The State Bar of California

Office of Chief Trial Counsel Performance Metrics – Q4 2022

George Cardona, Chief Trial Counsel

Board of Trustees, March 16–17, 2023

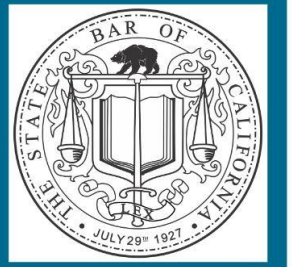
Interactive Dashboard

Performance metrics for the Office of Chief Trial Counsel (OCTC) are available for viewing in an interactive dashboard.

This interactive dashboard will be continuously updated and provided to the Board of Trustees as a standing agenda item.

Last presented on performance metrics from dashboard at the November 17, 22, 2022, meeting.

The State Bar *of California*



Office of Chief Trial Counsel

Main Page

Produced by Mission Advancement & Accountability Division, (MAAD)

OFFICE OF CHIEF TRIAL COUNSEL | **KEY PERFORMANCE INDICATORS - 2022 Q4**

Show List of Reports

Previous Quarter: 2022 Q3

CASELOAD CLEARANCE RATE

95%

Previous Quarter: 88% *(+7%)*

MEDIAN DAYS TO CLOSE

56

Previous Quarter: 56 *(+0)*

AVERAGE DAYS TO CLOSE

130

Previous Quarter: 141 *(-10)*

MEDIAN DAYS SPENT IN INVESTIGATION

129

Previous Quarter: 130 *(-1)*

AVERAGE DAYS SPENT IN INVESTIGATION

192

Previous Quarter: 220 *(-28)*

Jan-Jun 2020: 190 average days reported by Auditor

PERCENT CASES SPENT IN INVESTIGATION ≥ 365 DAYS

16%

Previous Quarter: 19% *(-3%)*

Jan-Jun 2020: 11% reported by Auditor

CASES CLOSED IN ≤180 DAYS

82%

Previous Quarter: 80% *(+2%)*

CRU REOPENS FOR OTHER THAN NEW EVIDENCE REASONS

0%

Target: 2% *(-2.0%)*

RANDOM AUDIT REOPENS FOR SUBSTANTIVE REASONS

4.2%

Target: 4.3% (-0.1%)

Period: Mar 2021 - Aug 2021

2022 BACKLOG*

3073

2021 Backlog: 2123 (+950)

2020 Backlog: 2377 (-254)

NOTES:

- Rule 2201 (OEX) program cases are not included in this report.
- Backlog metrics indicate the total number of open backlog cases (non-complex:>180 days and complex: >365 days) at the end of each reporting period.

OFFICE OF CHIEF TRIAL COUNSEL | INVENTORY & CASE AGE

FILTER BY:

Filter Info

ADR	ABATED	COMPLEX	PERIOD	PRIORITY
☑ Yes	☐ No	☐ No	Multiple selections	All
☐ No		☐ Yes		

