

# State Bar Metrics

May 2021



The State Bar of California



# Overview

This report contains results for 33 State Bar discipline system metrics, including the Office of Chief Trial Counsel, State Bar Court, Office of Probation, Lawyer Assistance Program, and Client Security Fund. The majority of these metrics are reported for Q3 and Q4 2020, while others are semiannual and annual metrics reported for the later part of 2020. Metrics that were phased out going forward are also included in this report for their final reporting.

Of the 33 metrics reported, 22 have targets for accountability purposes. As detailed on pages 11–14, 5 of these metrics did not meet their targets.

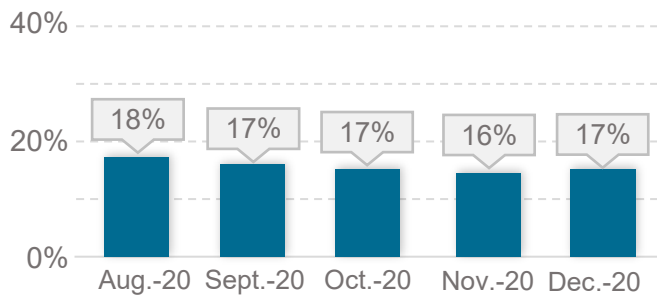
All data and metric names in this report supersede those previously reported.



## Office of Chief Trial Counsel

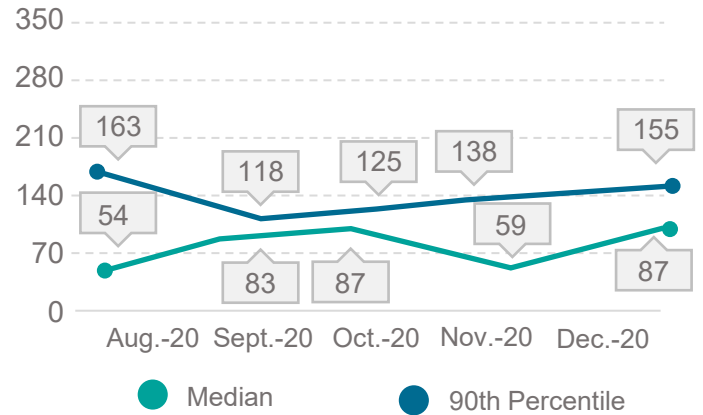
Minimize number of Priority 1 (P-1) cases in backlog

Phased Out



Ensure Priority 2 (P-2) cases are processed in an expedited fashion

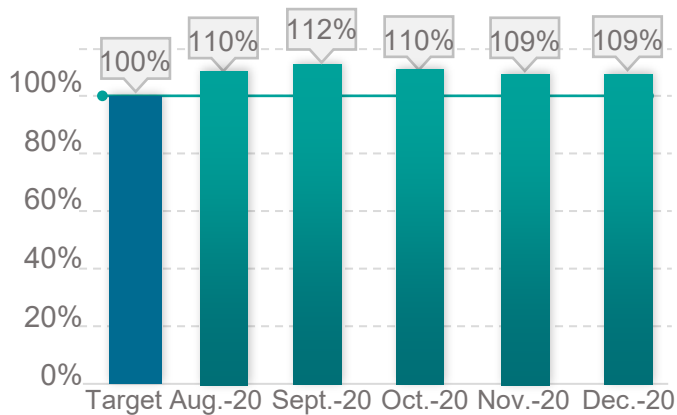
OCTC-2



Note: This metric is measured by number of days.

Maintain an annual caseload clearance rate of at least 100%

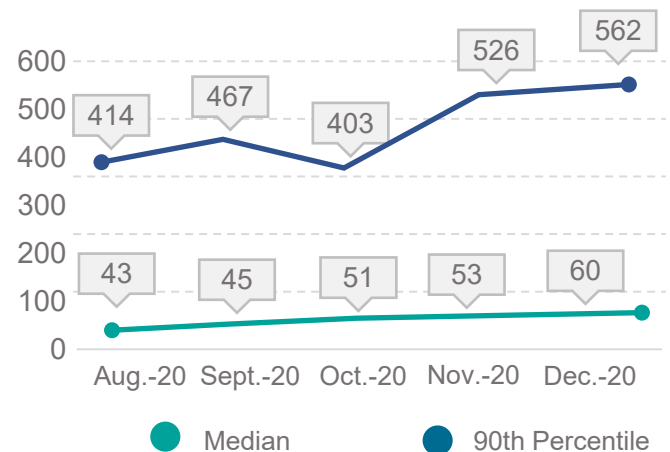
OCTC-3



Note: This metric is calculated using a 12 month rolling average to smooth out month to month fluctuations in caseload clearance rates.

