

**THE STATE BAR OF CALIFORNIA  
LONG-RANGE  
STRATEGIC PLAN**



**AUGUST 23, 2002**

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## INTRODUCTION AND ACKNOWLEDGEMENTS

In August 2001, under the leadership of the incoming President of The State Bar of California (“State Bar”), Karen S. Nobumoto, members of the State Bar Board of Governors, specially invited guests, and State Bar Senior Executive Staff participated in a comprehensive strategic planning and organizational governance session to address the State Bar’s future. The results of that meeting include a new Board governance structure adopted by the Board on October 21, 2001, and this Strategic Plan.

This document is organized as follows:

- ◆ State Bar Overview
- ◆ Strategic Plan:
  - ❖ Vision
  - ❖ Mission
  - ❖ Strategic Issues, Goals and Strategies

The Board of Governors wishes to acknowledge the participation of the following members of the Board of Governors, Senior Executive Staff and special invited guests that participated in the August 2001 Strategic Work Session.

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# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

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Marie F. Hogan	Shelley M. Stump
Michelle Katz	James E. Towery
Dennis P. Maio	Ann Yvonne Walker
Stephen L. Marsh	Hon. Erica Yew

The Board also wishes to acknowledge the professional assistance of Doug Eadie, Doug Eadie Presents, for designing and conducting the Strategic Work Session and for assisting the Board with adopting its new governance design. The Board further wishes to acknowledge the professional assistance of Shelley M. Stump, J.D., Coyote Moon Consulting, for synthesizing the State Bar's planning information into the *Interim* and this final Strategic Plan and developing the State Bar's ongoing strategic planning process. The Board also wishes to thank all members of the bar and public that took the time to provide comments and suggestions for refinement of the plan.

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## STATE BAR OVERVIEW

### ***BACKGROUND.***

The State Bar of California (“State Bar”) is a statutory public corporation in the judicial branch of government charged with the responsibility of regulating the legal profession as provided in Article VI, Section 9 of the California Constitution and section 6000 et seq. of the California Business and Professions Code. As a “unified” State Bar, it “unifies” both the regulatory licensing activities applicable to the practice of law as well as the association activities of a professional association. In a unified bar, “membership” is mandatory for all attorneys who must pay membership or licensing fees to maintain their licenses to practice law.

Since its statutory creation in 1927, the State Bar of California has worked to shape the development of the law, regulate the professional conduct of the State’s attorneys, enhance the administration of justice, and provide high quality membership services and benefits to attorneys in California.

### ***PRIOR PLANNING EFFORTS AND CHANGES IN THE STATE BAR’S ENVIRONMENT.***

**Prior Strategic and Futures Planning.** The State Bar has engaged in a series of planning efforts throughout its history. Over the last decade, the State Bar adopted a “Strategic Action Plan” for 1991-1995, while at the same time establishing and receiving a report from the *Commission on the Future of the Legal Profession and the State Bar* in 1994. Those planning efforts took place during a time of economic challenge for the State and serious concerns about the future of the profession. Those planning efforts identified many strategic issues facing the legal profession and the State Bar, some of which are still applicable today.

**Unexpected Environmental Changes.** In 1997, while focusing on the strategic issues previously identified, the State Bar’s very existence was threatened by an unexpectedly changing political climate. That significant environmental change took the form of a gubernatorial veto of the membership dues bill that resulted in the virtual elimination of the State Bar’s disciplinary system and the layoff of most of its personnel. The political climate has since changed and the State Bar is once again funded pursuant to its membership dues bill approved by the Legislature and the Governor. This public corporation is currently rebuilding and carefully assessing its current and future environments to ensure its continued vital role in the administration of justice in California and its ability to demonstrate and account for the resources needed to fulfill that role.