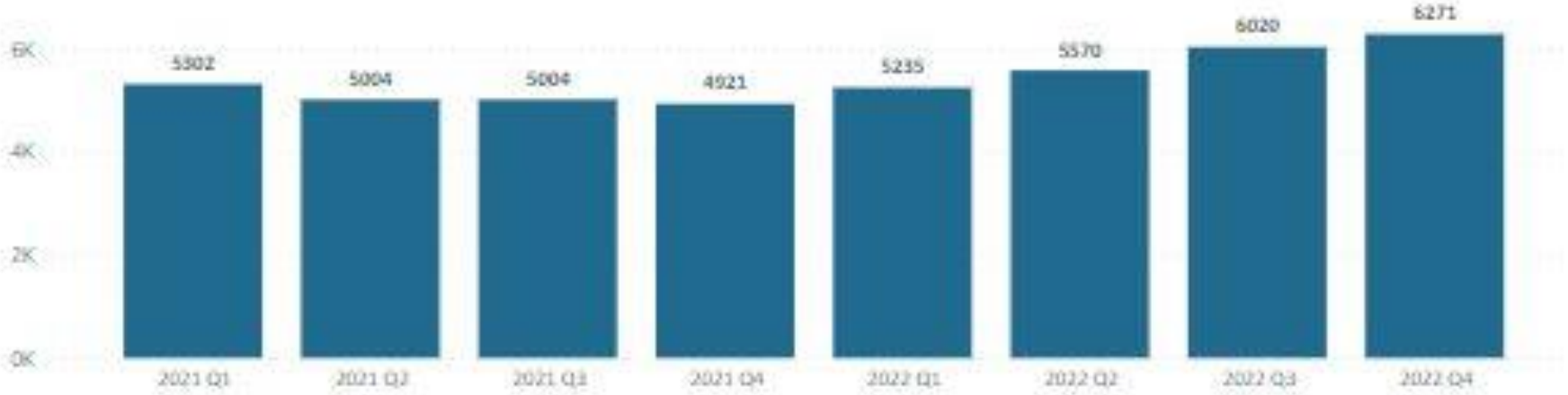
Previous Quarter: 2022 Q3

CASE INVENTORY

6271

Previous Quarter: 6020
(+251)

INVENTORY



PERCENT CASES GREATER THAN 180 DAYS OLD

50%

Previous Quarter: 46% *(+4%)*

INVENTORY BY CASE AGE

The State Bar of California

Return to Main Page

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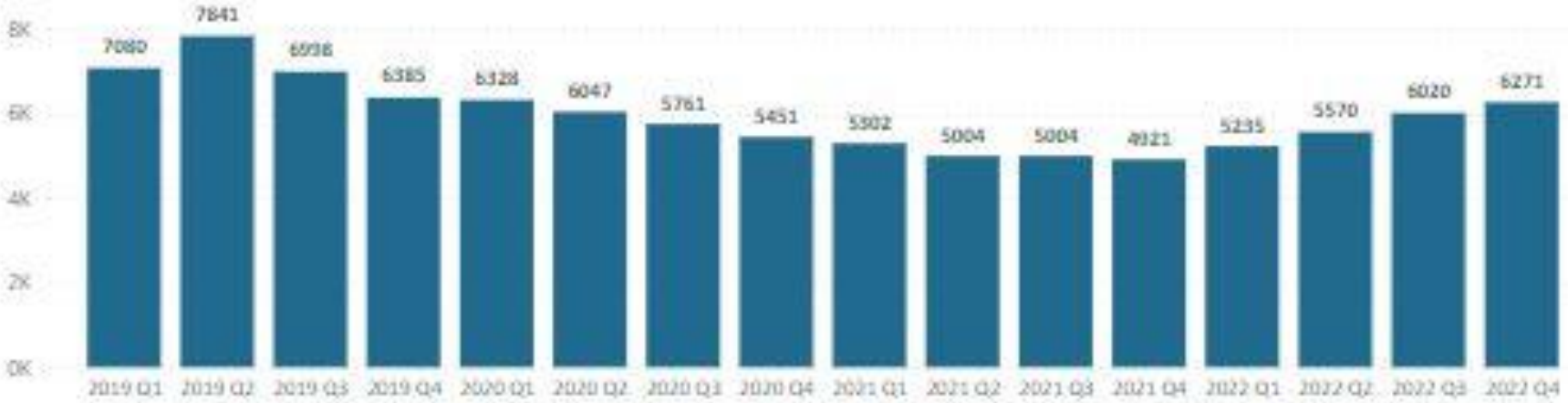

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INVENTORY BY CASE AGE

The State Bar of California

Return to Main Page

Increasing Complaints and RAs

Month	Monthly Total Complaints	Monthly Total RAs	Monthly Total Complaints & RAs
July	1579	211	1790
Aug	1680	174	1854
Sep	1255	167	1422
Oct	1280	171	1451
Nov	982	134	1116
Dec	1362	155	1517
Jan	1181	189	1370

2023 Six Month Total		9,319	1,201	10,520
Projected	**FY2023**	18,638	2,402	**21,040**
2022 ADR	**FY2022**	12,731	1,869	14,600
	FY2021	12,501	1,428	13,929
	FY2020	13,781	2,185	15,966
	FY2019	13,894	2,442	**16,336**
	FY2018	12,327	2,664	14,991

OFFICE OF CHIEF TRIAL COUNSEL | CASE CLEARANCE & AGE AT CLOSURE

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OPEN & CLOSED CASES WITH CLEARANCE RATE

CASE AGE AT CLOSURE

CASES CLOSED BY CASE AGE

Note: Complex filter does not apply to clearance rate due to the nature of its calculation.