Case disposition times (OCTC)

OCTC-4A & OCTC-4B



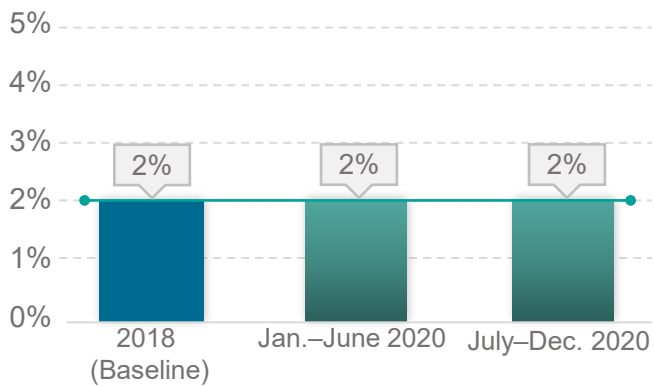
Note: This metric is measured by number of days.



## Office of Chief Trial Counsel

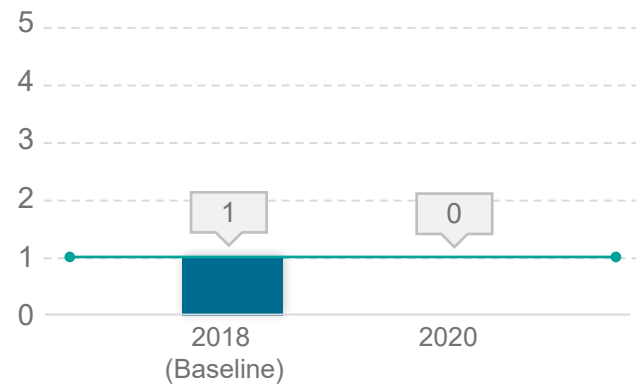
Maintain current level of Complaint Review Unit reopens for reasons other than new evidence

OCTC-5A



Maintain current level of Walker reopens

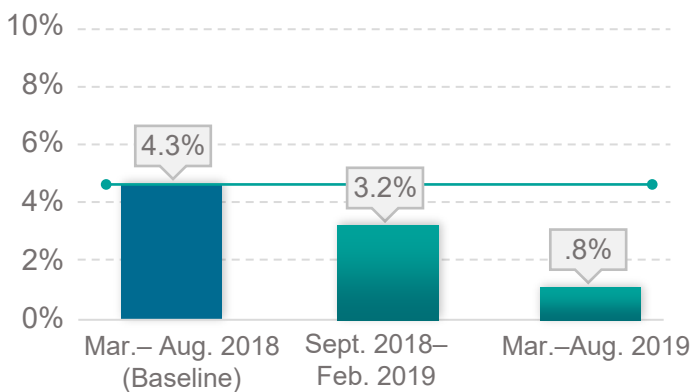
OCTC-5B



Note: This metric is measured by number of days.

Decrease the number of random audit reopens for substantive reasons

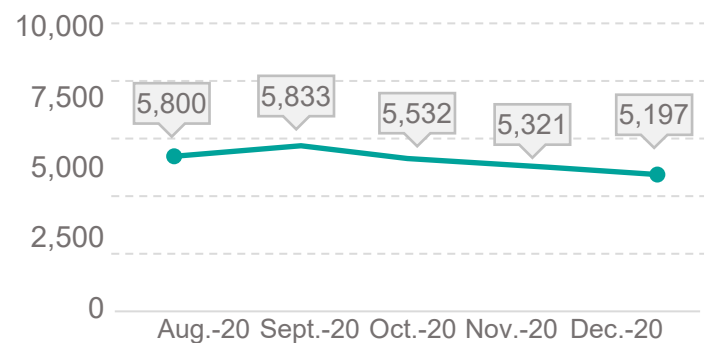
OCTC-5C



Note: The most recent audit completed was for the period March to August 2019. The audit for the period of March 2019 February 2020 has been temporarily delayed but is expected to resume and completed in the near future.

Cases in inventory at months end

OCTC-6

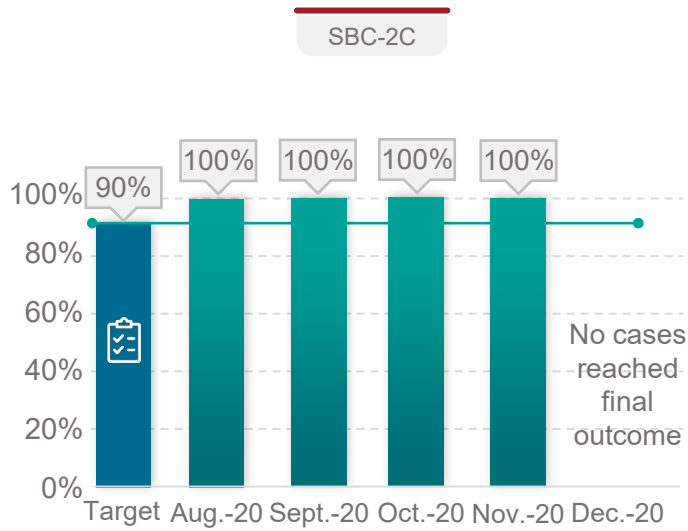


Note: This chart describes cases that are reported in the Annual Discipline Report (ADR).



