



# The State Bar *of California*

## **2017–2022 Strategic Plan**

Updated March 2020



## MISSION STATEMENT

The State Bar of California's mission is to protect the public and includes the primary functions of licensing, regulation and discipline of attorneys; the advancement of the ethical and competent practice of law; and support of efforts for greater access to, and inclusion in, the legal system.

## GOAL

# 1

**Successfully transition to the “new State Bar”—an agency focused on public protection, regulating the legal profession, and promoting access to justice.**

### OBJECTIVES

- a. Determine whether additional State Bar functional areas will transition to the Sections entity, other organizations, or to new standalone entities and develop an action plan for those transitions.
- b. Implement and pursue governance, composition, and operations reforms needed to ensure that the Board's structure and processes optimally align with the State Bar's public protection mission.
- c. No later than September 30, 2018, determine the appropriate role of, and Board responsibility for, State Bar Standing Committees, Special Committees, Boards, and Commissions in the new State Bar.

## Ensure a timely, fair, and appropriately resourced admissions, discipline, and regulatory system for the more than 250,000 lawyers licensed in California.

### ATTORNEY DISCIPLINE OBJECTIVES

- a. For greater transparency, accountability, efficiency, and access, develop and deploy a new case management system for the Office of Chief Trial Counsel, State Bar Court, and the Office of Probation by October 31, 2018.
- b. Develop and implement transparent and accurate reporting and tracking of the health and efficacy of the discipline system, and measures to improve the fairness and efficacy of the discipline system to include: (a) an updated workload study for OCTC; (b) identification of staffing and resource needs based on the results of that study; (c) evaluating the different points of contact between the State Bar and Complaining Witnesses/Respondents to identify areas where modifications to the form or content of communication could improve the sense of procedural fairness; and (d) pilot changes in the form or content of communication w/ Complaining Witnesses and Respondents to identify measures that will improve the sense of procedural fairness by complaining witnesses or Respondent Attorneys.
- c. Begin auditing attorney compliance with MCLE requirements in the most cost effective and efficient manner no later than December 31, 2020.
- d. Support adequate funding of the Client Security Fund.
- e. No later than December 31, 2020, evaluate attorney self-assessment models and determine which model will be implemented in California.
- f. No later than July 1, 2021, create a fully articulated preventative education approach to include a self-assessment component as well as client trust accounting modules which may be mandatory for some attorneys.
- g. No later than January 1, 2019, require all attorneys to report firm size and practice type to the State Bar and to maintain and update that information.
- p. The State Bar shall develop recommended statutory, rule, policy, or guideline changes to encourage the timely and complete payment of restitution.

### UNAUTHORIZED PRACTICE OF LAW OBJECTIVES

- h. Monitor improvements in the response to complaints regarding the unauthorized practice of law through tracking and reporting on complaints received, investigation timelines, civil filings, and law enforcement referrals.
- i. Partner with law enforcement agencies to create a coordinated regional response to the unauthorized practice of law.
- j. Identify funding sources, including grant or state funding, to support the Bar's UPL efforts.
- k. Use communications strategies to support UPL enforcement objectives.

### ADMISSIONS OBJECTIVES

- l. For greater transparency, accountability, efficiency, and access, develop and deploy a new case management system for the Office of Admissions by June 30, 2019.
- m. After the results of the February 2019 Bar Exam are published, evaluate the results of the two-day exam on pass rates and costs.
- n. Conduct a California specific job analysis to determine the knowledge, skills, and abilities for entry level attorneys. Upon completion, conduct a new content validation study.
- o. No later than December 31, 2018, review special admissions rules to determine whether changes are needed to support the goal of increased access to legal services or for other reasons, and implement needed changes.

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

**EMPLOYEE ENGAGEMENT OBJECTIVES**

- a. Improve productivity through performance accountability, training, and professional development.
- b. Improve staff morale and career satisfaction through recognition of performance, career path development, transparent and collaborative communication, and recognition and encouragement of innovation, efficiencies, and money saving ideas.
- c. Conduct an annual employee engagement survey, evaluate changes from prior years, and implement an action plan to address areas needing improvement.
- d. No later than July 1, 2018, develop and implement a Communications Strategy Plan for timely and effective internal communication.

**FINANCIAL MANAGEMENT OBJECTIVES**

- e. No later than December 1, 2019, evaluate current collection efforts and determine what might be necessary to improve the Bar's ability to collect discipline and CSF costs.
- f. As part of the annual budget development process, determine, consistent with Business and Professions Code section 6140.9, whether there are excess funds in the LAP Fund which can be transferred to support the CSF.

