



**2022 State Bar of California Board of Trustees Meeting
Strategic Planning Session
February 25, 2022**

Introduction

Following input from the board during the January 20-21, 2022 strategic planning sessions, the strategic planning working group developed the following outline to help guide our discussion at the February 25 board meeting. This outline reflects the input and feedback received from the board as well as from the strategic planning working group and stakeholder interviews and surveys. As part of this outline, the strategic planning working group has reviewed and refined the goals, vision statements and strategies.

This outline presents an initial framework for the 2022-2027 Strategic Plan and will be used to guide discussions during the February board meeting.

The State Bar of California
DRAFT Strategic Plan Outline
February 25, 2022

Mission

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.

The top priorities of the State Bar are to:

- License attorneys and regulate the profession and practice of law in California
- Discipline attorneys who violate rules and laws
- Manage all aspects of admission to the practice of law
- Advance access to the legal system
- Promote diversity and inclusion in the legal system

2022-2027 Goals

The State Bar's mission is rooted in protecting the public. The strategic goals below reflect the organization's vision for realizing that mission over the next five years. As a foundational principle, the State bar is committed to advancing diversity, equity, and inclusion, with respect to both its own operations and the legal profession itself.

1. **Protect the Public by Strengthening the Attorney Discipline System:** Administer an attorney discipline system that is efficient, accountable, and transparent.
2. **Protect the Public by Enhancing Access to and Inclusion in the Legal System:** Increase access to the legal system through public education, improved access to legal advice, and a legal profession that reflects the diversity of California.
3. **Protect the Public by Supporting the Legal Profession:** Provide education, resources, and support for the legal profession to enhance public protection, promote the ethical and competent practice of law, and reduce misconduct.
4. **Protect the Public by Engaging Partners:** Engage partners to enhance public protection and restore the State Bar's credibility, reputation, and impact.

Strategic Plan Outline

1. **Goal. Protect the Public by Strengthening the Attorney Discipline System:** Administer an attorney discipline system that is efficient, accountable, and transparent.

Vision: *The State Bar discipline system is, and is recognized as, effective, fair, and timely.*

Five Year Plan Strategies:

- a. **Administrative Efficiency:** Adopt new case processing standards and improved operational practices to focus resources on cases posing the most significant risks of harm and reduce the backlog of unresolved disciplinary cases.
- b. **Consumer Focus:** Meaningfully assist the public in navigating the complaint process and seeking fair and appropriate resolution of their complaints.
- c. **Diversity, Equity, and Inclusion:** Continue to address any racial or other disparities in the attorney discipline system.
- d. **Policy and Systems Change:** Respond to emerging issues in attorney misconduct and promote innovative solutions to increase public protection.

Example Implementation Steps:

- a. **Administrative Efficiency:**
 - Develop and implement new case processing standards and evaluate implementation impact.
 - Secure additional funding for the attorney discipline system.
 - Sustain a well-resourced, motivated, and accountable, prosecutorial workforce.
 - Maximize the efficiency of the discipline case management system and make other technological investments to increase the timeliness, accuracy, and comprehensiveness of the investigation and prosecution of complaints of attorney misconduct.
 - Increase Client Security Fund funding and reduce time to payout.
- b. **Consumer Focus:**
 - Provide specialized assistance to people who need to submit formal complaints as needed and explore strategies for educating and resolving consumer issues that do not warrant discipline.
 - Educate communities most vulnerable to UPL to reduce the incidence of victimization.
- c. **Diversity, Equity, and Inclusion:**
 - Implement reforms and recommendations to reduce inequities found in the 2019 Racial Disparities in Attorney Discipline Report.
 - Conduct a follow up study of racial disparities in attorney discipline, identify areas of improvement, and implement recommendations.
 - Identify and address strategies to address other disparities in discipline rates and outcomes, including any that exist related to solo and small firm practitioners.
- d. **Policy and Systems Change:**
 - Align and implement recommendations of the Special Discipline Case Audit Committee and the Ad Hoc Commission on the Discipline System.

- Develop strategies to effectively investigate and prosecute attorneys who commit misconduct, regardless of the nature of their practice, including attorneys in large organizations and firms.

2. **Goal. Protect the Public by Enhancing Access to and Inclusion in the Legal System:**

Increase access to the legal system through public education, improved access to legal advice, and a legal profession that reflects the diversity of California’s communities.

Vision: *All Californians have access to quality, affordable, and culturally relevant legal advice.*

Five-Year Plan Strategies

- Administrative Efficiency:** Increase representation through the State Bar’s existing regulatory and oversight authority including special admissions and pro bono practice programs.
- Consumer Focus:** Increase public education and awareness to close the knowledge gap and facilitate connection to available resources to address legal needs.
- Diversity, Equity, and Inclusion:** Support the law school to profession pipeline to create a more diverse legal profession representative of California’s communities, particularly as related to race, ethnicity, and socio-economic status.
- Policy and Systems Change:** Identify and advocate for innovative policy and regulatory reform needed to increase access to legal services, particularly by disenfranchised, underserved, and rural communities.