## State Bar Court

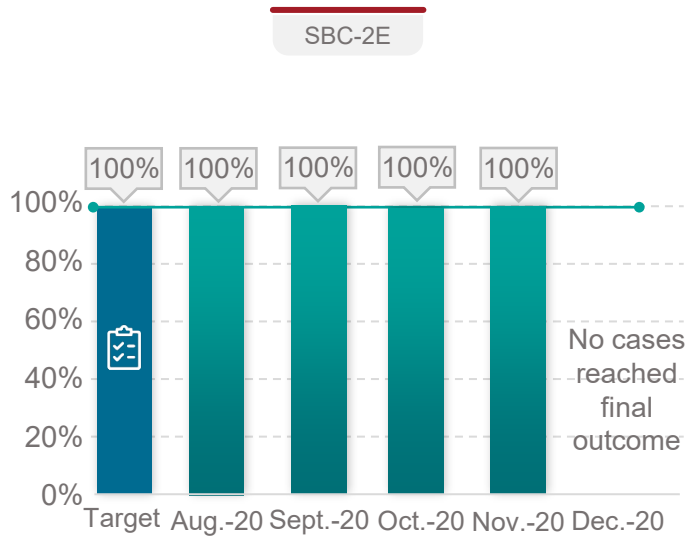
Review Department: 90% of cases to be processed within case type timeline



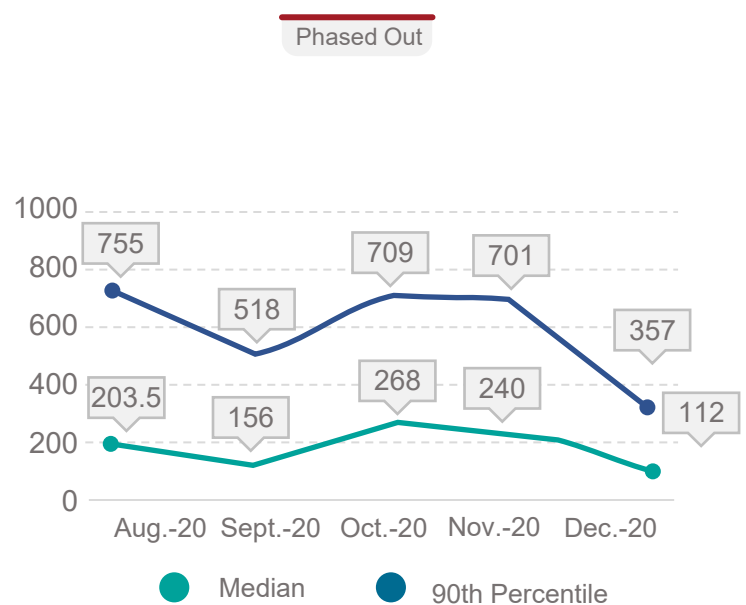
Review Department: 100% of cases to be processed within 150% of case type timeline



Effectuations: 100% of cases to be processed within timeline



Case disposition times



Note: This metric is measured by number of days.



## State Bar Court

Number of petitions seeking review,  
petitions granted, petitions denied, and  
remands

SBC-3A-D

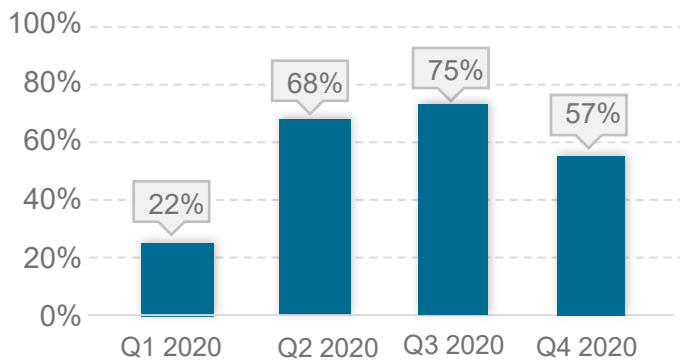
|                                       | Jan.-<br>June<br>2020 | July-<br>Dec. 2020 |
|---------------------------------------|-----------------------|--------------------|
| Number of petitions<br>seeking review | 5                     | 13                 |
| Number of petitions<br>granted:       | 1                     | 1                  |
| Number of petitions<br>denied:        | 4                     | 10                 |
| Number of remands:                    | 1                     | 1                  |