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**Changing State Bar Membership.** In May 2001 the State Bar commissioned a survey of its membership to provide up-to-date information that can be used for many purposes to ensure the delivery of services that meet members needs.<sup>1</sup> The demographic results identified in that survey, when compared with a similar survey conducted in 1991, show how the membership of the State Bar has changed in recent years. Generally, the diversity of State Bar membership is increasing and the age of State Bar membership has increased considerably.

*Table 1: Demographic Makeup of the California State Bar 1991 – 2001  
By Ethnic/Racial Background, Gender, and Sexual Orientation*

Ethnic/Racial Background	1991	2001
White	91%	83%
Asian	3%	6%
Latino/Hispanic	3%	3.7%
African American	2%	2.4%
<b>Gender</b>		
Male	74%	68%
Female	26%	32%
<b>Sexual Orientation</b>		
Heterosexual	97%	97.6%
LBGT	3%	2.4% <sup>2</sup>

*Table 2: Age Breakdown of California State Bar 1991 – 2001*

	<u>1991</u>	<u>2001</u>
Under 35 Years	24%	24%
35 – 39 Years	20%	12%
40 – 44 Years	21%	13%
45 – 54 Years	21%	28%
55+ Years	14%	24%

<sup>1</sup> See California Bar Journal Survey, Final Report, Richard Hertz Consulting, September 10, 2001.

<sup>2</sup> In the 2001 1.3% said they were gay, .8% lesbian, .2% bisexual and .1% transgender.

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Additional information identified in the recent membership survey describes the distribution of membership related to numbers in private practice, average income, working characteristics such as Internet usage, and level of participation in State Bar member services such as continuing legal education, the State Bar Ethics Hotline, and insurance programs. All of the membership survey information is being considered in developing and refining the State Bar's strategic and operational plans.

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## ***ADOPTION OF AN INTERIM STRATEGIC PLAN AND INSTITUTIONALIZING STATE BAR STRATEGIC PLANNING.***

The Board of Governors' most recent strategic planning and governance reorganization effort was undertaken to help the State Bar more effectively meet the expectations of the public, its members, other justice system partners, and other branches of government. The State Bar is committed to effectively and efficiently discharging its duties and providing high quality services that support the fair administration of justice in California. To meet these broad and vital justice system responsibilities, the State Bar has committed to engaging in an ongoing strategic planning process that will help it meet its important public service goals and thereby create its desired future. The Board of Governors adopted this Strategic Plan to guide its operations while putting in place a comprehensive, broadly participatory, and ongoing planning process that will position the State Bar for success in the future.

The issues, goals and strategies contained in this Strategic Plan were developed from prior planning documents, as well as from planning discussions held by the Board of Governors at its August 2001 Strategic Work Session which resulted in the adoption of an *Interim* Strategic Plan in January 2002. To finalize the *Interim* plan, the Board considered proposed changes from Board and committee members at its May 2002 Strategic Work Session, then circulated the *Interim* Strategic Plan for public comment and incorporated final changes. The Board has also adopted an ongoing planning process that will establish ways in which the Board will continually seek and consider input from its many stakeholders, environmental trends, and other information needed to effectively and continuously improve services for the public, attorneys, and its justice system partners to ensure the continued improvement of the administration of justice in California.

A key planning function for the State Bar is the identification of issues and trends affecting the future of the profession and the administration of justice. One example of such trends is the changing demographics of the population at large as well as the drift of the aging curve upward among bar membership. There may be many implications to such trends including, for example, changes in competency strategies, need for different membership benefits and support and the desirability of attracting a younger and more diverse membership population to serve the needs of the wider community.

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The planning process also includes the development of Operational and Annual Action Plans with State Bar staff and advisory committees to ensure that operational objectives and desired outcomes are met in achieving the Board of Governors' long-term goals.

