

State Bar Court of California

Court Performance Standards and Assessment

November 2008

Court Performance Standards Assessment

A Study of the State Bar Court

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State Bar Court of California
Court Performance Standards Assessment
Introduction

Since 2004, the State Bar Court has utilized the Court Performance Standards Assessment (CPSA) as a tool to measure the ability of our court to serve its constituents and as a means of evaluating our overall performance. Our court has a diverse constituency including, most notably, the Supreme Court of California, the litigants in nearly 1,000 pending cases, the Board of Governors of the State Bar along with the nearly 220,000 licensees it represents, and the people of California. The CPSA assists us in ascertaining whether we are adequately fulfilling the varied needs of our constituency. In addition, by using the CPSA, we hope to identify potential issues or problems before they become systemic trends.

We examine court performance measures in five specific areas:

1. Access to Justice
2. Expedition and Timeliness
3. Equality, Fairness and Integrity
4. Independence and Accountability
5. Public Trust and Confidence

The performance measures, which are defined in “Core Performance Measures”, were formulated from those recommended for courts of record by the National Center for state courts. The nine measures adopted by our court include important standards from the first four court performance areas. The fifth area does not have a definitive measurement as Public Trust and Confidence are achieved when the first four court performance areas have been satisfied.¹ Several of the measures are based on existing State Bar Court timelines, which derive from the applicable rules of procedure and pendency standards similar to those of the American Bar Association.

Our goal has been to conduct a review that comprehensively measures our performance at a modest cost in time and money. Toward that end, using our case management computer system, we are able to regularly generate reports to gauge our progress. Also, with the aid of an independent consultant experienced in court surveys, we administered a survey of court users and our court staff as a component of our initial assessment in 2004. This year, we completed a follow-up survey of court users, which is summarized under Measure 1.

A primary objective is to maintain our performance in the areas where the court has measured well. We also strive to improve our performance in other areas, and are currently specifically focusing on timely case processing. To the credit of our court, we have adopted very high standards of court performance to better serve our constituents. We will endeavor to meet, if not exceed, those standards whenever possible while continuing to demonstrate the objectivity, effectiveness, and competence associated with our court. Because the progress necessary to attain these standards in some areas is significant, such accomplishment will take time. For

¹Anabasis—Straub, *Essentials of Trial Court Performance: A Handbook for California Courts* (1998) note 1 at p. 14.

example, with a measure where compliance with the standard is low (e.g., Measure 5: Commencement of Hearing/Oral Argument), the amount of effort needed to achieve the standard will be greater and more time-consuming than for a measure where compliance with the standard is already high (e.g., Measure 2: Caseload Clearance).

I wish to acknowledge and thank the other judges of our court and the members of our CPSA steering committee for their hard work on this important endeavor: Hon. Pat McElroy, Hearing Department Supervising Judge; Colin Wong, Court Chief Administrative Officer; Marilyn Tichenor, San Francisco Court Administrator; Michelle Cramton, Los Angeles Court Administrator; and Doug Hull, State Bar Court Administrative Specialist. Also, Dr. Brenda J. Wagenknecht-Ivey of PRAXIS Consulting, Inc., acted as the court's consultant.

Joann M. Remke
Presiding Judge
November, 2008

**State Bar Court of California
Core Performance Measures**

MEASURE	PERFORMANCE AREA	OPERATIONAL DEFINITION	METHODOLOGY	STANDARD
1. Survey of Court Performance	Area 1: Access to Justice	A survey administered to obtain perceptions about the court from litigants in five performance areas: Access to Justice; Equality, Fairness and Integrity; Expedition and Timeliness; Independence and Accountability; Effectiveness and Quality	Using a consultant's services, administer the Court Performance Inventory (CPI) Survey; distribute the survey to various litigants with a cover letter and due date; compile and review the results.	Improve performance in targeted areas; maintain performance in other areas; resurvey in 24-36 months.
2. Caseload Clearance	Area 2: Expedition and Timeliness	Number of cases "cleared" (completed) as a percent of total number of cases filed	Calculate the total number of cases closed in the State Bar Court and compare to the total number of cases filed during the same time period. Express results as a percentage.	100% clearance rate or a 1:1 ratio of dispositions to case filings.
3. On Time Case Processing	Area 2: Expedition and Timeliness	Closed Cases: Percent of cases reaching the first final outcome (i.e. resolved, disposed, or concluded) within established timeframes	For closed matters, calculate the number of days a case was open in Hearing, in Review, and in Effectuations. Using existing SBC Timelines, express results as the percentage of cases meeting the timeframes established at each level.	For Hearing and Review Departments, 90% of cases to be processed within case type timelines; 100% of cases to be processed within 150% of case type timelines; for Effectuations 100% of cases to be processed within timeline.
4. Case Backlog	Area 2: Expedition and Timeliness	Open Cases: Total workload represented by the pending cases that are "older" than the established time guidelines for these cases	For open matters, calculate the number of days the case has been open in Hearing, in Review, and in Effectuations. Using the existing SBC Timelines, express results as the percentage of open cases which exceed the guidelines.	For Hearing and Review Departments, backlog not to exceed 10%; for Effectuations, no backlog or 0%.
5. Commencement of Trials & Oral Arguments; Timeliness of Submissions	Area 2: Expedition and Timeliness	The percent of trials and oral argument commenced within established timeframes, and the percent of cases under submission in which the decision, order or opinion are filed within established timeframes	For Trials and Oral Argument conducted, calculate the number of days the case was pending before the Trial or Oral Argument commenced, and report the percent commenced within the SBC Timelines. For decisions, orders and opinions filed, calculate the number of days a case was under submission, and report the percent of cases in compliance with the SBC Timelines.	For Trials and Oral Arguments, 90% of cases commence Trial/Oral Argument within case type timelines; 100% commence within 150% of timelines. For Submission time, 100% compliance with case type timelines.

**State Bar Court of California
Core Performance Measures**

MEASURE	PERFORMANCE AREA	OPERATIONAL DEFINITION	METHODOLOGY	STANDARD
6. Case File Reliability and Accuracy	Area 3: Equality, Fairness and Integrity	Percentage of case files meeting established criteria of accuracy and completeness (integrity)	Establish criteria regarding timeliness and accuracy of case processing. Select a sample of various case types and compare to the established criteria to verify timely and accurate processing. Express results as the percentage of case files which met the criteria.	100% compliance with established audit criteria
7. Accountability for Public Resources	Area 4: Independence and Accountability	Review of adopted budget as compared to actual expenditures	Compare the monthly and cumulative expenditures to the adopted budget. Report basis for over/under expenditures. Determine and report the impact of the current expenditure rate.	Operate within authorized budget
8. Public Education - Outreach Events	Area 4: Independence and Accountability	Assessment of Court's Community Outreach efforts	Assign responsibility for documenting and coordinating the State Bar Court's outreach efforts. Develop an evaluation survey to distribute at the close of each session; tabulate and report the results of the surveys.	Conduct at least 1 Annual Bench/Bar Meeting; Present at least 1 program at Section Education Institute and/or Annual Meeting; participate in at least 10 outreach activities per year; increase the written and electronic dissemination of materials.
9. Court Workforce Strength	Area 4: Independence and Accountability	A survey administered to court employees to obtain their views and opinions regarding Resources; Vision, Goals and Priorities; Management and Leadership; Job Satisfaction and Nature of Work; Communication; Teamwork; Structure and Organization.	Re-survey staff regarding resources, goals, leadership, job satisfaction, communication, teamwork and organizational structure. Compile and review the results. Compare with prior survey results.	Improve performance in targeted areas; maintain performance in other areas; resurvey staff in 24-36 months.