Return to Main Page

The State Bar of California

OFFICE OF CHIEF TRIAL COUNSEL | CASE CLEARANCE & AGE AT CLOSURE

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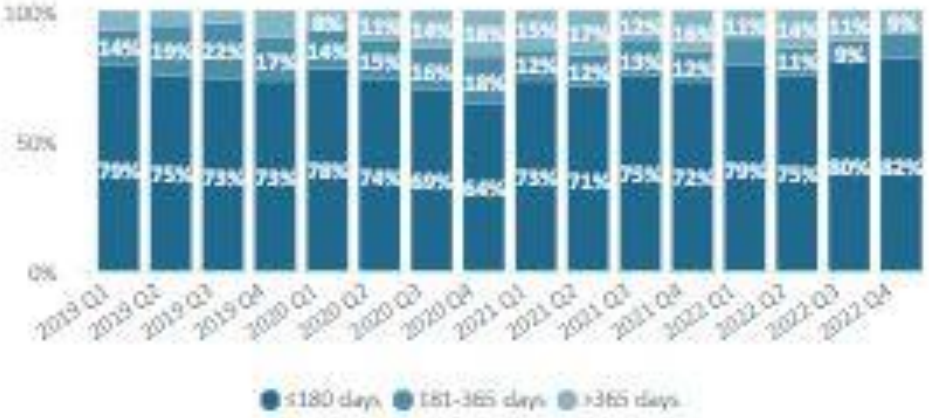

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Return to Main Page

OFFICE OF CHIEF TRIAL COUNSEL | DURATION OF CASE IN INTAKE, INVESTIGATION, & CHARGING

FILTER BY:

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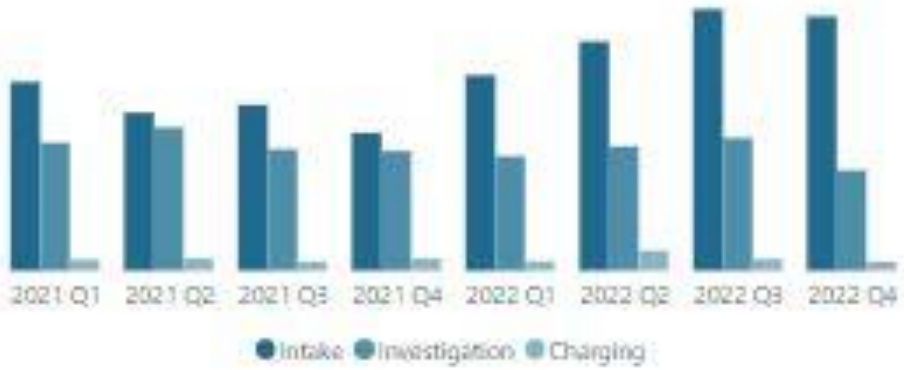
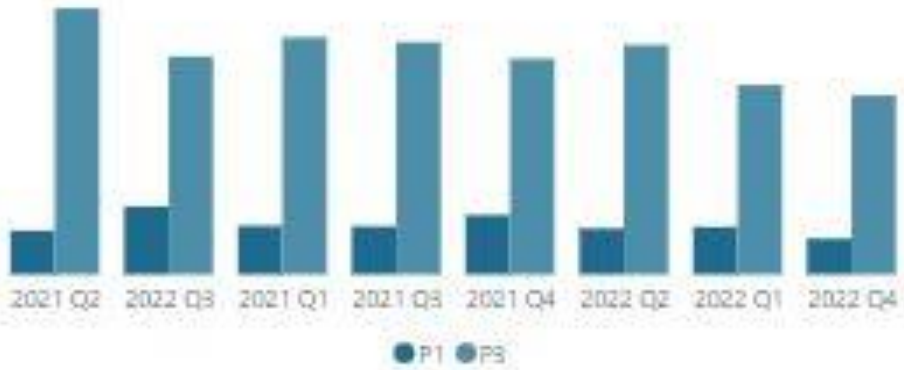
The State Bar of California

