



The State Bar of California

Fast Facts: 2020 Annual Discipline Report

The State Bar of California's mission and highest priority is protecting the public through efforts including a rigorous licensing process, attorney regulation, prosecuting complaints of lawyer misconduct, closing down the practice of nonattorneys engaging in the unauthorized practice of law, and promoting ethical conduct. The Annual Discipline Report (ADR) provides a snapshot of the work of the discipline system. Below are highlights of the [2020 Annual Discipline Report](#).

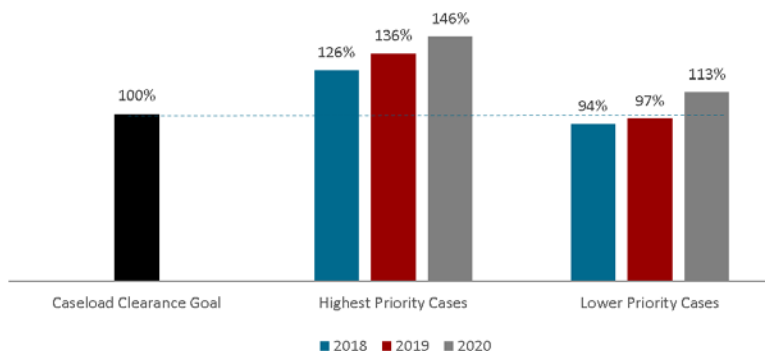
In 2020, the State Bar's Office of Chief Trial Counsel (OCTC):

- Opened nearly 17,500 cases against California attorneys.
- Increased its filings of notices of disciplinary charges by 28 percent.
- Opened more than 600 cases involving the unauthorized practice of law (UPL).
- Referred more than 300 UPL cases to law enforcement.

The State Bar Court recommended discipline of 211 attorneys, including 97 disbarments and 114 suspensions; the State Bar Court also issued 50 reprovos. Through the Client Security Fund, the State Bar also reimbursed approximately \$11.75 million to more than 800 victims of attorney misconduct, a record amount enabled by a one-time increase in the Client Security Fund portion of the licensing fee. Time to payout has been reduced by nearly 20 percent over the last two years.

Maximizing Effectiveness through Prioritization

- In 2018, the State Bar reformed its intake, investigative, and prosecutorial processes to become more efficient and focus resources on the highest priority cases, i.e., those with the greatest risk of harm to the public.
- As a result, since 2018, OCTC has cut the backlog of highest priority cases in half. By the end of 2020, high-priority cases were 17 percent of the backlog.
- Low-risk cases that can be disposed of quickly are handled by expeditor staff. In 2020, the State Bar reduced its backlog of these cases as well.
- The 2020 licensing fee increase, the first in 20 years, began to address the staffing shortfall in OCTC that has contributed to a long-term backlog.



For every 100 new highest priority cases received in 2020, OCTC resolved 146, reducing its backlog of the most serious cases while simultaneously improving the clearance rate for lower priority cases.

Impact of COVID-19 Pandemic

- The launch in 2019 of a new case management system enabled the State Bar to rapidly shift its discipline functions to remote work with little disruption when stay-at-home orders were issued in early 2020.
- The State Bar Court initially suspended in-person court proceedings but resumed five weeks later. From April to December, the court conducted more than 1,300 remote proceedings, including status conferences, trials, and oral arguments.
- The pandemic impacted legal and economic activity throughout the state which, in turn, resulted in fewer complaints being filed against attorneys—down by approximately 14 percent from 2019.

Plans for 2021

Looking forward, the State Bar is planning the following efforts and initiatives for 2021 as part of our efforts toward continuous improvement:

- Hire a permanent Chief Trial Counsel.
- Develop an alternative to the current statutory backlog definition that will better measure the State Bar's performance in carrying out its mission to protect the public.
- Continue its ongoing work to reduce racial disparities in the discipline system and improve its fairness.
- Launch an [Ad Hoc Commission on the Discipline System](#), which will review the initiatives, policies, and procedures that OCTC has implemented to improve the efficacy and fairness of the attorney discipline system.
- Continue developing proactive, preventative approaches to attorney misconduct that will both improve public protection and support attorneys at high risk of being the subject of a complaint.
- Collaborate with stakeholders such as the California Attorney General's Office and the California Housing Finance Authority on a Foreclosure Working Group with the goal of preventing another surge of loan modification scams and associated discipline.
- Continue initiatives to ensure that OCTC recruits, develops, and retains employees, its most valuable resource.
- Continue outreach efforts to populations vulnerable to legal services fraud, including immigrants, seniors, and veterans.