State Bar Court of California
Timelines (not applicable to expedited proceedings)

Day	Accountable Unit or Department	Activity
Track 1 - Hearing Department (decision)		
1	Hearing	Case filed
5	Hearing	Case assigned to judge
10	Hearing	Notice of assignment prepared; Notice of 1st status conference served
25	Hearing	Response due (assumes date of filing and service are the same)
45	Hearing	1st status conference held; discovery cut off date confirmed; pre-trial conference and trial dates set
80	Hearing	2nd status conference held; settlement opportunities explored; referred for settlement (as appropriate)
125	Hearing	Discovery period ends
130	Hearing	3rd status conference held (as needed)
150	Hearing	Voluntary settlement conference held
160	Hearing	4th status conference held (parties report on settlement efforts)
160	Hearing	Exhibits and witness list due
170	Hearing	Pre-trial conference held
180	Hearing	Trial held
185	Hearing	Case submitted (when 5 or less days of trial required)
190	Hearing	Case submitted (when 5-10 days of trial required)
200	Hearing	Case submitted (when culpability and mitigation/aggravation phases are bifurcated)
290	Hearing	Decision filed
325	Hearing	Case closed out (sent to Effectuation) or forwarded to Review Department
365	Effectuation	Case transmitted to Supreme Court (probation, suspension, disbarment cases only)
Track 2 - Hearing Department (motion for reconsideration)		
310	Hearing	Last day to file motion for reconsideration (as appropriate)
320	Hearing	Opposition due
330	Hearing	Ruling on motion for reconsideration due
365	Hearing	Case closed out (sent to Effectuation) or forwarded to Review Department
395	Hearing	Case transmitted to Supreme Court (probation, suspension, disbarment cases only)
Track 1 - Review Department		
1 / 365	Review	Request for plenary review filed
45 / 410	Review	Transcript prepared, received by court, served on parties
95 / 460	Review	Opening brief due
130 / 495	Review	Responsive brief due
150 / 515	Review	Reply brief due; case assigned to judge/counsel
275 / 640	Review	Oral argument held; case submitted
365 / 730	Review	Opinion filed
385 / 750	Review	Case transmitted to Effectuations
415 / 780	Review	Case transmitted to Supreme Court (probation, suspension, disbarment cases only)

**State Bar Court of California
Timeline Standards by Case Type**

Case Type (see following page for descriptions)	Timeline standards in days and Court Performance Measure(s) utilizing this standard							
	Hearing Pendancy (<i>Time spent open in the Hearing Department</i>) (Measures 3 and 4)	Review Pendancy (<i>Time spent open in Review Department</i>) (Measures 3 and 4)	Effectuations Pendancy (<i>Time spent open in Effectuations</i>) (Measures 3 and 4)	Pendancy at Time of Trial (<i>Time spent open in the Hearing Department at commencement of trial</i>) (Measure 5)	Pendancy at Time of Oral Argument (<i>Time spent open in Review Department at time of Oral Argument</i>) (Measure 5)	Hearing Submission Time (<i>Number of days matter was submitted for decision in the Hearing Department</i>) (Measure 5)	Review Submission Time (<i>Number of days the matter was submitted for Opinion in the Review Department</i>) (Measure 5)	Hearing Submission Time for Stips (<i>Number of days matter was submitted for order re: stipulation in the Hearing Department</i>) (Measure 5)
AE	98	385	30	50	*	30	*	30
C	325	385	30	180	275	90	90	30
G	325	385	30	180	275	90	90	30
H	325	385	30	180	275	90	90	30
J	270	385	30	145	275	90	90	30
M	395	385	30	276	275	90	90	30
N	310	385	30	185	275	90	90	30
O	325	385	30	180	275	90	90	30
PM	135	385	30	70	275	30	90	30
Q	0	0	30	0	0	0	0	0
R	395	385	30	276	275	90	90	30
S	255	385	30	110	275	90	90	30
TB	83	385	30	35	*	30	*	30
TE	67	385	30	35	*	10**	*	10**
TH	93	385	30	61	*	10**	*	10**
TR	84	385	30	36	*	30	*	30
TT	365	385	30	240	275	90	90	30
V	115	385	30	82	*	15	*	15
ZA	93	385	30	45	*	30	*	30
ZB	163	385	30	85	*	60	*	30
ZE	117	385	30	85	*	10**	*	10**
ZH	117	385	30	85	*	10**	*	10**
ZR	163	385	30	85	*	60	*	30
ZT	93	385	30	45	*	30	*	30

* = matters that are not subject to plenary review

** = court days

**State Bar Court of California
Case Types and Descriptions**

Case Type	Description
AE	Fee Arbitration Enforcement
C	Conviction Referral
G	Legal Services Trust Fund
H	Rule 9-101 Violation (violation of reproof conditions)
J	Discipline in Other Jurisdiction
M	Moral Character
N	Rule 955
O	Original Matter
PM	Probation Revocation - Motion
Q	Resignation with Charges Pending
R	Reinstatement
S	Legal Specialization
TB	Inactive Enrollment §6007(b)(1) (Insanity Defense)
TE	Inactive Enrollment §6007(c) (Imminent Harm)
TH	Inactive Enrollment §6007(h) (Interim Remedies)
TR	Inactive Enrollment §6007(b)(2) (Court Jurisdiction of Law Practice)
TT	Inactive Enrollment §6007(b)(3) (Mental Illness/Substance Abuse)
V	Standard 1.4(c)(ii) (Relief from Actual Suspension)
ZA	Return from Inactive Arbitration Enforcement
ZB	Return from Inactive §6007(b)(1) (Insanity Defense)
ZE	Return from Inactive §6007(c) (Imminent Harm)
ZH	Return from Inactive §6007(h) (Interim Remedies)
ZR	Return from Inactive §6007(b)(2) (Court Jurisdiction of Law Practice)
ZT	Return from Inactive §6007(b)(3) (Mental Illness/Substance Abuse)

Measure 1

Survey of Court Performance

Definition

Measure 1 of Court Performance falls under the category of Access to Justice. This measure reports the results of a survey administered to obtain perceptions about the court from litigants in the following performance areas: Access to Justice; Equality, Fairness and Integrity; Expedition and Timeliness; Independence and Accountability; Effectiveness and Quality.

Standard

Based on the first survey results in 2004, the following standard was adopted:

Identify and improve performance in targeted areas; maintain performance in other areas; re-survey in 24-36 months.

Methodology

The State Bar Court contracted with a consultant, Dr. Brenda J. Wagenknecht-Ivey, to re-administer the survey of court users in 2008. Utilizing a consultant outside the court was important to ensure survey responses would be kept confidential.

The survey used in this measure evolved from a combination of surveys used by courts of record to assess their performance. The survey questions were adapted to reflect the processes and procedures of the State Bar Court.