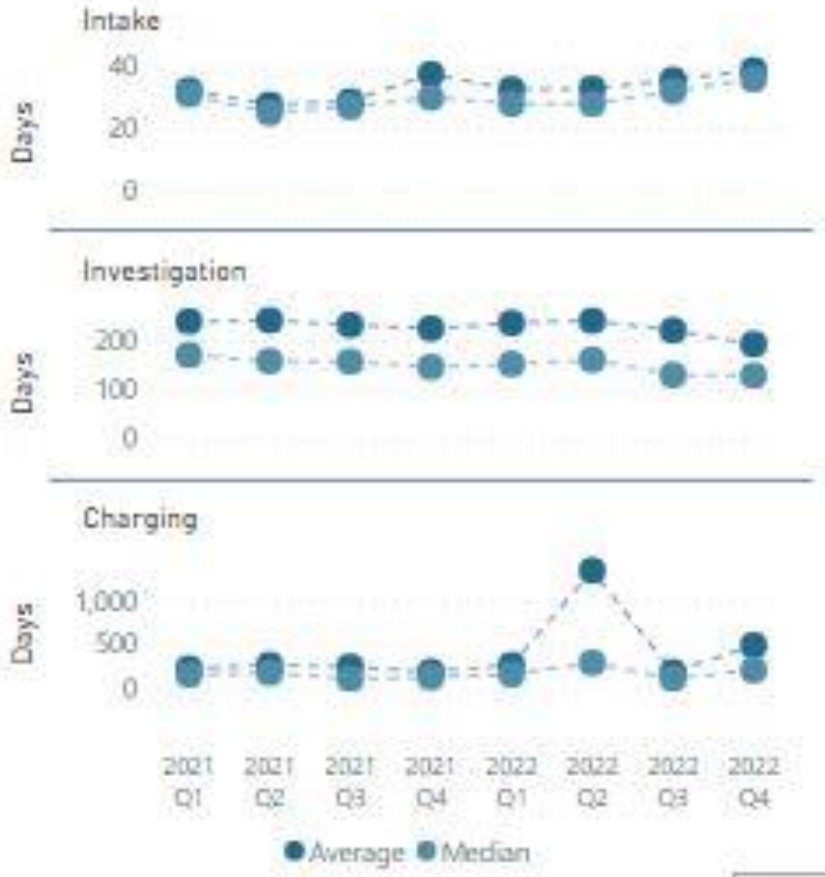
CASE COUNT PASSING THROUGH EACH PHASE



COUNT CASES SPENT IN INVESTIGATION 365 DAYS OR MORE



DURATION OF CASES AT EACH PHASE



Return to Main Page

OFFICE OF CHIEF TRIAL COUNSEL | DURATION OF CASE IN INTAKE, INVESTIGATION, & CHARGING

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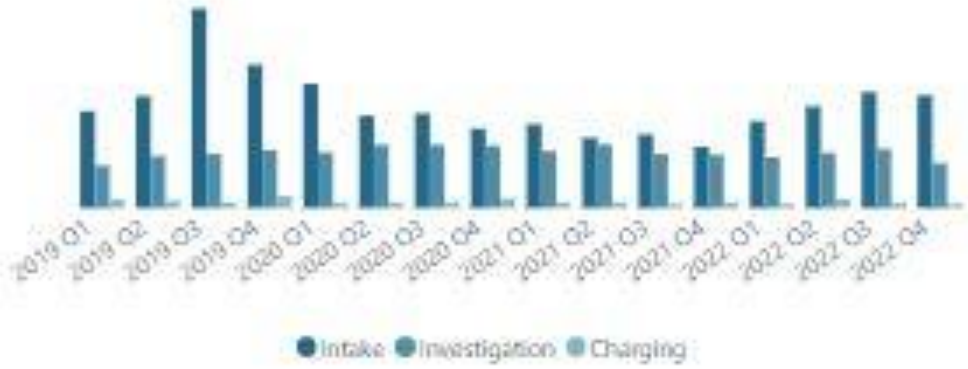