# Probation

## Successful completion rates

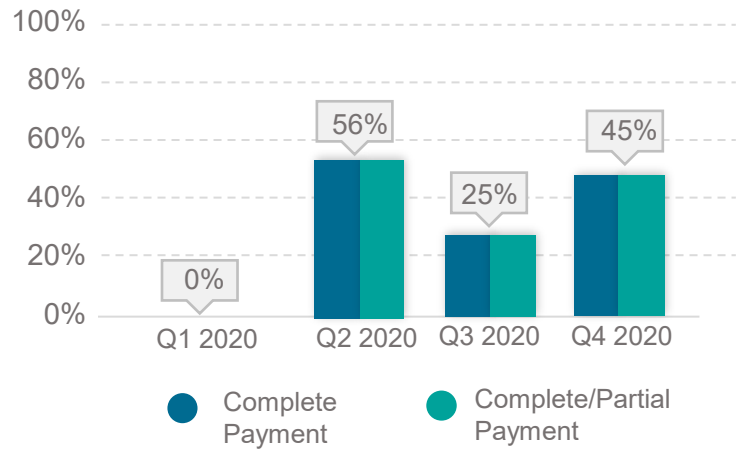
P-1



Note: Cases included are those which have conditions ordered to be completed in (1) rule 9.20 matters in which discipline has not yet been imposed (generally when interim suspension is ordered in criminal conviction referral matters); (2) reprobals; and (3) probation matters.

## Successful completion of restitution

P-2

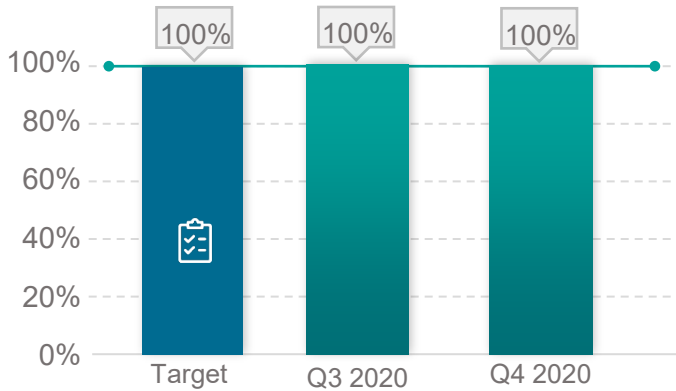




## Lawyer Assistance Program

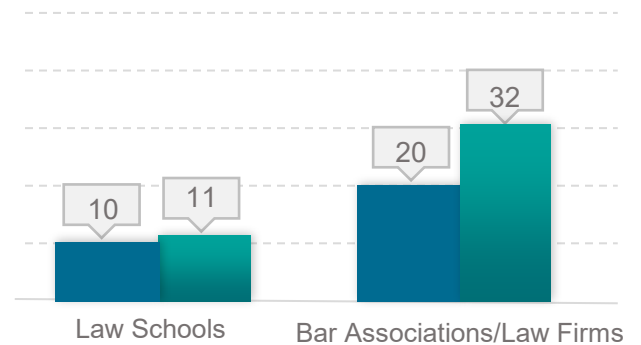
Respond to 100% of requests for presentations within two business days

LAP-2



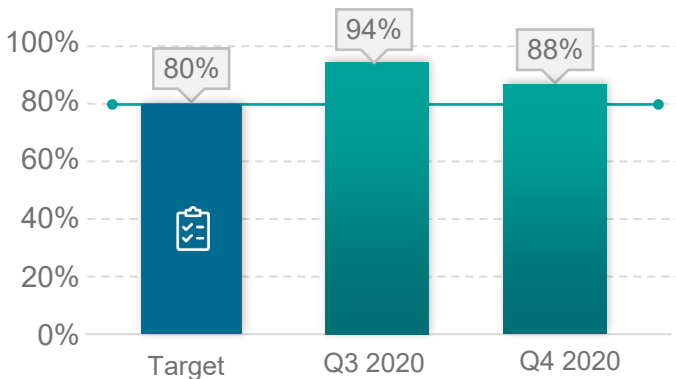
Complete 10 law school presentations and 20 Bar Association/law firm presentations in 2020

LAP-3



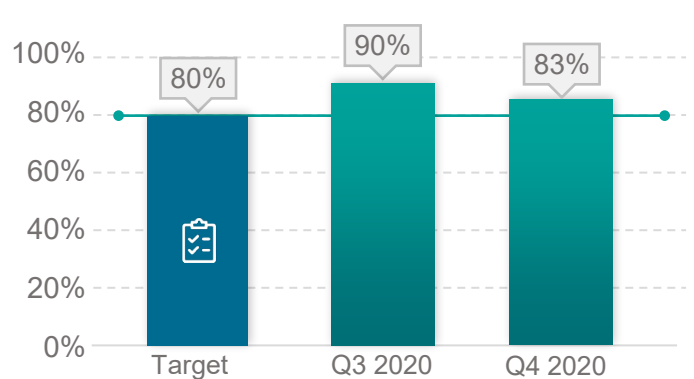
80% of survey participants report that the Lawyer Assistance Program addressed their goals

LAP-4A



80% of survey participants are satisfied with their Lawyer Assistance Program experience

LAP-4B



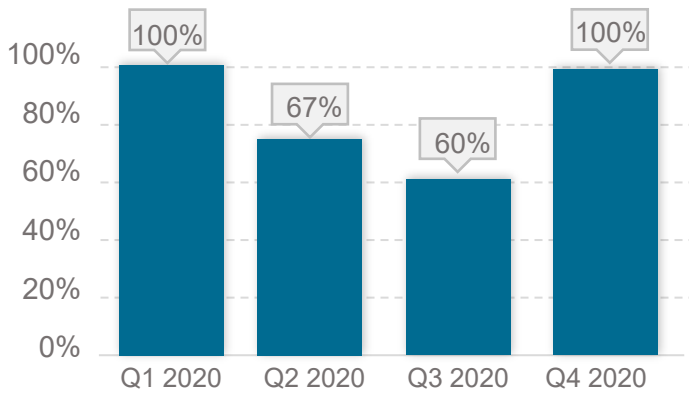




## Lawyer Assistance Program

Track successful completion  
rates for Alternative Discipline  
Program cases

LAP-5





## Client Security Fund

Provide status update to 100% of applicants at least twice a year

Phased Out



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

Phased Out



Develop and monitor target for time to payout after final disposition based on resource availability by Q1 annually

CSF-2

|   | Target | 2020   |
|---|--------|--------|
| Reduce time from jurisdiction to resolution | -5%    | -13.6% |

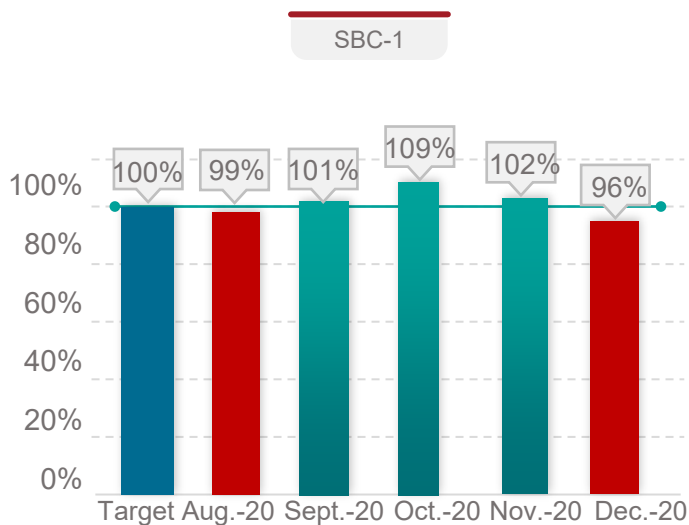


# Metrics That Did Not Meet Targets

The following pages list the five metrics that did not meet their targets in any of the time periods analyzed. A narrative that gives context to the results accompanies each metric.

## State Bar Court

Maintain an annual caseload clearance rate of at least 100%



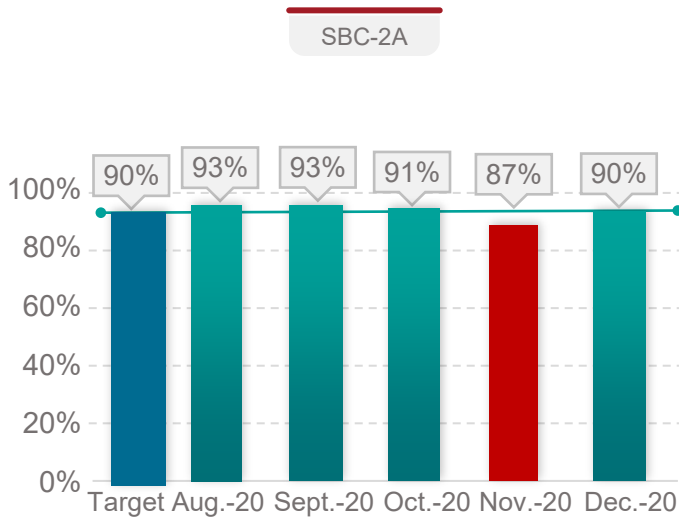
Note: This metric is calculated using a 12 month rolling average to smooth out month to month fluctuations in caseload clearance rates

The COVID-19 pandemic and related State Bar building closures to the public, beginning March 17, 2020, required the court to abate roughly 150 cases and resulted in a decline of the court's caseload clearance. During the building closures, following the acquisition of Zoom licenses, the State Bar Court began extensive training to permit the court to conduct remote court events, to unabate cases that had been abated, and conduct conferences, trials, and oral arguments. The first remote event occurred on April 21, the first remote oral argument on June 17 and the first remote trial on July 8. The remote appearance program continues today, which has allowed the State Bar Court to limit the number of employees needed to come into the office full time and allowed the court to keep courtrooms closed. The court has also implemented new practices to comply with rule 5.26.1 and accept and file electronic submissions. The court expects the caseload clearance rate to remain irregular for the next several months while the court recovers from the State Bar building closure and related case abatements.



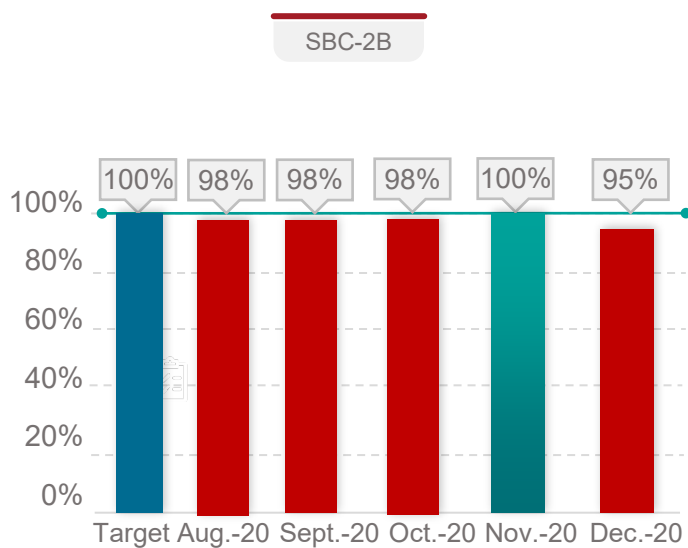
## State Bar Court

Hearing Department: 90% of cases to be processed within case type timeline



The Hearing Department closed 39 cases in November 2020. State Bar Court staff has reviewed the five cases that resulted in the performance target not being met in November 2020 and determined that case processing delays for three cases were due to good cause continuances to serve due process as requested by the parties; in one case the delay was due to multiple judicial reassignments; and in one case the delay was due to a case processing error.

Hearing Department: 100% of cases to be processed within 150% of case type timeline



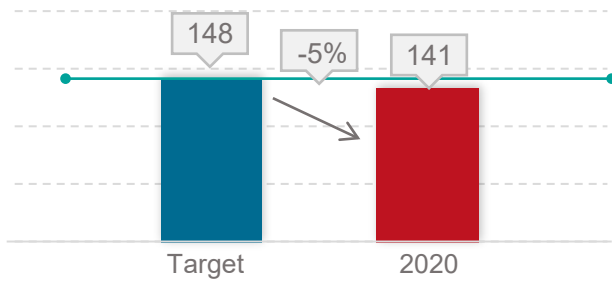
State Bar Court staff has reviewed the four cases that resulted in this metric's performance target not being met and determined that case processing delays were due to good cause continuances to serve due process as requested by the parties.



## Lawyer Assistance Program

Increase intakes by 10%

LAP-1



Lawyer Assistance Program (LAP) intakes decreased by 5 percent in 2020 compared to this metric's 2018 baseline. LAP programs across the nation have reported level or decreased enrollment suggesting that people in 2020 were deprioritizing efforts to help themselves due to the need to prioritize issues caused by the pandemic (i.e., financial instability, homeschooling, caring for elderly family members, etc.).



## Client Security Fund

Develop and monitor annual benchmarks for number of cases to be resolved based on annual budget and pending inventory by Q1 annually

CSF-1

|  | Target | 2020  |
|--|--------|-------|
| Cases resolved                             | 1,150  | 1,259 |
| Cases in process pending available funding | 200    | 60    |
| Total Cases Resolved                       | 1,350  | 1,319 |

In 2020, the Client Security Fund (CSF) office reimbursed the largest total dollar amount in the history of CSF, \$11.7 million. However, the COVID-19 pandemic of 2020 brought many challenges for the CSF office and, as a result, the office did not meet its goal to resolve 1,350 cases in 2020. The pandemic brought challenges that slowed down and impeded CSF investigations, which are essential to being able to proceed with a case.