The population surveyed included attorneys from the Office of Chief Trial Counsel, Probation, Fee Arbitration, Respondents and Respondents' Counsel. Survey results are located in Appendix A.

Overview of 2008 Court Performance Survey

- The survey was administered to 998 court users. A total of 224 participants responded to the survey for a 23% response rate.
- All ratings were above the midpoint. Thus, generally survey participants viewed all categories positively. The differences between 2008 and 2004 mean scores are not statistically significant—so the court has maintained its positive results.
- The highest rated category was Access to Justice.
- The lowest rated category was Independence and Accountability.
- The most improved category was Effectiveness/Quality.
- Identified areas for improvement:
 - o Procedural fairness
 - o Perception of independence
 - o Timeliness

Measure 2 Caseload Clearance

Definition

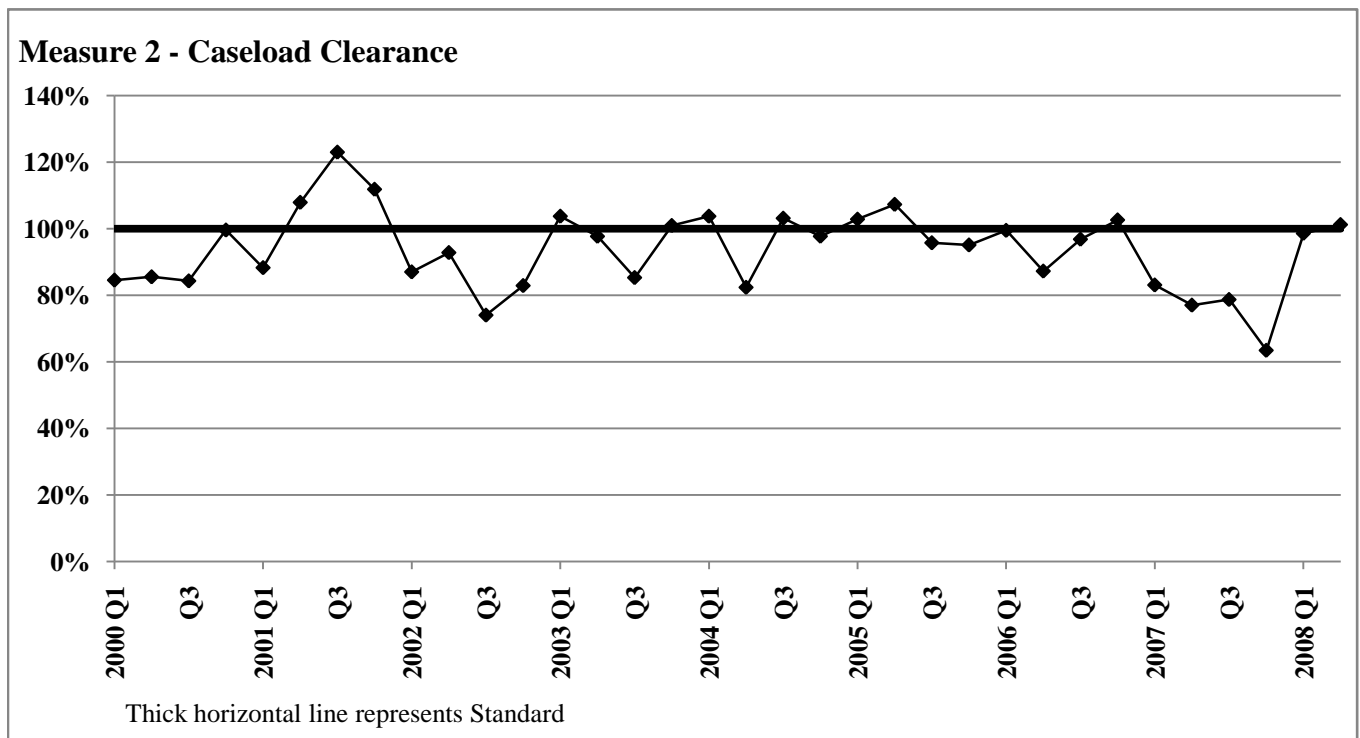
The comparison of the number of cases closed to the number of cases filed, expressed as a percentage.

Standard

100% clearance rate or a 1:1 ratio of dispositions to case filings.

Methodology

The number of cases cleared (closed) was calculated and compared to the number of cases filed during a given quarter. The results were reported for each quarter and then cumulatively for each calendar year. If the court cleared as many cases as were filed during the same period, the percent cleared would be 100%. If the court cleared fewer cases than were filed, the percentage would be less than 100%; and if the court cleared more cases than were filed, the percentage would be greater than 100%. Generally accepted court performance standards indicate that courts should aspire to clear at least as many cases as are filed within the reporting period. Over time, the clearance rate data becomes more meaningful and useful in identifying long-term trends associated with abated cases, judicial turnover, and the introduction of new programs.



Measure 2 - Caseload Clearance

	Cases Cleared	Cases Filed	Percent Cleared
2000 Q1	153	181	85%
Q2	183	214	86%
Q3	236	280	84%
Q4	230	231	100%
2001 Q1	203	230	88%
Q2	260	241	108%
Q3	257	209	123%
Q4	265	237	112%
2002 Q1	194	223	87%
Q2	232	250	93%
Q3	185	250	74%
Q4	184	222	83%
2003 Q1	167	161	104%
Q2	211	216	98%
Q3	197	231	85%
Q4	217	215	101%
2004 Q1	223	215	104%
Q2	210	255	82%
<i>Adoption of CPS Standards</i> Q3	231	224	103%
Q4	212	217	98%
2005 Q1	218	212	103%
Q2	177	165	107%
Q3	202	211	96%
Q4	174	183	95%
2006 Q1	185	186	99%
Q2	205	235	87%
Q3	182	188	97%
Q4	197	192	103%
2007 Q1	152	183	83%
Q2	144	187	77%
Q3	133	169	79%
Q4	111	175	63%
2008 Q1	137	139	99%
Q2	167	165	101%

Measure 3 On Time Case Processing

Definition

The percentage of cases reaching their first final outcome (resolved, disposed or concluded) within established timeframes.

Standard

Hearing and Review:

- 90% of cases to be processed within the case type timeline;
- 100% of cases to be processed within 150% of case type timelines.

