



THE STATE BAR OF CALIFORNIA

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Title of Report: Measures To Implement Strategic Plan
Statutory Citation: Business and Professions Code section 6140.12
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Business and Professions Code section 6140.12 (added Stats. 2011, ch. 417, § 47) requires that the State Bar of California's Board of Trustees complete and implement a five-year strategic plan to be updated every two years and that each year by February 15, the State Bar president's report to the Supreme Court, the Governor, and the Senate and Assembly Committees on Judiciary on the measures the board has taken to implement the strategic plan and those measures the board will need to take in the remaining years of the strategic plan. The following summary of the State Bar president's report is provided under Government Code section 9795.

The report enumerates measures the board has taken to implement the strategic plan in 2013.

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The full report is available at: <http://www.calbar.ca.gov/AboutUs/Reports.aspx>.

A printed copy of the report may be obtained by calling 916-442-8018.



THE STATE BAR OF CALIFORNIA

Luis J. Rodriguez
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February 18, 2014

Honorable Chief Justice and Associate Justices
The Supreme Court of California
350 McAllister Street
San Francisco, CA 94102-4797

Honorable Jerry Brown
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

Honorable Hannah-Beth Jackson
Chair, Senate Committee on Judiciary
State Capitol, Room 4085
Sacramento, CA 95814

Honorable Bob Wieckowski
Chair, Assembly Committee on Judiciary
State Capitol, Room 4016
Sacramento, CA 95814

Dear Chief Justice Cantil-Sakauye, Governor Brown, Senator Jackson and Assemblyman Wieckowski:

Purpose

This report is submitted pursuant to Business and Professions Code §6140.12, which requires that the President of the State Bar of California "...shall report to the Supreme Court, the Governor, and the Senate and Assembly Committees on Judiciary on the measures the board has taken to implement the strategic plan and shall indicate the measures the board will need to take in the remaining years of the strategic plan to address the projected needs contained in the plan."

Overview of the Strategic Plan

The State Bar's five-year strategic plan was adopted by the Board of Trustees on February 10, 2012. That plan represented a renewed focus on the State Bar's fundamental mission of public protection, and on cultivating a high-performing public service culture at all levels of the organization. It also identified a number of priority policy areas for exploration and action. Examples included:

- Establishing new standards for education and practical skills training for new lawyers,
- Strengthening the regulation of California accredited law schools, and
- Finding ways to strengthen the legal services delivery system, including its funding sources.

The plan also identified three internal initiatives for the next five years:

- Modernizing our information technology,
- Preserving and improving our physical facilities, and
- Streamlining our programs and processes.

At its annual planning meeting in January of this year, the Board of Trustees reviewed the Bar's progress toward implementing the plan and approved important updates:

- It added, "Developing external relations in support of more proactive approaches to public protection," as a priority policy area,
- It also added, "Actively monitoring trends in the legal marketplace to identify regulatory changes needed to adequately protect the public," as another priority policy area, and
- It expanded the "operations re-engineering" initiative called for in the plan to a more comprehensive "organizational performance management" initiative.

These updates are not "new" to the State Bar; rather, they represent recognition of needs and opportunities that have emerged since the original plan was adopted. Thus the Bar has already taken steps toward their implementation, which will be described below.

Implementation Progress: Priority Policy Areas

1. In the area of practical skills training for new lawyers, the Bar's Task Force on Admissions Regulation Reform, chaired by former State Bar President Jon Streeter, held eight wide-ranging public meetings over the course of twelve months, culminating in a final report issued in June. In October, the Board of Trustees adopted the Task Force's recommendations and authorized the creation of a special committee to devise an implementation plan.
2. With respect to the regulation of California accredited law schools, new guidelines went into effect on January 1, 2013, requiring such schools to maintain a cumulative Bar exam pass rate of 40 percent or above to maintain their accredited status.
3. The State Bar has been very active in support of enhanced funding for legal services. From its own non-dues revenue sources, the Bar provided \$2 million in direct support for the Legal Services Trust Fund program in 2013. Legislatively, the Bar successfully supported the enactment of a permanent \$30 increase in non-mandatory (opt out) member dues earmarked for legal services funding. And at its November meeting, the Board of Trustees authorized the establishment of the Task Force on Civil Justice Strategies, to be chaired by State Bar President Luis Rodriguez. This task force is charged with analyzing the "justice gap," evaluating the role of the legal profession in addressing the crisis, seeking broad input from groups working in this area, studying creative solutions being considered in other states and countries, and developing an action plan to fill the justice gap and achieve true "access to justice" in California.
4. In the area of expanding external relations to enable a more pro-active approach to public protection, the State Bar took unprecedented action to help prevent a potential explosion of misconduct and client abuse in the area of immigration reform fraud. California's large undocumented population represents a tempting target for unscrupulous lawyers and unlicensed practitioners alike. The possibility of the passage of a federal immigration reform bill created the unintended consequence of unleashing a "perfect storm" of fraud and other misconduct, something that could easily swamp the attorney discipline system. In fact, indications from law enforcement and our fellow regulatory agencies are that such fraud has already begun. In 2013, the State Bar collaborated with Assemblywoman Lorena Gonzales on legislation to prohibit attorneys from taking advance fees for