CSF strives to be consumer friendly and to give applicants time to obtain necessary documentation to establish their possible losses. CSF also ensures that all parties, both applicants and respondents, are given due process and the opportunity to participate fairly in the proceedings. The pandemic led to U.S. postal service delays and both applicants and respondents required more time than usual to obtain documentation from banks or other institutions, to compile and submit evidence of loss, and to respond to requests for information from the Fund. Cases that might have been resolved in a normal year were held open longer in the investigative phase to afford the applicants and respondents additional time to provide the necessary documentation. Also, CSF had planned to hire temporary attorney staff to assist with reimbursing the additional funds received in 2020. However, due to the need to work remotely CSF was reluctant to allow important original paper CSF case files to be moved offsite by temporary workers.



# State Bar Metrics

Organized by office, the list below contains all metrics the State Bar will track and report in 2021. All metric IDs below supersede those previously reported.

## ADMISSIONS

**Metric Focus:** Quality Control, Cycle Time, Cost Control

| Metric ID | Name   | Timing       | Notes |
|-----------|--|--------------|-------|
| A-1       | Conduct initial review of 80% of Moral Character applications received within 90 days of receipt                                     | Semiannually |       |
| A-2       | Reduce exam costs by 5%  | Annually     |       |
| A-3A      | Reduce time to grade the February Bar Exam from 11 weeks to 9 weeks by Q4 2021   | Semiannually |       |
| A-3B      | Reduce time to grade the July Bar Exam from 16 weeks to 14 weeks by Q4 2021  | Semiannually |       |
| A-4       | Complete processing of 75% of applications for the Provisional Licensure Program with two weeks of receipt of a complete application | Quarterly    |       |

## ATTORNEY REGULATION & CONSUMER RESOURCES

**Metric Focus:** Efficiency (Operational Management), Cycle Time

|         |  |           |   |
|---------|--|-----------|---|
| ARCR-1A | Less than 40% of Resource Center calls transferred out | Quarterly | Performance target will change to 38% after Q2 2021 with the goal of reaching 35% by Q1 2022. |
| ARCR-1B | Less than 25% of calls abandoned                       | Quarterly |   |
| ARCR-1C | Average call wait time of less than seven minutes      | Quarterly |   |

**ATTORNEY REGULATION & CONSUMER RESOURCES (CONTINUED)**

| Metric ID | Name  | Timing                | Notes  |
|-----------|---|-----------------------|--|
| ARCR-2    | 75% of participants completing phone system survey report a high level of overall satisfaction with their call center experience              | Monthly and 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 2021  | Annually              |  |
| ARCR-5    | Fulfill 95% of requests for certificates of standing within five business days of receipt   | Quarterly             |  |
| ARCR-6    | Convert 20% of Law Corporations to a strictly online renewal process by Q3 2022   | One-time              |  |
| 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             |  |

**BOARD SUPPORT JNE COMMISSION, AND APPOINTMENTS****Metric Focus:** Efficiency (Operational Management)

|        |   |              |  |
|--------|---|--------------|--|
| BJA- 1 | 90% of Board of Trustees report a high level of overall satisfaction with quality of operational support provided | 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     |  |



**CLIENT SECURITY FUND****Metric Focus:** Customer Satisfaction, Efficiency, Cost Control, Cycle Time

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

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

|     |   |           |   |
|-----|---|-----------|---|
| F-1 | Provide budget, projections to enable efficient financial planning by client division/office and the executive director | Quarterly |   |
| F-2 | Pay 90% of vendor invoices within thirty 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   | 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

|      |   |           |  |
|------|---|-----------|--|
| GS-1 | Process 90% procurement requisitions with 100% accuracy within three days   | Quarterly |  |
| GS-2 | Process 85% of all facilities requests (not requiring parts/equipment ordering) within three or fewer business days | Quarterly |  |

**GENERAL SERVICES (CONTINUED)****Metric Focus:** Cycle Time, Quality

| Metric ID | Name  | Timing   | Notes |
|-----------|---|----------|-------|
| 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 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 |       |

**HUMAN RESOURCES****Metric Focus:** Cycle Time, Customer Satisfaction

|      |   |                   |  |
|------|---|-------------------|--|
| HR-1 | Conduct 80% of performance evaluations by anniversary date or, for executives, the due date                           | Monthly/Quarterly |  |
| 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

|      |   |           |  |
|------|---|-----------|--|
| 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  |  |



## LAWYER ASSISTANCE PROGRAM

**Metric Focus:** Utilization, Customer Satisfaction, Outreach

| Metric ID | Name   | 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 10 law school presentations and 20 Bar Association/law firm presentations in 2020               | Annually  |   |
| 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) | Annually  | This metric will be modified in 2021 after office completes strategic planning. |