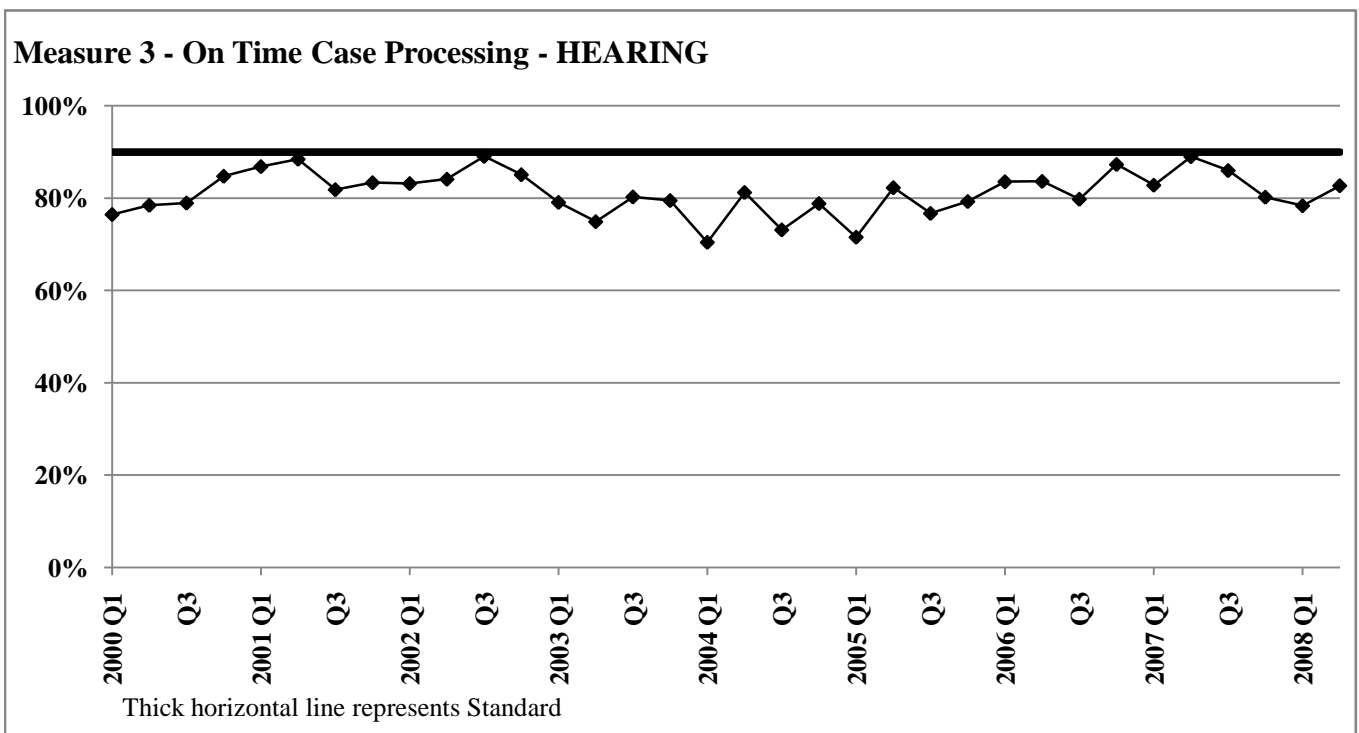
Effectuations:

- 100% of cases to be processed within the timeline.

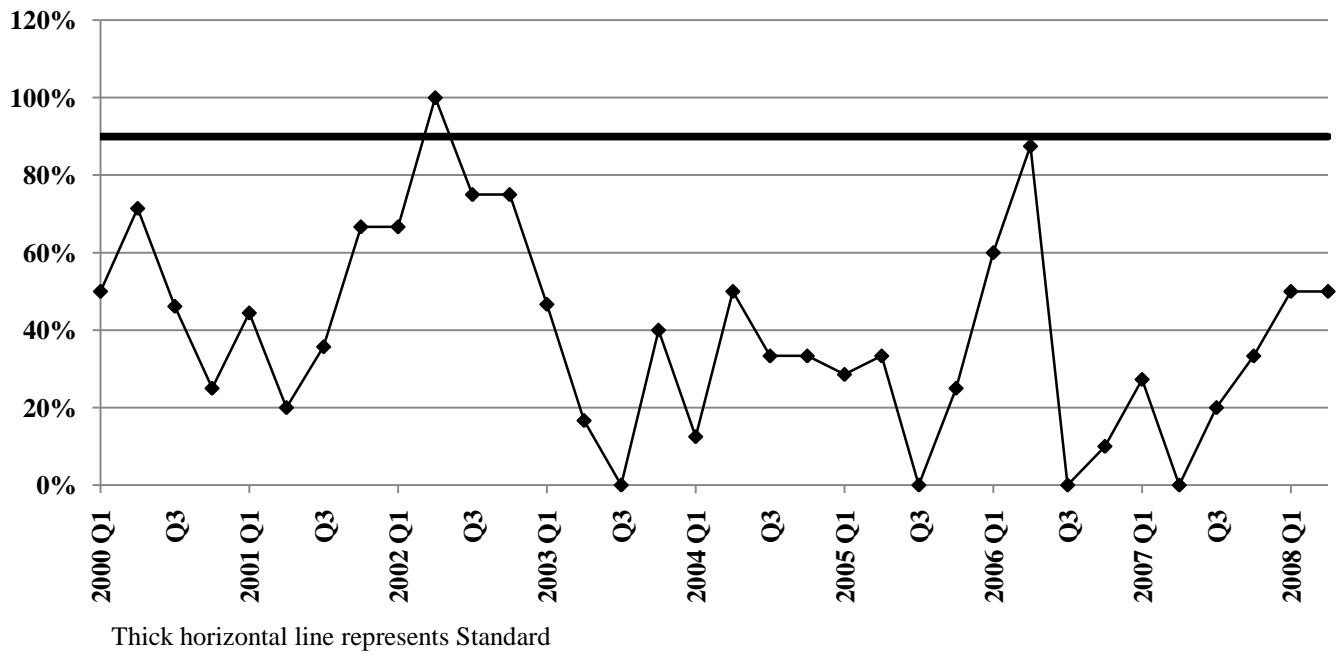
Methodology

The population of cases examined included cases closed during the reporting period. For all closed cases, the number of days each case was open was calculated for the Hearing Department, the Review Department, and the Effectuation function. The number of days open was then compared to the existing State Bar Court timelines according to each case type (see "Timeline Standards by Case Type"), and the results were reported as the percent of cases meeting the established timeframes.