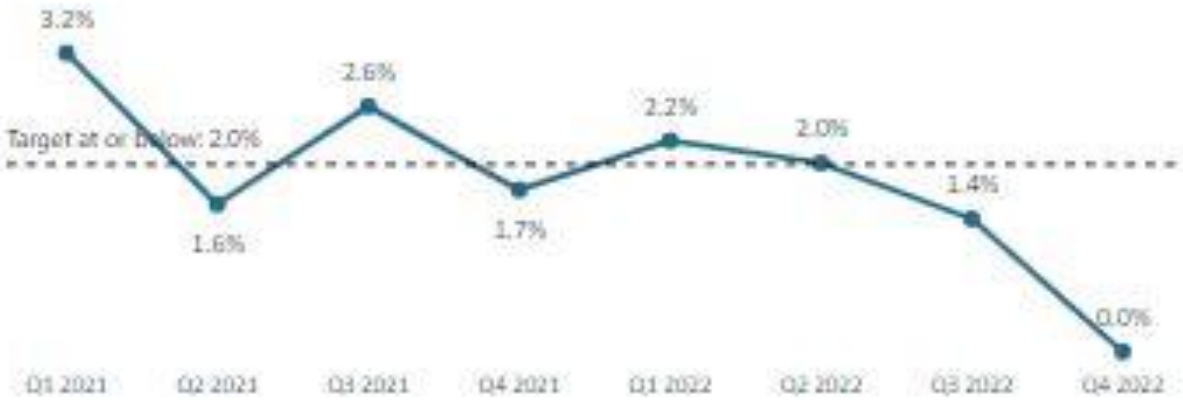
COUNT CASES SPENT IN INVESTIGATION 365 DAYS OR MORE

DURATION OF CASES AT EACH PHASE

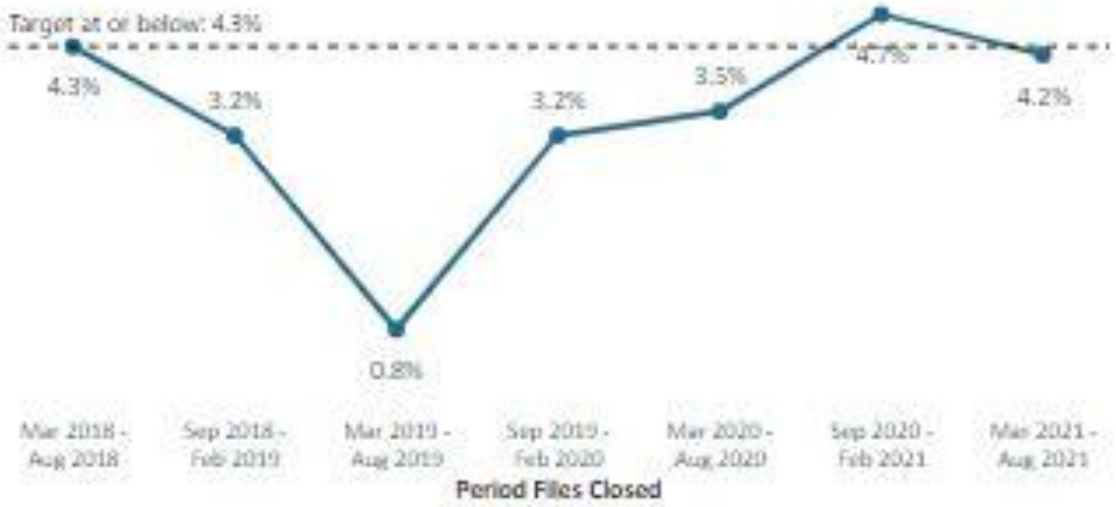
Return to Main Page

OFFICE OF CHIEF TRIAL COUNSEL | **QUALITY**

PERCENT OF COMPLAINT REVIEW UNIT REOPENS FOR REASONS OTHER THAN NEW EVIDENCE



PERCENT OF RANDOM AUDIT REOPENS FOR SUBSTANTIVE REASON



PERCENT OF WALKER PETITIONS DENIED

Return to Main Page

FILTER BY:

PERIOD

Multiple selections

Complaining Witness Survey Comment Summary

Show Info

Please see this document for responses to open ended questions from the Complaining Witness Surveys received during Q4 2022. Below are highlights gleaned from the responses.

