents with active law licenses	Quarterly	New metric.
OCTC-2	<del>Ensure P-2 cases are processed in an expedited fashion</del> Resolve 100% of P-2 cases within 120 days	<del>Monthly</del> Quarterly	Metric modified to include a target. Only days spent in P-2 status will be counted. Cases analyzed will be limited to those closing in the investigation stage. Reporting timing changed to reflect a more meaningful volume of cases to analyze.
OCTC-3	Maintain annual caseload clearance rate of 1.0 or higher	Monthly	
OCTC-4A	Case disposition time: median	Monthly	
OCTC-4B	Case disposition: 90th percentile	Monthly	
OCTC-5A	Maintain current level of CRU reopens for reasons other than new evidence	Semiannually	
OCTC-5B	Maintain current level of Walker reopens	Annually	This metric will be reported as a percentage moving forward.
OCTC-5C	Decrease the number of random audit reopens for substantive reasons	Semiannually	

**Office of Chief Trial Counsel**  
(continued)

Metric ID	Metric Name and Performance Target	Timing	Notes
OCTC-6	Case inventory	Monthly	
OCTC-7	Percent of respondents that retain representation	Quarterly	New metric. This metric will be based on closed cases of all types that reached the investigation stage.

**Office of General Counsel**

Metric Focus: Cycle time, Customer Satisfaction, Organizational Capability

Metric ID	Metric Name and Performance Target	Timing	Notes
OGC-1	Complete/resolve an average of 60 Complaint Review Unit (CRU) cases per month	Monthly	
OGC-2	90% of clients report a high level of overall satisfaction with services provided by the Office of General Counsel staff	Annually	

## Office of Professional Competence

Metric Focus: Outreach/Access, Customer Satisfaction

Metric ID	Metric Name and Performance Target	Timing	Notes
OPC-1	<del>75%</del> 80% of callers report a high level of overall satisfaction with the Ethics Hotline experience	Quarterly	Modified target. "High level of overall satisfaction" will be measured by a 4 or above rating (on a scale of 1 to 5).
OPC-2A	Voluntary e-learning courses: 85% of participants report these courses met their expectations	Quarterly	
OPC-2B	Mandatory e-learning courses: 70% of participants report these courses met their expectations	Quarterly	
OPC-3	80% of all annual Lawyer Referral Service recertification applications processed within 60 days of receipt of a completed submission	Annually	New metric.
OPC-4	90% of requests for arbitration of attorney-client fee disputes are served on the responding attorney within 10 business days of receipt of a completed submission.	Annually	New metric.

**Office of Research & Institutional Accountability (ORIA)**

Metric Focus: Efficiency (Operational Management)

Metric ID	Metric Name and Performance Target	Timing	Notes
ORIA-1	90% of all ORIA projects meet project milestones	Quarterly	
ORIA-2	Publish 2nd annual diversity report card in online interactive dashboard format by Q2 2021	One-time	New metric.

## Case Management and Supervision, Probation

Metric Focus: Outcomes

Metric ID	Metric Name and Performance Target	Timing	Notes
P-1	Track successful completion rates and reasons for noncompletion	Quarterly	
P-2	Track rates of successful satisfaction of restitution orders	Annually	
P-3	80% of courtesy reminder letters are provided to respondents within three weeks of case initiation	Quarterly	New metric.

## Recruitment & Retention

Metric Focus: Efficiency, Cycle Time, Organizational Capacity, Customer Satisfaction

Metric ID	Metric Name and Performance Target	Timing	Notes
RR-1	Reduce average time to hire to 60 days or less	Quarterly	
RR-2	Stay Interviews are conducted for 100% of new hires within 90 days of hire	Quarterly	
RR-3	<del>Reduce</del> Average number of days to fill OCTC attorney positions	Quarterly	This metric will be limited to measure average number of days to fill attorney positions in OCTC and will no longer have a target.
RR-4	<del>Reduce</del> Average number of days to fill OCTC investigator positions	Quarterly	This metric will be limited to measure average number of days to fill investigator positions in OCTC and will no longer have a target.
RR-5	90% of participants report a high level of overall satisfaction with the Training & Development (T&D) program	Semiannually	
RR-6	90% of participants report a high level of overall satisfaction with professional development trainings	Quarterly	
RR-7	<del>Increase</del> Percent of internal hires	Annually	This metric will no longer have a target.
RR-8	<del>Reduce</del> Turnover rate among OCTC attorneys	Quarterly	This metric will be limited to attorneys in OCTC and will no longer have a target. This metric will exclude casual/temporary employees as well as staff who do not successfully complete probation (probation is a part of the hiring process).

**Recruitment & Retention**  
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Metric ID	Metric Name and Performance Target	Timing	Notes
RR-9	Reduce Turnover rate among OCTC investigators	Quarterly	This metric will be limited to investigators in OCTC and will no longer have a target. This metric will exclude casual/temporary employees as well as staff who do not successfully complete probation (probation is essentially a part of the hiring process).