legal services related to immigration reform before Congress had enacted such law and to require any attorney who had already taken advanced fees to refund the money or place it into a client trust account. It also launched several initiatives to prevent immigration reform-related misconduct. It has forged innovative partnerships with community groups, consulates and embassies, clergy, labor, and others to communicate how to recognize and avoid immigration scams. Finally, the Bar sponsored legislation (ultimately vetoed) which would have given it the authority to pursue unlicensed practitioners in the civil justice system and to recover the costs of doing so from defendants.

Implementation Progress: Internal Initiatives

1. Perhaps the most visible accomplishment of the State Bar in 2013 was the build-out of the Bar's new offices at 845 South Figueroa in Los Angeles. Purchased in November, 2012 in "warm shell" condition, our offices were designed, built, furnished, and occupied in under fourteen months. We opened for business in the new location on January 6, 2014.
2. Purchasing a building, instead of continuing to lease office space in Los Angeles, made sense on a pure dollars-and-cents basis, but this project had other goals as well. We wanted the design of the building, inside and out, to reflect professional pride in our identity as a public regulatory agency committed to our mission of public protection. In fact, the words, "The State Bar of California, a Judicial Branch Agency, Protecting the Public," appear with the State Bar seal at the entrance – a visible reminder to all who enter of our identity and purpose.
3. In San Francisco, our facilities improvement initiative has focused on long-deferred maintenance projects needed to preserve our building at 180 Howard Street. Projects like water sealing the building façade and replacing the roof, both of which were completed in 2013, may not be highly visible, but they are an important part of our stewardship of this valuable asset.
4. In 2013, the State Bar completed the long-overdue replacement of computer hardware, both on individual desktops and in its Los Angeles data center. This lays the foundation for major software upgrades needed to streamline our processes, increase efficiency, and build a smarter data-driven discipline system.
5. In 2013, we also began the implementation of an agency-wide electronic document management system, another key building block of the more efficient, responsive, and agile Bar we envision. A software platform has been selected, acquired, and installed on State Bar servers, and the process of configuring it for our specific needs is underway. We expect the new document management system to go live in selected departments – notably the Office of Chief Trial Counsel and the Office of General Counsel – over the next twelve to twenty-four months.
6. The replacement of the case management system in the Office of Chief Trial Counsel is now approximately fifty percent complete, and we expect to go live with this new system before the end of 2014.

Additional Measures to Fully Implement the Plan

To fully implement the strategic plan, the Board expects to do the following:

1. In 2014, the Task Force on Admissions Regulation Reform will conduct "Phase II" of its effort, the development of implementation plans for the recommendations devised in Phase I.
2. The Task Force on Civil Justice Strategies will begin its work in 2014, focusing on innovative strategies to address California's "justice gap."

3. The Bar, in 2014 and beyond, will actively develop its outreach efforts to vulnerable communities, in line with a more proactive approach to public protection.
4. Internally, the Bar will focus in 2014 on completing technology projects underway in the Office of Chief Trial Counsel, the implementation of a new case management system as well as the new document management system. Beyond 2014, the implementations of new systems for the State Bar Court, Admissions, and Member Records are planned.
5. Perhaps most importantly, the Board will continue to exercise its oversight role, with the interest of protection of the public as paramount and as the highest priority. This means monitoring the agency's performance – in the discipline system and elsewhere – and holding management accountable for results.

With Kind Regards,

A handwritten signature in blue ink, appearing to read "Luis J. Rodriguez".

Luis J. Rodriguez
President
The State Bar of California

cc: Beth Jay, Principal Attorney to the Chief Justice of the Supreme Court of California
Nancy McFadden, Executive Secretary, Office of the Governor
June Clark, Deputy Legislative Secretary, Office of the Governor
Benjamin Palmer, Chief Counsel, Senate Judiciary Committee
Drew Liebert, Chief Counsel, Assembly Judiciary Committee