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## VISION

**Value Statement:** The State Bar believes in:

<b><i>Serving the Administration of Justice</i></b>	<b><i>Serving the Public</i></b>	<b><i>Serving Attorneys</i></b>
➤ The Independence of the Judiciary as the Third Branch of Government	➤ Helping Attorneys Better Serve Their Clients ➤ Protection of the Public	➤ Effective Self-Governance ➤ Diversity and Broad Participation
➤ Equal Access to Justice	➤ Public Service Through Pro Bono Representation	➤ Fiscal Responsibility
➤ Civility and Professionalism		➤ Protection of the Legal Profession by Ensuring the Highest Levels of Competency

**Vision Statement:** As a result of the State Bar's efforts:

The public will have greater respect for both the legal profession and the State Bar of California. The public will enjoy greater access to legal services. Lawyers will be better prepared to practice law and less in need of professional discipline. When and where needed, the discipline system will protect the public in a fair and even-handed way and the public will be protected through a comprehensive system of malpractice insurance.

The legal system will reflect the diversity of the State and that diversity will be encouraged through a bar exam that provides equal access to admission to the profession. The courts will be seen as fair and judges will make their case decisions with impartiality and independent from external influence.

The State Bar will be effectively and efficiently governed and operated. As a non-partisan organization, it will demonstrate high levels of credibility and will enjoy excellent and productive working relationships with the Supreme Court, the Judicial Council of California, the Legislature, the Governor, and all members of the State Bar Family.

### MISSION

The purpose of the State Bar of California is to preserve and improve our justice system to assure a free and just society under law.

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## LONG-RANGE ISSUE 1. ATTORNEY ADMISSION, REGULATION, AND DISCIPLINE

**Issue Description:** The State Bar of California is entrusted with one of the most important aspects of ensuring the effective and efficient operation of the justice system: self-regulation of the practice of law. The purpose of self-regulation is to ensure that the public is protected by receiving legal services from individuals who abide by the highest levels of competence and ethical standards. Historically, self-regulation has included setting and enforcing standards for admission to practice law, regulating the unauthorized practice of law, and disciplining attorneys who violate rules of conduct.

Fulfilling these mandated regulatory functions presents many challenges as the world and the practice of law continually change. For example, as the population of California continues to become more diverse, public trust and confidence in the justice system is often tied to whether members of the profession reflect the diversity of the people served.

Another significant change in the profession's environment is the "globalization" of the economy and mobility of people. As people and businesses continue to move freely among states and internationally, effective representation of clients often requires the ability for attorneys to practice in more than one jurisdiction. These mobility issues pose challenges for the State Bar in regulating both admission and the conduct of attorneys from other jurisdictions.

As the numbers of self-represented litigants increases, the numbers of non-attorney legal service providers also continues to increase. These service providers include not only paralegals and legal assistants working in law firms under the supervision of attorneys, but they also include legal document publishers and other organizations that are assisting self-represented litigants in completing documents for litigation, estate planning, and other legal purposes. The State Bar faces the challenge of balancing its duties to protect the public from the unauthorized practice of law while ensuring that self-represented litigants have access to services and information they need to effectively use the justice system.

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## LONG-RANGE ISSUE 1. ATTORNEY ADMISSION, REGULATION, AND DISCIPLINE

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### GOAL AND STRATEGIES

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**Goal 1.** The public is protected and served by attorneys and other legal service providers that meet the highest standards of competency and ethics.

- Strategies:**
- 1.1 ***Diversity of Bar Membership.*** Encourage individuals of diverse populations to seek and qualify for admission to the practice of law in California, and, once admitted, to remain in active practice.
  - 1.2 ***Admissions.*** Ensure that the admissions process fairly and accurately assesses the moral character, the substantive knowledge, and legal practice skills of all applicants for admission to the practice of law in California, and that all accredited law schools and unaccredited and correspondence law schools registered with the Committee of Bar Examiners conduct their legal education programs in accordance with applicable standards, statutes, and rules of Court.
  - 1.3 ***Competence and Ethical Standards.*** Ensure the highest levels of competency and ethics of all attorneys and others regulated by the State Bar by monitoring the need for changes in the Rules of Professional Conduct and through programs such as continuing education, an Ethics Hotline, apprenticeship and mentoring programs.
  - 1.4 ***Discipline.*** Protect the public, promote confidence in the legal system, and maintain high professional standards.
  - 1.5 ***Paraprofessionals and the Unauthorized Practice of Law.*** Address ways in which non-attorney legal service providers should be monitored or regulated to ensure nonlawyer practitioners are in compliance with relevant statutes and consumers are not harmed by unscrupulous and unlawful nonlawyer practitioners.

