

Whistleblower and/or Whistleblower Retaliation Complaint Against the State Bar of California and/or its Employees, Agents, or Officers

INSTRUCTIONS AND BACKGROUND INFORMATION

The Whistleblower Antiretaliation Program enables individuals who have whistleblower and whistleblower retaliation complaints against the State Bar or its employees, agents, or officers to submit them directly to the California Department of Justice (DOJ) for review and investigation, as appropriate. The program is designed to ensure a fair and neutral complaint investigation process.

What are whistleblower and whistleblower retaliation complaints?

The DOJ accepts complaints about improper governmental activities by the State Bar and its employees, agents, and officers (including but not limited to current and former employees of the State Bar or State Bar Court, volunteer members of the Board of Trustees and other State Bar entities and subentities, State Bar Court judges, and Special Deputy Trial Counsel). *Improper governmental activity* is defined as any activity by the State Bar or State Bar employees, agents, or officers that is unlawful, economically wasteful, involves gross misconduct, incompetency, or inefficiency, or retaliation for bringing a whistleblower complaint or participating in an investigation of such a complaint. Whistleblower retaliation may include but is not limited to a termination, demotion, or other adverse employment action taken against an employee for making a whistleblower complaint.

How to submit a complaint

To submit a whistleblower complaint, please complete this form, beginning on page 3. Your complaint will be reviewed by the DOJ without prior review by the State Bar.

You should include in your complaint any information that supports what is being alleged, such as the identity of specific witnesses, a list of relevant documents, and other sources of information that provide factual support for an allegation. It is important to provide as much of the following information as possible for each allegation:

- Who?** Who are the employees, agents, or officers (subjects) responsible for the improper activity? Who is each subject's supervisor? If other individuals also are involved, who are they? If any businesses are involved, which businesses and who owns them? Who else knows anything about this?
- What?** What is the improper activity? Why is it improper? What laws make the activity improper? What documents exist that will verify the improper activity occurred?
- Where?** Where did the activity occur (the location, including address)? Where can an investigator locate the persons who were involved or have information about the activity? Where can an investigator find documents or other evidence related to the activity?
- When?** When did the activity occur? When did you discover the activity?
- Why?** Why did the activity occur? Did it provide some benefit to those involved?
- How?** How was the activity able to occur? Were there no controls in place to prevent the activity? If there were controls in place, how were they circumvented?

Once you have completed the form, you can email it to whistleblowercomplaint@calbar.ca.gov. Emails to this address are auto-forwarded directly to the Department of Justice.

Or you can send your completed complaint form by U.S. mail to:

State Bar Whistleblower
Attention: Chris Knudsen, Senior Assistant Attorney General
1300 I Street
Sacramento, CA 95814

If you choose to submit your complaint by postal mail, please enclose it in an envelope marked “Confidential.”

What happens after you submit?

The DOJ does not automatically investigate every complaint received. Each complaint is carefully evaluated to determine whether it constitutes a good faith allegation of improper governmental activity with enough potential merit to warrant an investigation. A decision about whether to investigate will be based on whether the complaint shows sufficient evidence for an investigator to confirm that what is being alleged has a reasonable basis in fact.

The DOJ accepts complaints that are submitted anonymously. However, if the complainant is unavailable to answer questions or confirm the alleged facts, this may prevent staff from being able to justify or direct an investigation.

Please complete the form starting on the next page

**Whistleblower and/or Whistleblower Retaliation Complaint Against the
State Bar of California and/or its Employees, Agents, or Officers**

COMPLAINT FORM

PART 1: Your Information

(If submitting an anonymous complaint, leave blank)

Name:	Bar Number (if applicable):			
Position:	Employer:			
Primary Phone:	Work	Cell	Home	
Secondary Phone:	Work	Cell	Home	
Email:				

PART 2: Subject(s) of Your Complaint

(The individuals who are allegedly engaging in improper governmental activity)

Subject 1:

Name:	Agency: State Bar of California
Division/Office:	Position:
Supervisor Name:	Work Phone:

Subject 2:

Name:	Agency: State Bar of California
Division/Office:	Position:
Supervisor Name:	Work Phone:

Subject 3:

Name:	Agency: State Bar of California
Division/Office:	Position:
Supervisor Name:	Work Phone:

PART 3: Allegation/Complaint

Briefly describe the improper governmental activity and how you know about it. Specify who, what, where, when, why, and how.

PART 4: Evidence

Please provide a list of available evidence that could be used to substantiate your allegations and the names of the individuals the Department of Justice could contact to obtain that evidence.

[Empty response box for providing evidence and contact names]

PART 5: Witnesses (if any)

Witness 1

Name:

Agency/Employer:

Position:

Phone:

Witness 2

Name:

Agency/Employer:

Position:

Phone:

Witness 3

Name:

Agency/Employer:

Position:

Phone:

Witness 4

Name:

Agency/Employer:

Position:

Phone: