



The State Bar *of California*

Diversion Programs

George Cardona, Chief Trial Counsel

Melanie Lawrence, Program Director, Professional Support & Client Protection

Enrique Zuniga, Public Trust Liaison

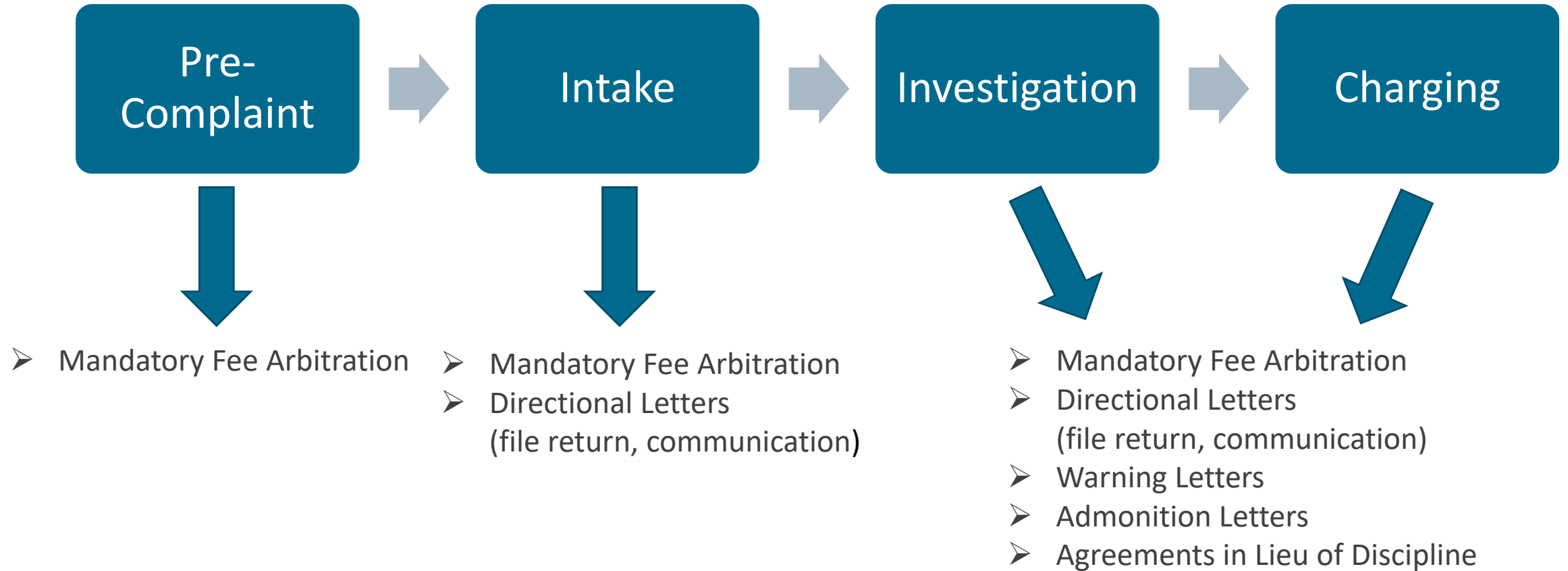
Board of Trustees Meeting, September 21–22, 2023

**New
Business and Professions
Code section 6086.20**

- (a) Commencing January 1, 2025, the Chief Trial Counsel shall not issue private reprovls to any attorney accused of misconduct.
- (b) On or before April 1, 2024, the board, in consultation with the Chief Trial Counsel, shall provide to the Assembly and Senate Judiciary Committees recommendations for codifying a formal disciplinary diversion program for attorneys accused of minor violations of the Rules of Professional Conduct.