Response	Response Description
1	strongly disagree
2	somewhat disagree
3	neither agree nor disagree
4	somewhat agree
5	strongly agree

306

Respondents Q4 2022

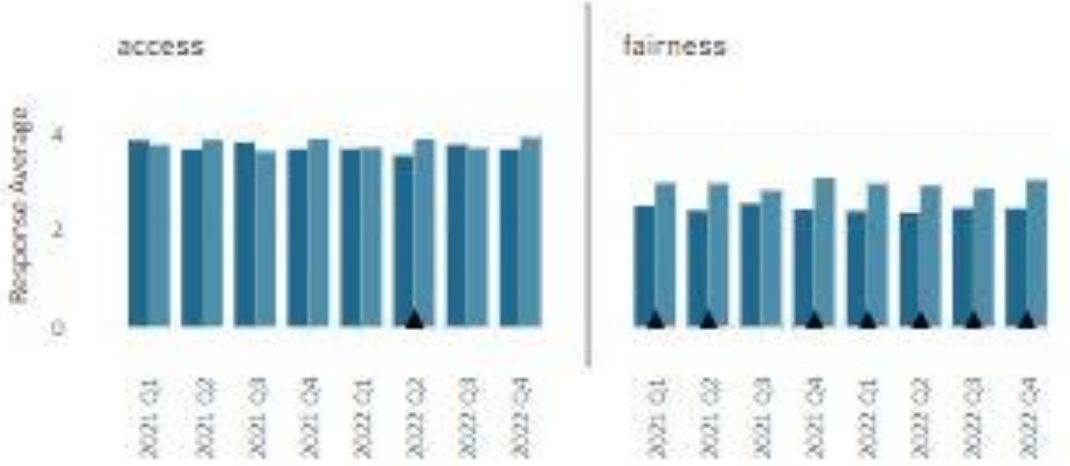
What is going well

- Complaint filing process was easy to follow and user-friendly.
- Cases were handled professionally.

Challenges

- State Bar biased in favor of attorneys; believes attorneys over complainants
- Case not taken seriously by State Bar; felt dismissed or felt complaint not important enough for State Bar.
- Poor communication; State Bar does not return calls or respond to other forms of communication.
- Investigations are taking too long.

RESPONSE AVERAGE BY CASE CLOSURE STAGE & COMPOSITE TYPE

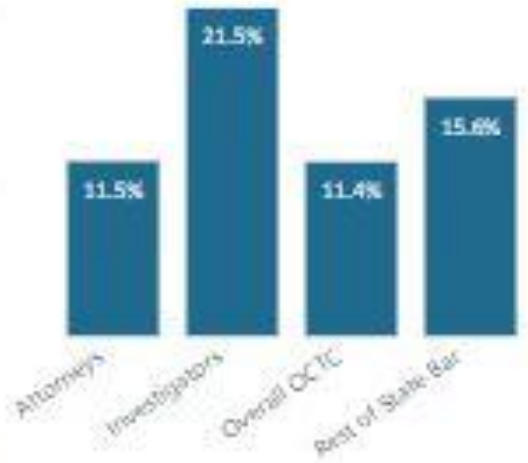


Return to Main Page

OFFICE OF CHIEF TRIAL COUNSEL | EMPLOYEE ENGAGEMENT - TURNOVER RATES

QUARTERLY TURNOVER RATES

ANNUAL TURNOVER RATE - 2022



Note: Rest of State Bar does ***not*** include OCTC Staff

Return to Main Page

Disciplinary Filings

Filing Type	Q2 2021	Q3 2021	Q4 2021*	Q1 2022	Q2 2022	Q3 2022	Q4 2022	Total
Notices of Disciplinary Charges	101	68	85	69	120	73	79	595
Stipulations to Facts and Discipline	21	15	19	28	18	19	23	143
Criminal Conviction Transmittals	33	26	33	37	38	36	30	233
Total	155	109	137	134	176	128	132	839

* beginning of CTC tenure