



The State Bar *of California*

Attorney Supervision and Assistance Redesign

Data on Recidivism - 2019

Consistently high recidivism rates among respondent attorneys in the discipline system

- Small percentage of attorneys in the discipline system, compared to the attorney population as a whole
- Same attorneys continued to reoffend
- Disparities in recidivism rates by race

Probation Recidivism Rates within Three Years, Probation Cases from 2010 to 2018				
Race/Ethnicity	N	Any New Complaint Received	New Complaint Investigated	New Complaint Moving to Postfiling
White	1,446	66%	52%	30%
Hispanic/Latino	195	81%	62%	38%
Asian	170	61%	52%	32%
Black/African America	176	80%	62%	38%
Other	177	62%	47%	20%
No Data	531	76%	68%	51%
Total	2,695	69%	56%	35%

What can we do differently?

Design a model that appropriately allocates resources to better support the needs of some of the attorneys in the discipline system

- provide the appropriate level of supervision and support to all disciplined attorneys
- provide tools to successfully comply with disciplinary conditions
- reduce recidivism and racial disparities in recidivism
- enhance public protection

Allocating Resources

Developed a supervision strategies assessment tool

- Examined wide-range of data of a cohort of disciplined attorneys over a 10+ year period
- Identified what factors most significantly affected recidivism
- Removed factors known to contribute to disproportionate discipline; validated tool

Example:

High Support

- Check-in meetings with probation case coordinator once per week to be reassessed after 90 days
- Set interim goals
- Respondent ordered to attend client trust account school
- Refer to law practice management course
- State Bar representative from Client Trust Account Protection Program meets separately with respondent to provide additional support.

Low Support

- Quarterly reports
- Satisfactorily complete a course on effective client communication and related ethics rules.



What we've done so far:



Identified static predictive factors of risk to recidivate



Developed an assessment tool



Preliminarily identified needs indicators



Provided PCC's training in motivational interviewing



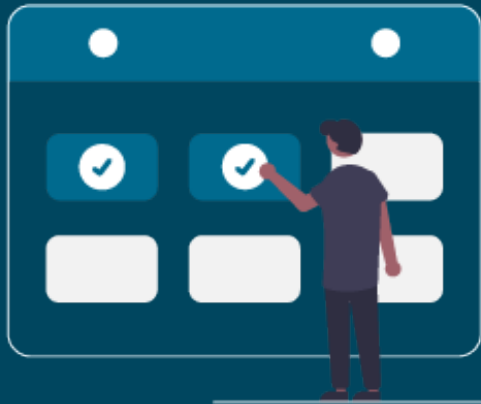
Provided PCC's training in case planning



Intake meetings conducted via Zoom



Coming Up



- All respondents assessed to determine appropriate level-of-support
- Collect data, examine to determine impact, evaluate efficacy of tool and determine if modifications needed
- Collect data on dynamic factors to determine of those, what most significantly impacts recidivism
- Identify resource gaps and develop programming to meet those needs

QUESTIONS?