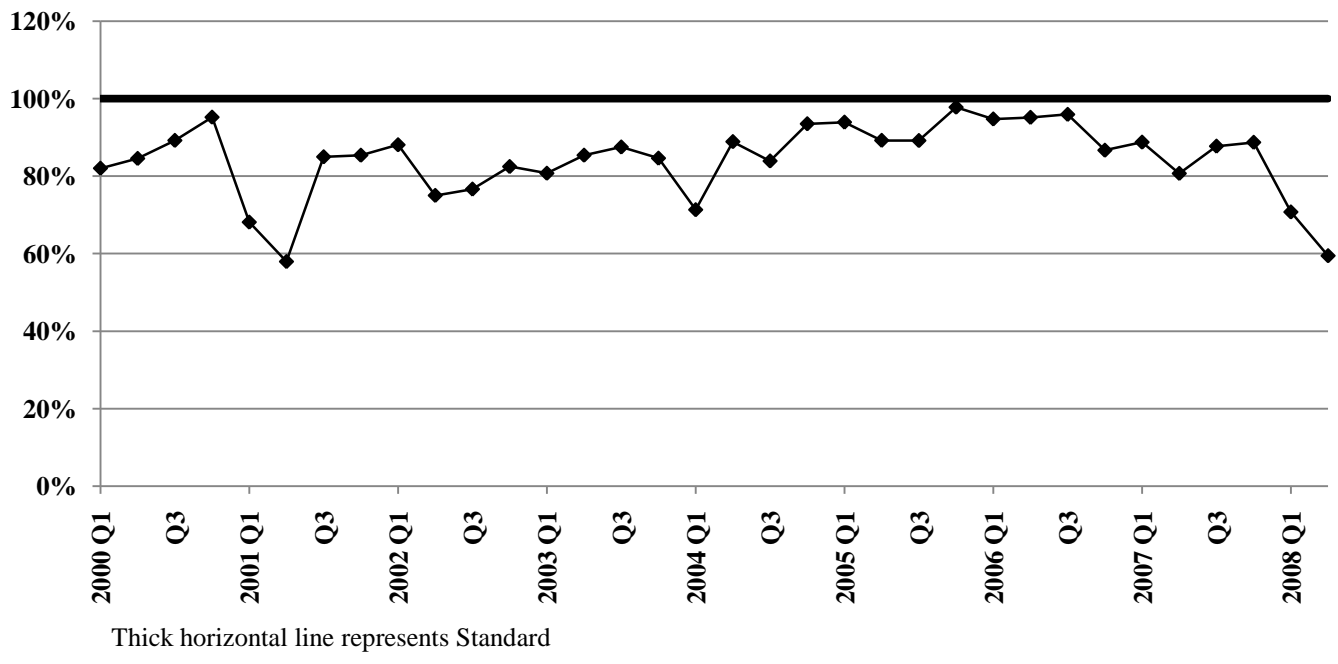
An open case is one which was pending in a particular department, which was not abated, and was not in the State Bar Court's Alternative Discipline Program ("Program"). Only the time that was attributable to the specified court department or function was used in calculating pendency. For example, only the time that a matter was open in the Hearing Department was factored in when pendency was calculated in the Hearing Department; abated time and Program time were excluded. If the case was in open status in a court department more than once, all open time was added together to determine total pendency.



Measure 3 - On Time Case Processing - REVIEW



Measure 3 - On Time Case Processing - EFFECTUATIONS



Measure 3 - On Time Case Processing - Hearing

	Cases Closed	Cases Within Timeline	Percentage Within Timeline	Cases Within 150% of Timeline	Percentage Within 150% of Timeline
2000 Q1	140	107	76%	*	*
Q2	153	120	78%	*	*
Q3	204	161	79%	*	*
Q4	203	172	85%	*	*
2001 Q1	167	145	87%	*	*
Q2	216	191	88%	*	*
Q3	220	180	82%	*	*
Q4	246	205	83%	*	*
2002 Q1	172	143	83%	*	*
Q2	201	169	84%	*	*
Q3	155	138	89%	*	*
Q4	154	131	85%	*	*
2003 Q1	148	117	79%	*	*
Q2	187	140	75%	*	*
Q3	167	134	80%	*	*
Q4	185	147	79%	*	*
2004 Q1	206	145	70%	*	*
Q2	181	147	81%	*	*
Q3	197	144	73%	178	90%
Q4	184	145	79%	165	90%
2005 Q1	193	138	72%	169	88%
Q2	152	125	82%	145	95%
Q3	180	138	77%	159	88%
Q4	159	126	79%	148	93%
2006 Q1	164	137	84%	152	93%
Q2	177	148	84%	168	95%
Q3	153	122	80%	139	91%
Q4	173	151	87%	165	95%
2007 Q1	122	101	83%	116	95%
Q2	118	105	89%	114	97%
Q3	114	98	86%	110	96%
Q4	106	85	80%	102	96%
2008 Q1	120	94	78%	110	92%
Q2	127	105	83%	120	94%

*Adoption of
CPS Standards*

* Prior to the adoption of the CPS Standards, the measurement of 150% of the timeline had not been suggested. It was not calculated at the time the initial CPS measurements were developed.

Measure 3 - On Time Case Processing - Review

	Cases Closed	Cases Within Timeline	Percentage Within Timeline	Cases Within 150% of Timeline	Percentage Within 150% of Timeline
2000 Q1	4	2	50%	*	*
Q2	7	5	71%	*	*
Q3	13	6	46%	*	*
Q4	8	2	25%	*	*
2001 Q1	9	4	44%	*	*
Q2	5	1	20%	*	*
Q3	14	5	36%	*	*
Q4	6	4	67%	*	*
2002 Q1	6	4	67%	*	*
Q2	3	3	100%	*	*
Q3	4	3	75%	*	*
Q4	4	3	75%	*	*
2003 Q1	15	7	47%	*	*
Q2	6	1	17%	*	*
Q3	4	0	0%	*	*
Q4	5	2	40%	*	*
2004 Q1	8	1	13%	*	*
Q2	4	2	50%	*	*
Q3	6	2	33%	3	50%
Q4	6	2	33%	4	67%
2005 Q1	7	2	29%	4	57%
Q2	3	1	33%	2	67%
Q3	7	0	0%	2	29%
Q4	12	3	25%	5	42%
2006 Q1	15	9	60%	11	73%
Q2	8	7	88%	8	100%
Q3	5	0	0%	1	20%
Q4	10	1	10%	8	80%
2007 Q1	11	3	27%	6	55%
Q2	5	0	0%	2	40%
Q3	5	1	20%	3	60%
Q4	9	3	33%	7	78%
2008 Q1	4	2	50%	4	100%
Q2	4	2	50%	3	75%

*Adoption of
CPS Standards*

* Prior to the adoption of the CPS Standards, the measurement of 150% of the timeline had not been suggested. It was not calculated at the time the initial CPS measurements were developed.

Measure 3 - On Time Case Processing - Effectuations

	Cases Closed	Cases Within Timeline	Percentage Within Timeline
2000 Q1	89	73	82%
Q2	110	93	85%
Q3	176	157	89%
Q4	146	139	95%
2001 Q1	116	79	68%
Q2	145	84	58%
Q3	173	147	85%
Q4	171	146	85%
2002 Q1	109	96	88%
Q2	160	120	75%
Q3	107	82	77%
Q4	114	94	82%
2003 Q1	83	67	81%
Q2	130	111	85%
Q3	96	84	88%
Q4	130	110	85%
2004 Q1	122	87	71%
Q2	99	88	89%
Q3	118	99	84%
Q4	123	115	93%
2005 Q1	115	108	94%
Q2	102	91	89%
Q3	120	107	89%
Q4	90	88	98%
2006 Q1	114	108	95%
Q2	103	98	95%
Q3	98	94	96%
Q4	105	91	87%
2007 Q1	80	71	89%
Q2	88	71	81%
Q3	57	50	88%
Q4	62	55	89%
2008 Q1	82	58	71%
Q2	106	63	59%

*Adoption of
CPS Standards*

Measure 4 Case Backlog

Definition

The total workload or cases which are open with a comparison of which cases are older than the established time frame for each case type.

