



The State Bar *of California*

California Attorney Practice Analysis FAQs

Who is eligible to participate in CAPA?

All active attorneys that practice law are invited to participate in the CAPA study. If you do not currently practice law but have an active license, the survey will not be relevant to you. If you practice law part time or plan to be on vacation in August, you are still eligible to participate.

For those chosen at random to participate in the Experience Sampling Method (ESM) survey, when you receive the pings while you are not doing legal-related tasks, you will have the option to respond by selecting the answer option indicating that you are not engaged in legal-related work and note in the “other” selection that you are not at work.

If I plan on changing my email before August 1 (as a result of changing employment, for example), how will I receive the survey?

Before we launch the survey, we will send a notice using the email address provided with the sign-up. If the email is undeliverable, we will replace it with the email address in the State Bar profile record.

Can I choose which version of the survey I am selected for?

No. The assignment among the three survey groups will be random to ensure comparability of the survey results.

How do I get the MCLE credit through participating in the CAPA study?

Those who complete the surveys will be eligible for a free, one-hour Ethics MCLE credit. Once the survey is completed, a special self-study article on the changing face of the legal profession will be emailed. Simply read the article and complete the brief quiz at the end to receive the one-hour of MCLE credit.

Will my responses be kept confidential?

All individual identifying information, including name, email, bar number, and any other identifying information, will be removed from survey responses before analysis, so that no specific individuals can be identified. The anonymized survey data will be shared with the AccessLex Institute, which provided grant funding for the project. Because identifying information will be removed before analysis, it will not be disseminated in connection with any responses.

What is ESM?

Experience Sampling Method (ESM) is a form of survey research that involves gathering multiple responses over time, to yield data specific to the time at which the respondent answers the survey. In practice analysis, this research method has multiple advantages: survey questions are shorter and answers can be more precise, because activities and survey responses are closely linked in time.

What should I expect if chosen as an ESM participant?

ESM participants receive emails at random moments throughout the day. The parameters for email frequency and time are as follows:

- Attorneys receive two emails for the survey per day for one business week.
- Emails are sent between 10:00 a.m. and noon, and between 2:00 p.m. and 4:00 p.m. This schedule is designed to minimize surveying during lunch and commuting hours.

What if I don't see the email until substantially after it arrives?

Respondents will have 48 hours to fill out the EMS responses. You should fill out the response form according to the time referenced in the email notifications. If you are outside the Pacific Time zone, the time referenced in the email notification should reflect your local time.

What if I was multi-tasking or performing multiple tasks when I received the survey notification?

Please respond regarding one of the major tasks that you performed within 30 minutes of the time referenced in the ESM ping. Tasks related to legal work should take priority over non-legal tasks.