Example Implementation Steps:

- Administrative Efficiency:**
 - Manage a fair and effective system for admission to the practice of law and increase the number of attorneys admitted through special admissions programs, including the multijurisdictional practice program.
 - Increase the bar exam pass rate.
 - Revise the Bar Exam to be more relevant to the practice of law, in alignment with the recommendations of the Blue-Ribbon Commission on the Future of the Bar Exam.
 - Incentivize and support licensees and law firms in increasing the number of pro bono hours provided to underserved groups.
 - Administer the Attorney Census annually.

b. Consumer Focus:

- Understand the knowledge gap and develop strategies to address the barriers consumers face in securing legal advice.
- Keep abreast of the legal services market and how changes in the market impact individual consumers.
- Enhance public awareness and understanding of the State Bar as a resource for access to legal representation.

c. Diversity, Equity, and Inclusion:

- Publish an annual report card on the diversity of the legal profession.
- Promote retention and advancement in the legal profession through collaborative diversity pipeline programs with law schools that support aspiring attorneys in graduating from law school and passing the bar exam.
- Conduct an equity focused analysis of the impact of the remote bar exam on pass rates.
- Provide implicit bias trainings for Bar Exam proctors and graders to reduce bias.

d. Policy and Systems Change:

- Create a political and policy foundation for regulatory reform to increase access to affordable legal advice.
- Collaborate with legislative and other stakeholders to establish a law school student loan forgiveness program.
- Collaborate with stakeholders and law schools to improve accreditation processes.

3. Goal. Protect the Public by Supporting the Legal Profession: *Provide education, resources, and support for the legal profession to enhance public protection, promote the ethical and competent practice of law, and reduce misconduct.*

Vision: *State Bar licensees exemplify excellence and personal responsibility in the practice of law.*

Five-Year Plan Strategies:

- a. **Administrative Efficiency:** Apply metrics, assessment, and evaluation criteria to regulatory business processes to screen for and prevent attorney misconduct.
- b. **Consumer Focus:** Develop and deploy self-assessment modules, MCLE, practice tools, and other resources to support attorneys in continued education, professional development, and the competent practice of law.
- c. **Diversity, Equity, and Inclusion:** Support retention, development, and advancement of a diverse legal profession.

- d. **Policy and Systems Change:** Implement regulations to address and deter actions that pose significant risks of public harm.

Example Implementation Steps:

a. **Administrative Efficiency:**

- Develop metrics for assessing the impact of the State Bar's prevention and proactive risk-based management work.

b. **Consumer Focus:**

- Implement the Office of Professional Competence's 5-year plan for preventative education e-learning and self-assessment modules.
- Position the State Bar as a trusted resource and increase interactions with licensees well beyond admitting attorneys into the profession, collecting fees, and overseeing minimum continuing legal education (MCLE)
- Provide effect support for attorneys experiencing practice management and other challenges impacting competency. Collaborate with CLA on providing programming and continuing education content to licensees.

c. **Diversity, Equity, and Inclusion:**

- Continue the 2022 Law School Retention Study including tracking law school attrition data and promulgating common metrics.
- Encourage legal employers to set and publicly commit to measurable diversity, equity, and inclusion goals through the State Bar Diversity Leadership Seal Program.
- Continue the Strategies and Stories initiative and consider expanding the program to serve first year law students.
- Support attorneys from disenfranchised and underserved communities who may be challenged in competently practicing law.

d. **Policy and Systems Change:**

- Implement the Client Trust Account Protection Program.

4. **Goal. Protect the Public by Engaging Partners:** *Engage partners to enhance public protection and restore the State Bar's credibility, reputation, and impact.*

Vision: *Stakeholders and public are informed about and supportive of the State Bar's initiatives, achievements, programs, and services.*

Five-Year Plan Strategies:

- a. **Administrative Efficiency:** Increase public trust and consumer awareness by demonstrating competence and transparency.

- b. **Consumer Focus:** Establish collaborative relationships with community and consumer facing organizations and engage partners in collaborative workgroups.
- c. **Diversity, Equity, and Inclusion:** Ensure that communications materials and resources are accessible to California’s diverse communities.
- d. **Policy and Systems Change:** Partner with stakeholders to increase public protection and attorney regulation through legislation and policy change.

Example Implementation Steps:

- a. **Administrative Efficiency:**
 - Increase access to State Bar data and performance outcomes.
 - Enhance visibility of and accessibility to State Bar meetings.
- b. **Consumer Focus:**
 - Leverage partnerships with other organizations, entities, and stakeholder groups.
 - Demonstrate transparency in public communication.
- c. **Diversity, Equity, and Inclusion:**
 - Expand multilingual content and outreach.
- d. **Policy and Systems Change:**
 - Collaborate with the legislature and other stakeholders to increase public protection and ensure that the State Bar is able to achieve its mission.