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- 1.6 **Multi-jurisdictional Practice.** Keep California attorneys at a competitive advantage with attorneys from other jurisdictions while recognizing the changing multi-jurisdictional environment in which attorneys and their clients operate today.
  
- 1.7 **Multi-disciplinary Practice.** Continue, through review of the Report and Findings of the State Bar of California Task Force on Multi-Disciplinary Practice and otherwise, to assess the feasibility and ethical implications of permitting lawyers to join with non-lawyer professionals in a practice where both legal and non-legal professional services are offered to the public. (This should include a study of the demand for and propriety, advantages, disadvantages, and implications of multi-disciplinary practice for California attorneys, the public, and the practice of law in California. The protection of the core values of the profession and the promotion of access to justice should be likewise considered to assess to what extent, if any, and under what restrictions, multi-disciplinary practice should be permitted in California.)

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## LONG-RANGE ISSUE 2. MEMBER SERVICES

**Issue Description:** The unified State Bar exists both to protect the public through the regulation of the practice of law, and to serve as a professional association to support the professional development of its members. Professional development includes all aspects of the practice of law facing individual attorneys, as well as “quality of life” issues that affect the profession as a whole.

Guiding and operating a professional association of the size and diversity of the State Bar presents enormous challenges. To be effective and relevant in its professional association role, the State Bar must ensure that members’ needs and perspectives are routinely identified and considered as member services are designed and offered. The State Bar must also exercise leadership by providing services that help its members understand and meet standards of competency, civility, and professionalism to ensure the highest quality of legal services are provided to the public. To encourage member participation and satisfaction, “benefits” offered to members must be responsive to member business and personal needs.

As a unified bar, membership is mandatory and fees paid by members underwrite the costs of State Bar activities. Within the last decade the Bar has been challenged to comply with legal decisions and a variety of member perspectives regarding the use of funds and the types of activities and services participated in and offered by the State Bar. In response to those circumstances, the Bar has restructured the use of member fees to underwrite the costs of attorney education, regulation, and discipline by the Bar. The Bar has also created a process for receiving voluntary contributions from members to support other bar activities, and member benefits such as different types of insurance offered as separate cost items to members. Currently, among members, there exists a wide variety of levels of participation in bar activities and use of member services.

Failure to provide services responsive to member needs places the State Bar at risk of losing the support of its members and its leadership position for the bar as a whole. Failure to provide the services that support the competency, civility, and professionalism of attorneys, places the State Bar at risk with the public and the other branches of government. By balancing the purpose and nature of services provided to its members, the State Bar can effectively fulfill both its public protection and professional association roles.

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## LONG-RANGE ISSUE 2. MEMBER SERVICES

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### GOAL AND STRATEGIES

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**Goal 2.** The State Bar provides a wide array of services and benefits to members that meet their professional development, business, and personal needs.

- Strategies:**
- 2.1 **Communications with Members.** Use technology to improve the quality and quantity of methods for receiving information from and providing information to members and member groups.
  - 2.2 **Professional Development Services.** Seek ways to improve and inform members about professional development, including continuing legal education (MCLE), the Ethics Hotline, Alternative Dispute Resolution, Fee Arbitration and Lawyer Assistance programs.
  - 2.3 **Member Benefits.** Regularly identify and offer enhanced member benefits that are responsive to member needs, such as health, disability, and errors and omissions insurance.