Standard

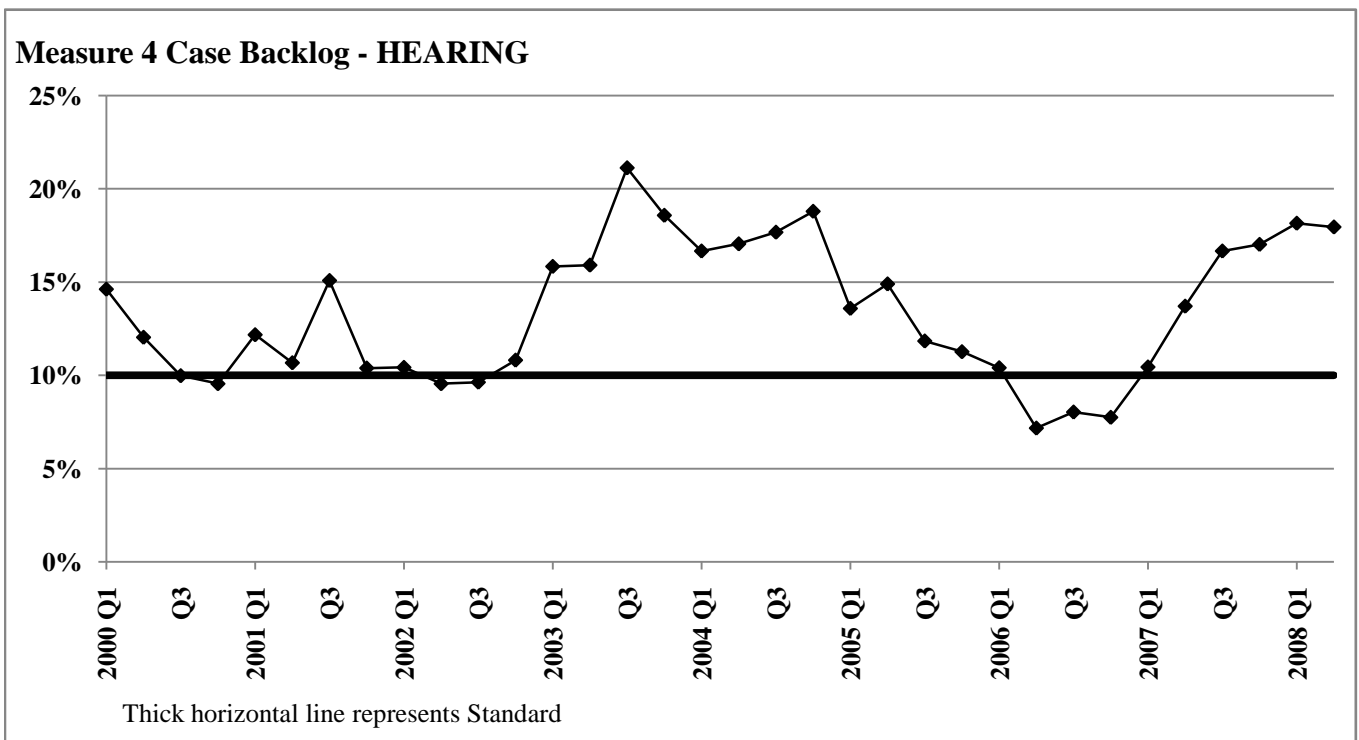
Hearing and Review: Backlog not to exceed 10%.

Effectuations: No Backlog or 0%.

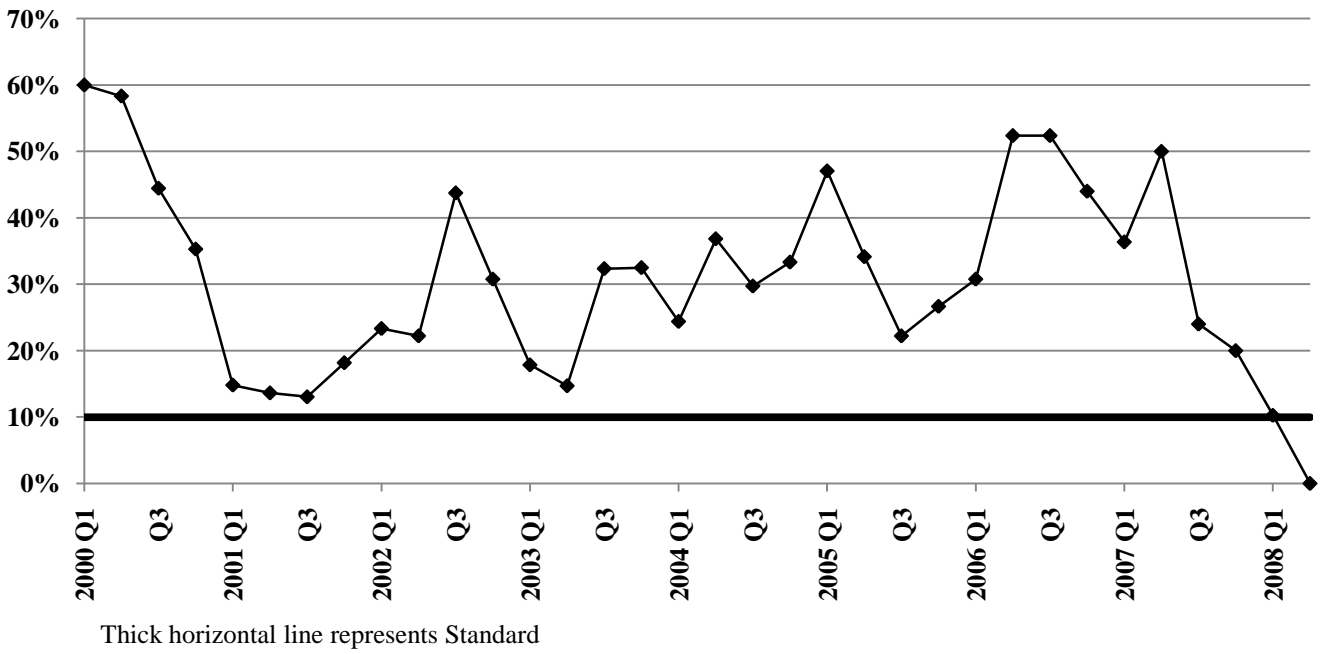
Methodology

Cases open in Hearing, Review and Effectuations were reviewed, and the number of days open in each area was calculated. The resulting calculation was then compared to the existing State Bar Court timeline according to case type (see "Timeline Standards by Case Type"), and the percent of cases exceeding the timeline was reported as the backlog.