**State Bar Court**

Metric Focus: Efficiency, Cycle Time

Metric ID	Metric Name and Performance Target	Timing	Notes
SBC-1	Maintain an annual caseload clearance rate of at least 1.0 or above	Monthly	
SBC-2A	Hearing Department: 90% of cases to be processed within case type timelines	Monthly	
SBC-2B	Hearing Department: 100% of cases to be processed within 150% of case type timelines	Monthly	
SBC-2C	Review Department: 90% of cases to be processed within case type timelines	Monthly	
SBC-2D	Review Department: 100% of cases to be processed within 150% of case type timelines	Monthly	
SBC-2E	Effectuations: 100% of cases to be processed within timeline	Monthly	
SBC-3A	Number of petitions seeking review	Semiannually	
SBC-3B	Number of petitions granted	Semiannually	

**State Bar Court**  
(continued)

Metric ID	Metric Name and Performance Target	Timing	Notes
SBC-3C	Number of petitions denied	Semiannually	
SBC-3D	Number of remands	Semiannually	

## Communications

Metric Focus: Outreach (Brand Image, Public Perception), Customer Satisfaction

Metric ID	Metric Name and Performance Target	Timing	Notes
SCE-1	90% of stakeholders report a high level of overall satisfaction with quality of internal communications	Annually	
SCE-2	Number of social media followers	Quarterly	New metric.
SCE-3	Expand communications engagement with Spanish-speaking audiences through a campaign involving paid social media placements and radio public service announcements	Annually	New metric.

## Phased Out Metrics

The list below contains metrics that have been phased out.

Original Metric ID	Metric Name and Performance Target	Timing	Notes
A-1	Implement 100% of Board of Trustees Appendix I adopted reforms by Q4 2019	Quarterly	The work associated with this metric was largely completed.
BJA-3	All Board Committee Coordinators and entity coordinators trained and oriented on standardized meeting management procedures by Q4 2020	One-time	The work associated with this metric was completed.
BJA-3	90% utilization of a standardized onboarding process by all State Bar entities by Q4 2019	One-time	The work associated with this metric was completed.
CSF-1	Provide status update to 100% of applicants at least twice a year	Semiannually	This work is now routine.
CSF-2	Ensure timely, accurate budget allocations for reimbursements	Annually	This is not useful as a metric.
CSF-5	Develop and monitor annual benchmarks for cases resolved by staff to monitor caseload clearance rate, caseload inventory, and improvements in efficiency after transitioning Tentative Decisions to staff	Annually	The purpose of this metric was to understand the impact of the Tentative Decisions policy change and this was accomplished in 2019.
F-2	Reduce number of billing-related phone calls from attorneys to ARCR by 10%	Quarterly	This metric was put in place to address a specific situation that is no longer a problem. The data is also subject to interpretation and is therefore not reliable.

Original Metric ID	Metric Name and Performance Target	Timing	Notes
GS-3	Complete 90% of capital improvement projects on the annual capital improvement plan	Annually	This metric has been replaced with one-time metrics.
GS-4	Process all capital improvement projects within budget	Annually	This metric has been replaced with one-time metrics.
OAI-1	Demonstrate full integration of grant-making, diversity, and legal services policy work	One-time	This was a one-time metric and the work was completed.
OAI-2	Monitor bank compliance with agreed upon interest rates	Quarterly	This metric will be replaced with a metric that addresses IOLTA funding in a more meaningful way.
OAI-3	Complete Justice Gap Study by end of Q4 2019	One-time	This was a one-time metric that was met in Q1 2020.
OAI-4	Develop detailed operational plan for Legal Services Trust Fund & Access Commissions based on BOT decisions in January 2019, with a target goal for implementation of 100% of identified changes by Q4 2021	One-time	This was a one-time metric.
OAI-5	Roll out 75% of identified data reporting and collection improvements by Q2 2019 for changes involving State Bar only, and by Q3 2019 for changes impacting data collection by legal services programs for collection beginning 2020		This was a one-time metric and the work was completed.
OCTC-1	Minimize number of P-1 cases in backlog	Monthly	This will continue to be reported in the bimonthly Discipline System Statistical Report.

Original Metric ID	Metric Name and Performance Target	Timing	Notes
OPC-2B	Voluntary e-learning courses: 85% of participants report these courses contained significant content	Quarterly	Metrics on satisfaction with voluntary e-learning courses have been streamlined.
OPC-2D	Mandatory e-learning courses: 70% of participants report these courses contained significant content	Quarterly	Metrics on satisfaction with mandatory e-learning courses have been streamlined.
ORIA-2	95% on time distribution of Discipline Reports from Odyssey	Quarterly	Automated reporting is built into all reporting (see ORIA-3 below). On time distribution is no longer an issue.
ORIA-3	90% of regular management reports and performance metrics are automated	Quarterly	All reports, including new reports, are automated.
SBC-3A	Case disposition: median	Monthly	This metric is not useful due to the different time standards across case types. Critical time standards are captured in timeline standard metrics.
SBC-3B	Case disposition: 90th percentile	Monthly	This metric is not useful due to the different time standards across case types. Critical time standards are captured in timeline standard metrics.