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## LONG-RANGE ISSUE 3. EQUAL ACCESS TO JUSTICE

**Issue Description:** One of the core principles of our democracy is access to justice for all people. Assuring equal access to justice for all people in California is a cornerstone to insuring the continued vibrancy and efficacy of the judicial branch of government in the State.

As our society has evolved and changed in recent years, access to legal representation and the courts has become increasingly limited. Greater numbers of people are unable, or in some instances unwilling, to seek the assistance of attorneys in protecting and fulfilling their legal rights and responsibilities. For many, the cost of legal representation makes seeking attorney assistance impossible. For others, the increase in non-attorney provided legal resources leads some to believe they can effectively represent themselves. For others still, unfamiliarity with our legal system and language barriers limit access to justice.

Although providing no or low cost representation to individuals needing legal assistance historically is part of individual attorneys' ethical obligations, the numbers of attorneys able and willing to provide such services has not kept pace with the increasing numbers of litigants needing such assistance. Additionally, federal financial support for the provision of low or no cost legal services has dwindled significantly over the last decade. Now supplementing those decreasing legal services are private self-help legal clinics and "legal technician" service providers that are not attorneys, and, therefore, are not subject to the strict professional requirements that attorneys must meet.

The increase in numbers of self-represented litigants also affects the courts' ability to handle and dispose of cases, which, in turn, often adversely affects the timeliness of the handling of cases in which litigants are represented by counsel. Many of those businesses and individuals then turn to the use of private judging to provide timely access to justice for resolution of their civil disputes. The exodus of complex and business civil litigation from the public court system is creating the appearance of a dual system of justice and is limiting the setting of legal precedent that can affect the resolution and outcome of future cases and the protection of the public.

In recent years significant progress has been made toward increasing the availability of legal services to low and moderate income Californians. Major steps include new state funding for legal services, and the establishment of self-help centers in every county. This progress was possible, in large part, because of the active support of the Chief Justice of California, as well as the State Bar,

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local bars, local courts, and the dedication of the staff and board of legal services programs. Thanks to the creation of the Equal Access Fund, the first state appropriation for legal services made by the State of California, there is still a strong, coordinated system of delivering legal services to the poor through nonprofit legal service organizations. These organizations, one hundred of which are funded by the State Bar's Legal Services Trust Fund Program, provide services in every county to thousands of people every year. Additionally, the Legislature has recently enacted statutes designed to provide some quality control and minimum requirements of nonlawyer service providers.

Despite recent significant achievements, overall funding for legal services continues to be inadequate and questions remain about quality of services provided by nonlawyers. Although the legal services delivery system is still a very important source of legal assistance, many are still forced to turn to the network of nonlawyer providers or to represent themselves because the current system lacks adequate resources to help all the people needing services. We are still a long way from achieving our goal of equal access to justice because the system still cannot meet the need, and the increasing numbers of poor people as well as the lagging economy pose major continuing challenges.

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## LONG-RANGE ISSUE 3. EQUAL ACCESS TO JUSTICE

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### GOAL AND STRATEGIES

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**Goal 3. All people have access to high quality legal services regardless of financial or other circumstances.**

- Strategies:**
- 3.1 ***Pro Bono Representation.*** Encourage increased numbers of practitioners and amounts of time contributed through *pro bono* representation provided by individual attorneys.
  - 3.2 ***Resources for Low/No Cost Legal Service Providers.*** Advocate for increased funding and other resources for no and low cost legal service providers.
  - 3.3 ***Collaborative Education.*** Collaborate with the Judicial Council of California, local bar associations, county courts, and educators to actively inform the public about the role and operation of the justice system, how they can protect their rights and fulfill their obligations, and what resources exist to help them.
  - 3.4 ***Alternative Dispute Resolution.*** Support the appropriate use of alternative dispute resolution processes, particularly mediation, and actively participate in the providing of those alternatives to all court users including self-represented litigants.
  - 3.5 ***“Unbundling” of Legal Services.*** Identify ways in which attorneys can appropriately “unbundle” legal services to provide limited and specific services to litigants without undertaking full case representation.
  - 3.6 ***Court Access and Services for Self-Represented Litigants.*** Work collaboratively with the Judicial Council of California to develop and implement a statewide action plan to improve court access and services for self-represented litigants.