Current: Diversion to Nondisciplinary Outcomes



Additional Diversion Programs



Office of Professional Support & Client Protection

Add voluntary mediation component to Mandatory Fee Arbitration Program

Fee disputes



Public Trust Liaison

New Complaint Diversion Program

File return and communication issues

300–500 complainants annually



Office of Chief Trial Counsel

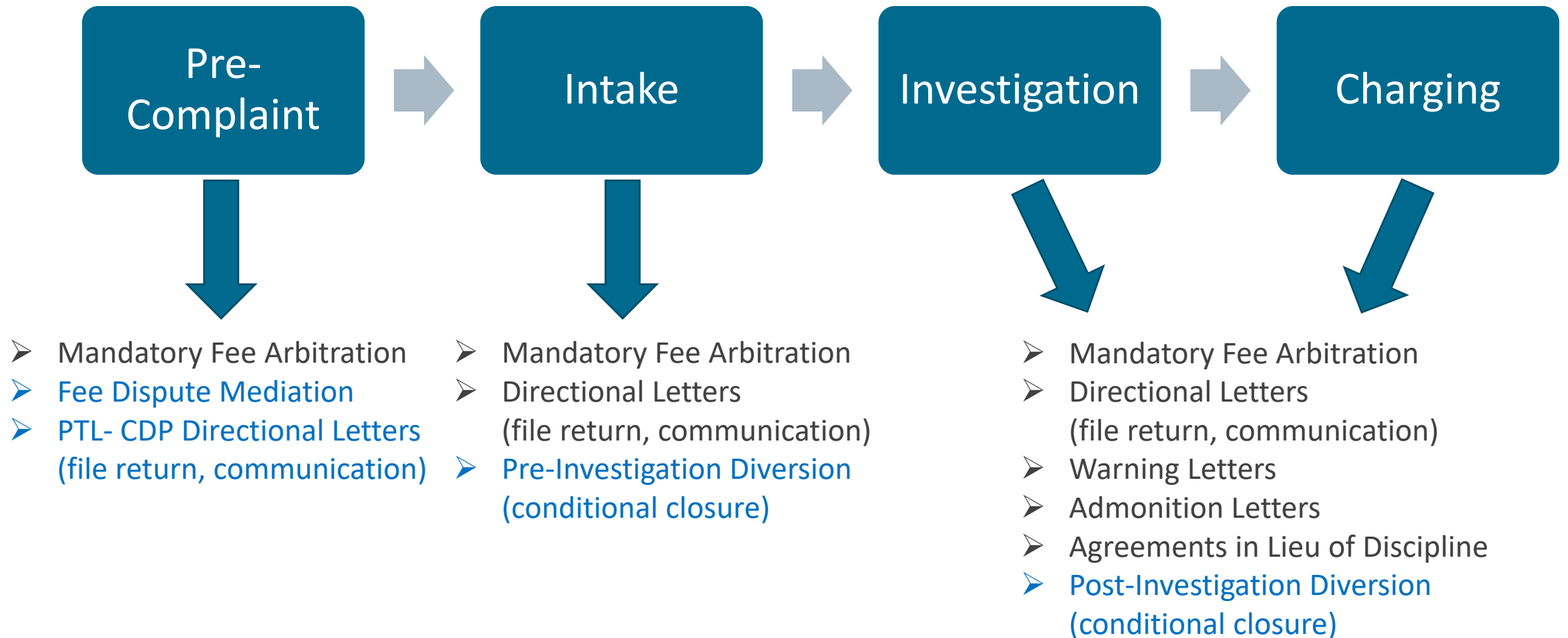
Implement formal diversion program

Minor violations by respondents posing no significant risk of harm

10–20% of disciplinary complaints



Planned: Diversion to Nondisciplinary Outcomes



Staffing and Costs



Office of Professional Support & Client Protection

Comprehensive review of mandatory fee arbitration program underway

Includes exploration of fee structure and addition of mediation component



Public Trust Liaison

No current staff available to implement CDP

OCTC considering loan of staff member to enable implementation



Office of Chief Trial Counsel

Using existing resources for initial implementation

Monitoring team – two paralegals

Assess staffing needs as program is implemented



April 1, 2024 Report

- November 2023 through March 2024
 - Numbers of diversion-eligible cases
 - Numbers of cases resolved through diversion
- Staffing needs and costs
- Recommendations regarding codification



Questions?