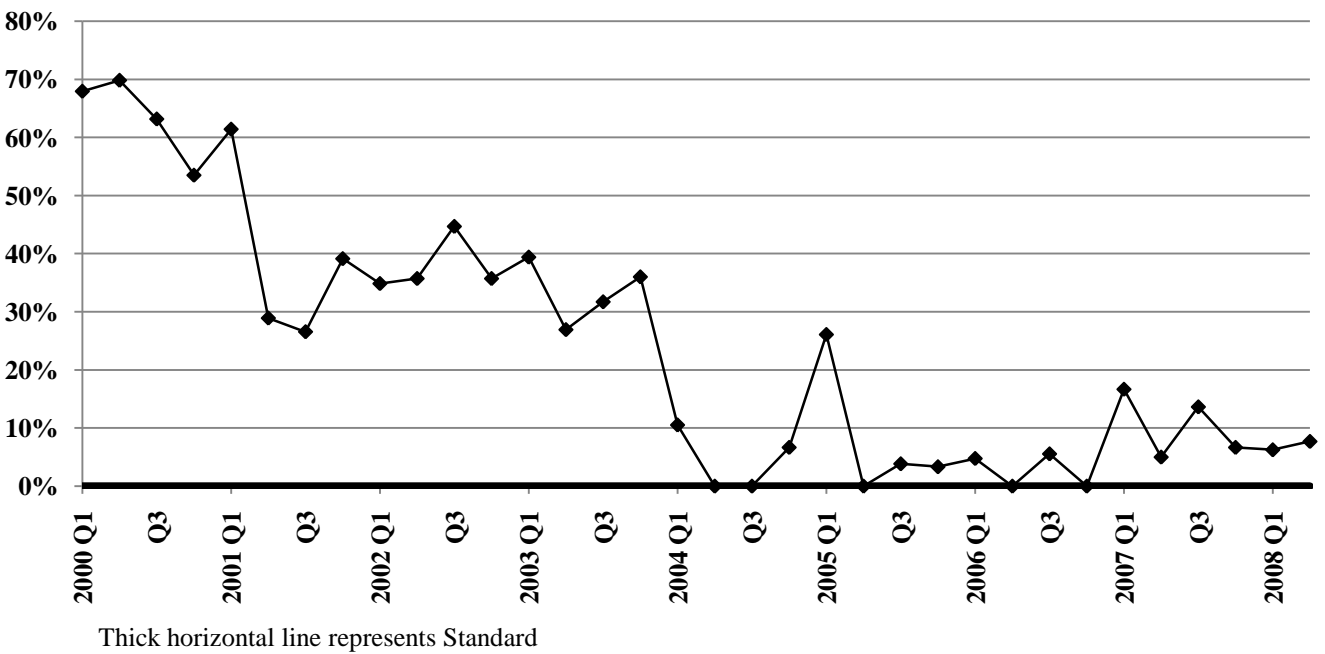
An open case is one which was pending in a particular department, which was not abated, and was not in the State Bar Court's Alternative Discipline Program ("Program"). Only the time that was attributable to the specified court department or function was used in calculating pendency. For example, only the time that a matter was open in the Hearing Department was factored in when pendency was calculated in the Hearing Department; abated time and Program time were excluded. If the case was in open status in a court department more than once, all open time was added together to determine total pendency.



Measure 4 Case Backlog - REVIEW



Measure 4 Case Backlog - EFFECTUATIONS



Measure 4 Case Backlog - Hearing

	Cases Open	Cases in Backlog	Percentage in Backlog
2000 Q1	342	50	15%
Q2	324	39	12%
Q3	411	41	10%
Q4	419	40	10%
2001 Q1	460	56	12%
Q2	403	43	11%
Q3	358	54	15%
Q4	337	35	10%
2002 Q1	355	37	10%
Q2	419	40	10%
Q3	457	44	10%
Q4	481	52	11%
2003 Q1	423	67	16%
Q2	440	70	16%
Q3	407	86	21%
Q4	409	76	19%
2004 Q1	390	65	17%
Q2	434	74	17%
Q3	413	73	18%
Q4	399	75	19%
2005 Q1	368	50	14%
Q2	302	45	15%
Q3	321	38	12%
Q4	293	33	11%
2006 Q1	298	31	10%
Q2	321	23	7%
Q3	299	24	8%
Q4	310	24	8%
2007 Q1	316	33	10%
Q2	321	44	14%
Q3	324	54	17%
Q4	376	64	17%
2008 Q1	358	65	18%
Q2	362	65	18%

*Adoption of
CPS Standards*

Measure 4 Case Backlog - Review

	Cases Open	Cases in Backlog	Percentage in Backlog
2000 Q1	40	24	60%
Q2	36	21	58%
Q3	36	16	44%
Q4	34	12	35%
2001 Q1	27	4	15%
Q2	22	3	14%
Q3	23	3	13%
Q4	22	4	18%
2002 Q1	30	7	23%
Q2	36	8	22%
Q3	32	14	44%
Q4	26	8	31%
2003 Q1	28	5	18%
Q2	34	5	15%
Q3	34	11	32%
Q4	40	13	33%
2004 Q1	41	10	24%
Q2	38	14	37%
Q3	37	11	30%
Q4	39	13	33%
2005 Q1	34	16	47%
Q2	41	14	34%
Q3	45	10	22%
Q4	45	12	27%
2006 Q1	39	12	31%
Q2	21	11	52%
Q3	21	11	52%
Q4	25	11	44%
2007 Q1	22	8	36%
Q2	20	10	50%
Q3	25	6	24%
Q4	30	6	20%
2008 Q1	39	4	10%
Q2	34	0	0%

*Adoption of
CPS Standards*

Measure 4 Case Backlog - Effectuations

	Cases Open	Cases in Backlog	Percentage in Backlog
2000 Q1	53	36	68%
Q2	53	37	70%
Q3	57	36	63%
Q4	86	46	53%
2001 Q1	57	35	61%
Q2	83	24	29%
Q3	64	17	27%
Q4	69	27	39%
2002 Q1	66	23	35%
Q2	56	20	36%
Q3	47	21	45%
Q4	42	15	36%
2003 Q1	33	13	39%
Q2	52	14	27%
Q3	41	13	32%
Q4	25	9	36%
2004 Q1	19	2	11%
Q2	18	0	0%
Q3	18	0	0%
Q4	15	1	7%
2005 Q1	23	6	26%
Q2	12	0	0%
Q3	26	1	4%
Q4	30	1	3%
2006 Q1	21	1	5%
Q2	20	0	0%
Q3	18	1	6%
Q4	20	0	0%
2007 Q1	6	1	17%
Q2	20	1	5%
Q3	22	3	14%
Q4	15	1	7%
2008 Q1	32	2	6%
Q2	26	2	8%