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- 3.7 ***Funding for Legal Services.*** Maintain and increase the availability of legal services for indigent persons statewide by effectively administering and distributing funding through the Interest on Lawyer Trust Accounts program and the Equal Access Fund.

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## LONG-RANGE ISSUE 4. STAKEHOLDER RELATIONS

**Issue Description:** The State Bar is a complex organization that has many important individuals and groups that are affected by the organization's activities. Some of these stakeholders are "internal" such as its membership and member groups. Others are "external" such as the public, the judiciary, and the legislative and executive branches of government. The nature of the State Bar's relationships with each of these "stakeholders" varies according to its purpose.

Clearly, one of the State Bar's key external stakeholder groups is the clients that attorneys represent -- from individual clients, to business entities, to public agencies. For all those receiving legal services from attorneys, the State Bar plays a fiduciary role by assuring the quality of legal services available through its admissions, regulation and discipline functions.

Other key external stakeholder relationships involve the other branches of government. The Legislature presents an important and complex stakeholder relationship for the State Bar. The Legislature directly controls the State Bar's ability to obtain resources necessary to support its operations and holds the State Bar accountable for the regulation of the legal profession and the protection of the public with respect to the practice of law and the provision of legal services. The Bar also plays an important role in analyzing and commenting on legislation relating to the administration of justice, and in providing technical assistance on legislation, thereby helping the Legislature effectively fulfill its responsibilities. The State Bar's relationship with the Governor and agencies within the executive branch of government includes elements similar to those with the Legislature. The Bar's relationship with the Governor also includes the critical role it plays in evaluating the Governor's candidates for judicial appointment.

One of the key internal/external stakeholders is the judiciary. Again, relationships with this stakeholder are multi-faceted. These relationships range from the competency of attorneys who practice in individual courts, to the Supreme Court related to the attorney discipline function, to the Judicial Council of California related to policy and rule setting functions that affect the overall administration of justice.

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Other primary internal stakeholders include not only individual members, but also professional groups such as the Legal Practice Sections, and local bar associations, specialty bars, which focus on issues affecting the profession as a whole, and the Conference of Delegates of California Bar Associations (CDCBA). These are also key relationships because the quality of the relationships between the State Bar and its members and member groups directly affects the State Bar's relations with the other branches of government and even the public's perception of the State Bar.

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## LONG-RANGE ISSUE 4. STAKEHOLDER RELATIONS

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### GOAL AND STRATEGIES

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**Goal 4. The State Bar fulfills its mission through effective and supportive relationships with all stakeholders.**

- Strategies:**
- 4.1 ***Develop Relationships with Member Groups.*** Clearly identify roles and responsibilities of all groups that form the State Bar of California, including the Conference of Delegates, Legal Practice Sections, local bar associations, and other member groups, and develop supportive collaborative relationships to assist all parts of the organization in successfully fulfilling those roles.
  - 4.2 ***Court/Bar Collaboration.*** Actively encourage and support member participation in bench-bar efforts to improve the administration of justice and access to the legal system for low and moderate income Californians.
  - 4.3 ***Public Information.*** Actively inform the public, members, and all key stakeholders about the effective operation and activities of the State Bar through the use of technology, written materials and in-person communication, and seek input from stakeholders about the operation and activities of the Bar.
  - 4.4 ***Media Relations.*** Cultivate positive working relationships with the media to help get complete and accurate information to the public about the quality of services provided by attorney members and the important role played by the State Bar in the administration of justice.

