



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

Introduction

The State Bar Board of Trustees met (virtually) for a two-day strategic planning session on January 20 and 21, 2022 where they reviewed a detailed compilation of stakeholder surveys and interviews, staff input and public feedback before participating in a facilitated discussion around the organization's priorities for the next five years. Following that discussion, the Executive Director's planning working group developed a draft of the 2022-2027 Strategic Plan to help guide discussions at the February 25 board meeting. That document received widespread approval, with some minor edits and builds. Subsequent to the February 25 meeting, the working group further refined the goals, vision statements and implementation steps. The final work product is attached for Board review.

The State Bar of California
Strategic Plan
March 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 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 outreach and education, improved access to legal advice and services, and a legal profession that reflects the diversity of California.
3. **Protect the Public by Regulating the Legal Profession:** Promote the ethical and competent practice of law and prevent misconduct by providing education, resources, and support for the legal profession.
4. **Protect the Public by Engaging Partners:** Engage partners and stakeholders to enhance public protection and restore the State Bar’s credibility, reputation, and impact.

Strategic Plan

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. **Effectiveness:** 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:** Assist the public in navigating the complaint process and seeking fair, appropriate, and timely resolution.
- 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 regarding attorney misconduct and promote solutions to increase public protection.

Implementation Steps:

- a. **Effectiveness:**
 - Develop and implement new case processing standards to ensure complaints are processed in a timely manner; performance is evaluated against case processing standards; and resources are adjusted as needed to meet appropriate case processing standards.
 - 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 technological, resource, and other investments as needed to increase the accuracy, comprehensiveness, and timeliness of the investigation and prosecution of attorney misconduct complaints.
 - Reduce the time from Client Security Fund application to payout by reassessing rules and policies, streamlining processes, and increasing funding as necessary.
- b. **Consumer Focus:**
 - Assist members of the public needing assistance in submitting complaints and explore strategies for resolving consumer issues that do not warrant attorney discipline.
 - Educate communities most likely to be subject to the unauthorized practice of law (UPL) to reduce the incidence of victimization.
- c. **Diversity, Equity, and Inclusion:**
 - Implement reforms and recommendations to reduce inequities identified in the 2019 report: *Discrepancies by Race and Gender in Attorney Discipline by The State Bar of California: An Empirical Analysis*.
 - Conduct a follow up study of racial disparities in attorney discipline, identify areas for improvement, and implement recommendations.

- Identify and implement strategies to address other disparities in discipline rates and outcomes, including those 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 outreach and education, improved access to legal advice and services, and a legal profession that reflects the diversity of California's communities.

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

Five-Year Plan Strategies:

- a. **Effectiveness:** Increase representation through the State Bar's existing regulatory and oversight authority including special admissions and pro bono practice programs.
- b. **Consumer Focus:** Increase public education, outreach, and awareness to close the knowledge gap and connect consumers to relevant legal resources.
- c. **Diversity, Equity, and Inclusion:** Support the law school to profession pipeline to foster a diverse legal profession representative of California's communities, particularly as related to race, ethnicity, and socio-economic status.
- d. **Policy and Systems Change:** Identify and advocate for innovative policy and regulatory reforms needed to increase access to legal services, particularly by disenfranchised, underserved, and rural communities.

Implementation Steps:

- a. **Effectiveness:**
 - Increase the number of attorneys admitted through special admissions programs.
 - Revise the bar admissions requirement 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 to increase the number of pro bono hours provided to underserved groups.

- Administer the Attorney Census annually.
- b. Consumer Focus:**
 - Continue to analyze data points to identify the root causes of inequities in accessing legal services and reduce the legal access to legal services gap.
 - Better 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.
 - Make the State Bar a leader in connecting the public to legal representation by enhancing public awareness of the resources available and continually enhancing those resources.
- c. Diversity, Equity, and Inclusion:**
 - Publish an annual report card on the diversity of the legal profession.
 - Increase the numbers of diverse attorneys in the legal profession through diversity pipeline programs that support aspiring attorneys in graduating from law school and passing the bar exam.
 - Identify data-supported practices that promote retention and advancement of a diverse and inclusive legal profession.
 - Continue tracking and evaluating law school attrition data, aiding law schools in developing improved approaches to retention, and promoting 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 Mindsets in Legal Education Initiative and evaluate the merits of expanding the program.
 - Conduct an equity focused analyses of the impact of various options for administration of the bar exam on exam pass rates, including remote and open-book formats.
 - Provide implicit bias trainings for bar exam proctors and graders to reduce any potential bias.
 - Continue to diversify the exam development and grading pool.
- d. Policy and Systems Change:**
 - Create a policy foundation for regulatory reform to increase access to affordable legal advice and services.
 - Collaborate with legislative and other stakeholders to establish a law school student loan forgiveness program to make legal aid an attractive and sustainable career goal.
 - Collaborate with stakeholders and law schools to improve the law school accreditation process.

3. **Goal: Protect the Public by Regulating the Legal Profession:** Promote the ethical and competent practice of law and prevent misconduct by providing education, resources, and support for the legal profession.

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

Five-Year Plan Strategies:

- a. **Effectiveness:** Use data to identify attorneys most at-risk of misconduct complaints and to develop the resources and supports needed to prevent misconduct.
- b. **Consumer Focus:** Develop and deploy self-assessment modules, minimum continuing legal education (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, with a focus on preventative measures to address disproportionate complaint and discipline rates.
- d. **Policy and Systems Change:** Explore and implement regulations to address and deter actions that pose significant risks of public harm.

Implementation Steps:

- a. **Effectiveness:**
 - 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 beyond admitting attorneys into the profession, collecting fees, and monitoring MCLE compliance.
 - Provide effective support for attorneys experiencing practice management and other challenges that affect competency.
 - Collaborate with the California Lawyers Association (CLA) and other bar associations on providing programming and continuing education content to licensees.
- c. **Diversity, Equity, and Inclusion:**
 - Support attorneys from disenfranchised and underserved communities who may experience unique practice management and other challenges.

d. **Policy and Systems Change:**

- Implement the Client Trust Account Protection Program.

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

Vision: *Partners and stakeholders are actively involved in and supportive of the State Bar's public protection initiatives, achievements, programs, and services.*

Five-Year Plan Strategies:

- a. **Effectiveness:** Increase public trust and consumer awareness by demonstrating competence, consistency, 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.

Implementation Steps:

- a. **Effectiveness:**
 - Increase access to State Bar data and performance outcomes.
 - Enhance visibility of and accessibility to State Bar meetings.
- b. **Consumer Focus:**
 - Create and sustain partnerships with other organizations, entities, and stakeholder groups.
 - Demonstrate transparency and, within constraints imposed by law, maximize disclosure 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 support the State Bar's mission.