## OFFICE OF ACCESS & INCLUSION

**Metric Focus:** Efficiency (Operational Management), Compliance

|       |  |              |  |
|-------|--|--------------|--|
| OAI-1 | Closely monitor IOLTA rates, including continued strategy around Leadership Bank Program, to stabilize funding | Quarterly    |  |
| OAI-2 | Issue report on law school retention by Q3 2021  | One-time     |  |
| OAI-3 | Provide commissioners meeting materials five to seven days in advance at least 80% of the time                 | Semiannually |  |
| OAI-4 | Issue 80% of monitoring visit and fiscal visit findings within 60 days   | Semiannually |  |

**OFFICE OF CHIEF TRIAL COUNSEL****Metric Focus:** Cycle Time, Quality

| Metric ID | Name  | Timing       | Notes  |
|-----------|---|--------------|--|
| OCTC-1    | Decrease P-1 cases in backlog for respondents with active law licenses    | Monthly      |  |
| OCTC-2    | Resolve 100% of P-2 cases within 120 days                                 | Quarterly    |  |
| OCTC-3    | Maintain an annual caseload clearance rate of at least 100%               | Monthly      |  |
| OCTC-4A   | Case disposition: 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 |  |
| OCTC-6    | Case inventory  | Monthly      |  |
| OCTC-7    | Percent of respondents that retain representation                         | Quarterly    | 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

|       |  |          |  |
|-------|--|----------|--|
| 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 | Name   | Timing    | Notes |
|-----------|--|-----------|-------|
| OPC-1     | 80% of callers report a high level of overall satisfaction with the Ethics Hotline experience  | Quarterly |       |
| 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  |       |
| 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  |       |

**OFFICE OF RESEARCH & INSTITUTIONAL ACCOUNTABILITY****Metric Focus:** Efficiency (Operational Management)

|        |  |           |  |
|--------|--|-----------|--|
| ORIA-1 | 90% of all ORIA projects met project milestones  | Quarterly |  |
| ORIA-2 | Publish 2nd annual diversity report card in online interactive dashboard format by Q2 2021 | One-time  |  |

**PROBATION****Metric Focus:** Outcomes

| Metric ID | Name   | 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 |       |

**RECRUITMENT & RETENTION****Metric Focus:** Efficiency, Cycle Time, Organizational Capacity, Customer Satisfaction

|      |   |              |   |
|------|---|--------------|---|
| RR-1 | Reduce average time to hire to 60 days or fewer   | Quarterly    |   |
| RR-2 | Stay interviews are conducted for 100% of new hires within 90 days of hire                              | Quarterly    | Because this metric cannot be calculated until 90 days after the last day of a quarter, this metric's Q4 results will be reported in July 2021. |
| RR-3 | Average number of days to fill OCTC attorney positions  | Quarterly    |   |
| RR-4 | Average number of days to fill OCTC investigator positions  | Quarterly    |   |
| RR-5 | 90% of participants report a high level of overall satisfaction with the Training & Development Program | Semiannually |   |

**RECRUITMENT & RETENTION (CONTINUED)**

| Metric ID | Name   | Timing    | Notes |
|-----------|--|-----------|-------|
| RR-6      | 90% of participants report a high level of overall satisfaction with trainings | Quarterly |       |
| RR-7      | Percent of internal hires  | Annually  |       |
| RR-8      | Turnover rate among OCTC attorneys   | Quarterly |       |
| RR-9      | Turnover rate among OCTC investigators   | Quarterly |       |

**STATE BAR COURT****Metric Focus:** Efficiency, Time Cycle

|        |   |              |  |
|--------|---|--------------|--|
| SBC-1  | Maintain an annual caseload clearance rate of at least 100%                         | Monthly      |  |
| SBC-2A | Hearing Department: 90% of cases to be processed within case type timeline          | Monthly      |  |
| SBC-2B | Hearing Department: 100% of cases to be processed within 150% of case type timeline | Monthly      |  |
| SBC-2C | Review Department: 90% of cases to be processed within case type timeline           | Monthly      |  |
| SBC-2D | Review Department: 100% of cases to be processed within 150% of case type timeline  | 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 | Name                       | 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

|        |   |           |  |
|--------|---|-----------|--|
| SCSE-1 | 90% of stakeholders report a high level of overall satisfaction with the Office of Strategic Communications & Stakeholder Engagement                              | Annually  |  |
| SCSE-2 | Number of social media followers  | Quarterly |  |
| SCSE-3 | Expand communications engagement with Spanish-speaking audiences through a campaign involving paid social media placements and radio public service announcements | Annually  |  |