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## LONG-RANGE ISSUE 5. LEADERSHIP AND ACCOUNTABILITY

**Issue Description:** As the fabric that holds our communities together peacefully, there is no more important calling than to be in service to justice. The State Bar of California, as a public corporation and a unified bar, is looked to for the highest levels of leadership in the administration of justice for the people of California. The State Bar of California is the largest unified bar in the United States. From its birth in 1927 to date, the State Bar has grown to an organization with a membership well over 150,000. The society in which the State Bar was created has also significantly changed and continually poses significant challenges related to the operation of the justice system, the independence of the judiciary, the governance of the State Bar, and, ultimately, the rule of law in a civil society. Leadership in this context means focusing on the quality of services provided to the public, the independence of the justice system as the third branch of government, and accountability for the use of public resources.

To provide leadership in each of those areas requires all parts of the organization known as the State Bar -- including the Board of Governors, State Bar staff, Board Advisory Committees, the Conference of Delegates, the Sections, local bar associations and others -- to work together to address current and future challenges. To be effective in the 21<sup>st</sup> century, all parts of the State Bar need to work together toward a common vision to find collaborative solutions for the many challenges facing our communities, the justice system, and the legal profession.

Leadership and accountability also mean being able to demonstrate the value that the organization has created -- in real world terms -- in relation to the resources used to create that value. Demonstrating that value is a key to successful advocacy for resources with members and others who support the work of the State Bar. Demonstrating that value also inspires others to be of service and to contribute their leadership to ensure the guarantees of the Constitution and our democracy.

Being able to demonstrate value requires a two-way exchange: (1) the State Bar must provide relevant information about services provided and results obtained, and (2) those who receive and consider that information should be knowledgeable about the justice system and the legal profession. To obtain that information leaders are willing to assess how effectively the organization is performing and to make adjustments to the governance structure and operations as needed to respond to current and future challenges. To ensure a knowledgeable public, leaders need to reach out to educate and inform.

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## LONG-RANGE ISSUE 5. LEADERSHIP AND ACCOUNTABILITY

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### GOAL AND STRATEGIES

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**Goal 5.** The State Bar is recognized and respected as a contributing and accountable leader in improving the administration of justice and ensuring the rule of law in our civil society.

- Strategies:**
- 5.1 **Governance.** Update the governance structure for the State Bar including the role and structure of the Board of Governors and State Bar staff.
  - 5.2 **Strategic Planning.** Engage in a broadly based, participatory, and ongoing strategic planning process to identify current and future challenges and responses to those challenges.
  - 5.3 **Obtain and Account for Resources.** Effectively advocate for and obtain resources needed to fulfill the State Bar's mission using timely, accurate, and relevant information that demonstrates the cost effectiveness of State Bar services and activities.
  - 5.4 **Participation and Leadership Development.** Encourage increased participation in State Bar activities and identify opportunities to inspire diversity in leadership in all members of the bar.
  - 5.5 **The Administration of Justice.** Enhance opportunities for and encourage attorney participation in state and local justice system policy setting activities, including the development, consideration, and support or opposition to rules of court and legislation affecting the practice of law.

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## LONG-RANGE ISSUE 6. TECHNOLOGY

**Issue Description:** Since 1985, the State Bar has developed a series of technology plans focused on the need to effectively use technology in the delivery of its services. The 1985 Technology Plan — primarily prompted by and focused on better management of disciplinary cases — outlined the steps over a three-year period to develop systems for membership, discipline, the legal trust fund, and financial operations. From 1985 – 1995, by implementing the plan while maximizing other technological opportunities, the State Bar developed customized computer systems for basic record-keeping and operations for discipline, member records, member billing, Legal Services Trust Fund accounting, admissions, Legal Specialization certification, MCLE compliance, and meeting registration; purchased software to support State Bar financial and Human Resources operations; installed coordinated internal telephone systems; and replaced obsolete computers with personal computers.