**INFORMATION TECHNOLOGY OBJECTIVES**

- g. Implement a new Enterprise Resource Planning System (the Oracle Fusion suite of applications), beginning with the Human Capital Management module by the end of 2018 and continuing with the Finance and Procurement modules by the end of 2019.
- h. Implement a new Licensee Information Management System (LIMS), replacing AS400, by the end of 2021.
- i. Implement a phased upgrade to the Bar's Information Technology infrastructure (networks, servers, desktops, telecommunications and audio/visual), for enhanced capacity, functionality and security throughout 2018 and 2019.

**MANAGEMENT OF OTHER ASSETS OBJECTIVES**

- 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.
- k. In conjunction with annual budgets, ensure maintenance and use of the Bar's Los Angeles and San Francisco buildings to maximize benefit to the Bar and the people of California.
- l. Pursue a two-year fee bill to ensure a balance between accountability and meaningful implementation of important reforms.

**Support access to legal services for low- and moderate-income Californians and promote policies and programs to eliminate bias and promote an inclusive environment in the legal system and for the public it serves, and strive to achieve a statewide attorney population that reflects the rich demographics of the state's population.**

#### **ACCESS TO JUSTICE OBJECTIVES**

- a. Support increased funding and enhanced outcome measures for Legal Services.
- b. Study and implement improved programmatic approaches to increasing access to justice.
- c. By December 31, 2018, review Lawyer Referral Services certification rules with a goal of increasing access to justice.
- d. Commencing in 2018 and concluding no later than March 31, 2020, study online legal service delivery models and determine if any regulatory changes are needed to better support and/or regulate the expansion of access through the use of technology in a manner that balances the dual goals of public protection and increased access to justice.
- e. No later than December 31, 2019, complete a California Justice Gap Study. The Justice Gap Study will be modeled on the 2017 Legal Services Corporation Justice Gap Study but will also include an evaluation of the costs of legal education in California and the impact of those costs on access to justice, as well as possible approaches to addressing the costs of legal education including loan forgiveness programs or other means.
- f. No later than July 31, 2021, explore options to increase access through licensing of paraprofessionals, limited license legal technicians, and other paraprofessionals.
- p. Support public education about key problems not recognized as legal issues.
- q. Support efforts to attract and retain lawyers in legal aid organizations.

#### **DIVERSITY AND INCLUSION OBJECTIVES**

- g. Work with the California Accredited Law Schools and registered schools to develop enhanced demographic reporting requirements by February 28, 2020.
- h. Identify means of supporting existing law school programs to improve retention by December 31, 2020.
- i. No later than March 31, 2020, identify ways that diversity and inclusion principles can be institutionalized in Bar exam development and grading analyses with final proposals, including any formal guidelines or rule proposals, to be submitted to the Board by December 31, 2020.
- j. Assuming positive results from the Productive Mindset Intervention, expand implementation by February 2020.
- k. Continue development and implementation of initiative to collect demographic data about licensed attorneys through all stages of their career through 2019.
- l. No later than December 31, 2019, analyze available data to identify the particular obstacles to diverse attorneys' entry into, retention, and advancement in the legal profession.
- m. By December 31, 2020, adopt revised rules to modify the Elimination of Bias MCLE requirements in a manner that considers the creation of sub-topics and expanding the number of hours of requirement and is consistent with the time lines adopted in Business and Professions Code section 6070.5.
- n. Develop and publish an annual report card on the state of the profession by January 31, 2020, and annually thereafter.
- o. Partner with the Judicial Council to complete the Judicial Diversity Toolkit.

**Proactively inform and educate all stakeholders, but particularly the public, about the State Bar’s responsibilities, initiatives, and resources.**

### **OBJECTIVES**

- a. No later than July 1, 2018, develop and implement a Communication Strategy Plan for timely and effective communication about public protection goals, objectives, and accomplishments to external audiences including the public, oversight bodies, regulated parties, and other bars.
- b. Develop metrics to measure both the quality and effectiveness of the Bar’s communication and stakeholder engagement strategies and use those metrics to inform modifications to strategy.
- c. Maintain and enhance relationships with courts and other regulatory and enforcement agencies that share a mission of public protection.
- d. Improve transparency, accountability, accessibility, and governance by increasing the availability of meeting materials and public access to meetings and records and reporting these efforts to stakeholders and the general public.