The 1995 Technology Plan continued with implementation of certain parts of the 1985 plan by including completion of a custom-designed system for Admissions and Certification as well as an upgrade of the financial system. However, the 1995 technology plan significantly modified the 1985 blueprint by delineating a strategy for introducing local area networks (LANs) to greatly increase the range of computing possibilities shared through centralized PC servers. The 1995 plan also identified prospectively beneficial new technologies. Implementing many of those “new” technologies from 1995 to 2001, the State Bar installed local area networks (LANs), introduced LAN email, added voicemail capabilities to the telephone system, inaugurated its website, and installed video conferencing capabilities.

Two ancillary plans, the 1999 Management Advisors, Inc. (“MAI”)<sup>3</sup> report and the 2000 Report of Special Master Elwood Lui (Ret.) (“Special Master’s Report”)<sup>4</sup> looked, respectively, at the technology needs of the State Bar at the time of shutdown and as a course for the State Bar’s future following refunding. The MAI report identified problems with existing technology and internal computer support that formed the basis for recommending interconnection of LANs statewide; greater use of Internet and Intranet capabilities; use of document management technology; better tools to manage the entire discipline process; enhancements to membership management system; more functional and better

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<sup>3</sup> The Board of Governors did not adopt the plan contained in the MAI report because it was based upon limited available information from a small number of staff that had not been laid off due to the veto.

<sup>4</sup> The Hon. Elwood Lui (Ret.) was appointed Special Master by the Supreme Court in 1998 to supervise and oversee collection, disbursement, and allocation of member fees mandated by the court to maintain and operate the attorney discipline system following the veto.

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integrated systems for finances, payroll, and human resources; and purchase of software applications rather than internal development. The report also recommended reorganization of the Computer Services Department to enhance efficiency and quality of services and renaming it Information Technology to better characterize its scope of responsibilities.

Significantly, in 2000 the Special Master's Report primarily focused on technology improvements to support the State Bar's structure and operations. The Special Master authorized use of existing funding for hardware and software upgrades recommended in the MAI report and urged completion of all MAI recommendations. Technology improvements during the Special Master's tenure included upgrading PCs, updating word processing, updating systems, improving network and internet connections, upgrading voicemail, and enhancing the discipline system. Each of the four additional steps recommended by the Special Master has been or is in the process of being implemented. These steps include reorganization and strengthening of Information Systems department, establishing a fund to routinely maintain and update computer hardware and software; creating problem solving technology positions in each department, using contract services in conjunction with State Bar personnel to maintain and expanding State Bar's website and online services. Current technology projects involve the use of existing funds for maintenance and modernization of State Bar technology per the Special Master's final recommendation.

The next step in the evolution of the State Bar's technology planning is the opportunity to recognize technology as a key element in the long-range future of the State Bar. Based on what has been learned from implementing past plans, the broad strategies articulated here recognize future constraints, and establish new directions needed to support the Board in achieving the other parts of its long-range vision. By including technology as part of its overall strategic plan, the State Bar: (1) recognizes that technology must focus comprehensively on serving the State Bar's larger strategic and business objectives, (2) ensures important periodic reassessment of changing technology and stakeholder environments, and (3) emphasizes achieving solutions that are comprehensive, flexible and measurable in their benefits.

# THE STATE BAR OF CALIFORNIA LONG-RANGE STRATEGIC PLAN

## Long-Range Issue 6. Technology

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### GOAL AND STRATEGIES

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**Goal 6.** The State Bar uses technology effectively and efficiently to support all aspects of its operations, facilitate communication, and enhance the administration of justice in California.

- Strategies:**
- 6.1 **Quality Services for Members and the Public.** Employ technology to enhance the quality and efficiency of direct services provided to State Bar membership and the public.
  - 6.2 **Enhanced Management Efficiency.** Implement technology that allows employees to manage routine work with maximum efficiency.
  - 6.3. **Infrastructure.** Effectively support the State Bar's technology infrastructure to maximize services provided to internal and external customers.