*Adoption of
CPS Standards*

Measure 5 Commencement of Trials - Hearing Department

Definition

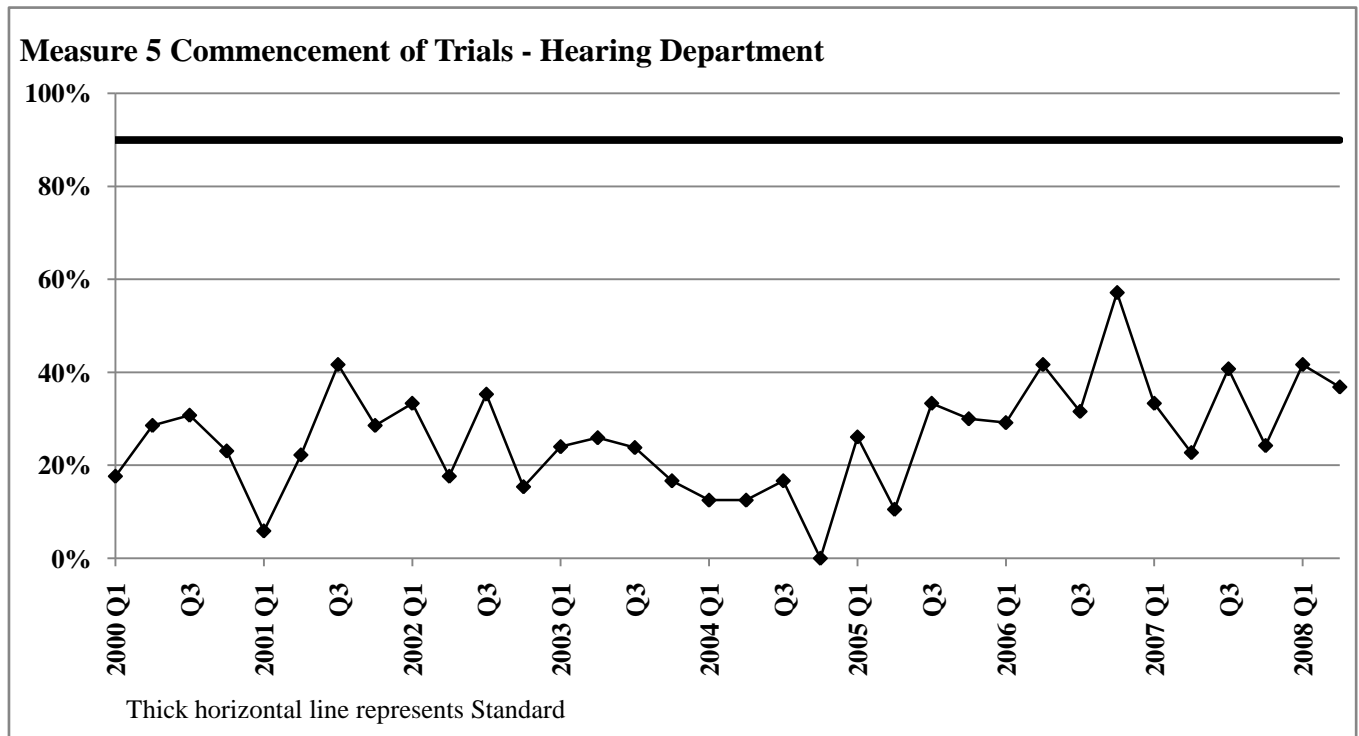
The percentage of Trials commenced within established time frames. The commencement date is the first date the Trial was held in a matter.

Standard

90% of cases are to commence Trial within case type timelines;
100% of cases are to commence Trial within 150% of case type timelines.

Methodology

The first part of this measure examines the pendency of cases in the Hearing Department at the time of commencement of trial. For cases in which trials were conducted, the number of days each case was pending in the Hearing Department at the time the trial commenced was calculated. This figure was compared to the State Bar Court timeline for each case type (see "Timeline Standards by Case Type"). The percentage of cases where trials commenced within timelines was then calculated and reported. Only contested cases were measured.



Measure 5 Commencement of Trials - Hearing Department

	Cases Trial Commenced	Cases Within Timeline	Percentage Within Timeline	Cases Within 150% of Timeline	Percentage Within 150% of Timeline
2000 Q1	17	3	18%	*	*
Q2	14	4	29%	*	*
Q3	13	4	31%	*	*
Q4	13	3	23%	*	*
2001 Q1	17	1	6%	*	*
Q2	27	6	22%	*	*
Q3	12	5	42%	*	*
Q4	7	2	29%	*	*
2002 Q1	21	7	33%	*	*
Q2	17	3	18%	*	*
Q3	17	6	35%	*	*
Q4	13	2	15%	*	*
2003 Q1	25	6	24%	*	*
Q2	27	7	26%	*	*
Q3	21	5	24%	*	*
Q4	12	2	17%	*	*
2004 Q1	16	2	13%	*	*
Q2	16	2	13%	*	*
Q3	18	3	17%	10	56%
Q4	15	0	0%	7	47%
2005 Q1	23	6	26%	17	74%
Q2	19	2	11%	13	68%
Q3	6	2	33%	5	83%
Q4	10	3	30%	8	80%
2006 Q1	24	7	29%	15	63%
Q2	12	5	42%	9	75%
Q3	19	6	32%	11	58%
Q4	7	4	57%	7	100%
2007 Q1	21	7	33%	16	76%
Q2	22	5	23%	14	64%
Q3	27	11	41%	18	67%
Q4	33	8	24%	17	52%
2008 Q1	36	15	42%	28	78%
Q2	38	14	37%	24	63%

*Adoption of
CPS Standards*

* Prior to the adoption of the CPS Standards, the measurement of 150% of the timeline had not been suggested. It was not calculated at the time the initial CPS measurements were developed.

Measure 5

Timeliness of Submissions - Hearing Department

Definition

The percentage of cases under submission in which the decision or order was filed within the established time frames.

Standard

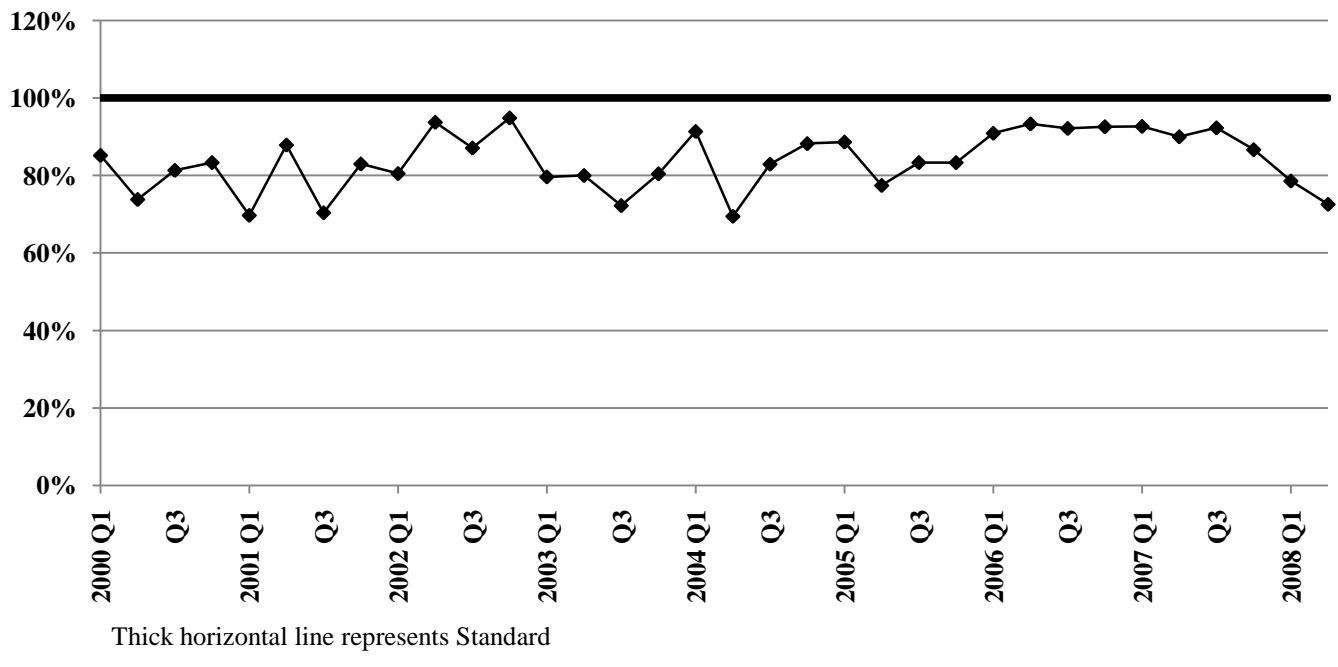
100% compliance with case type timelines for submission of decisions and stipulations.

Methodology

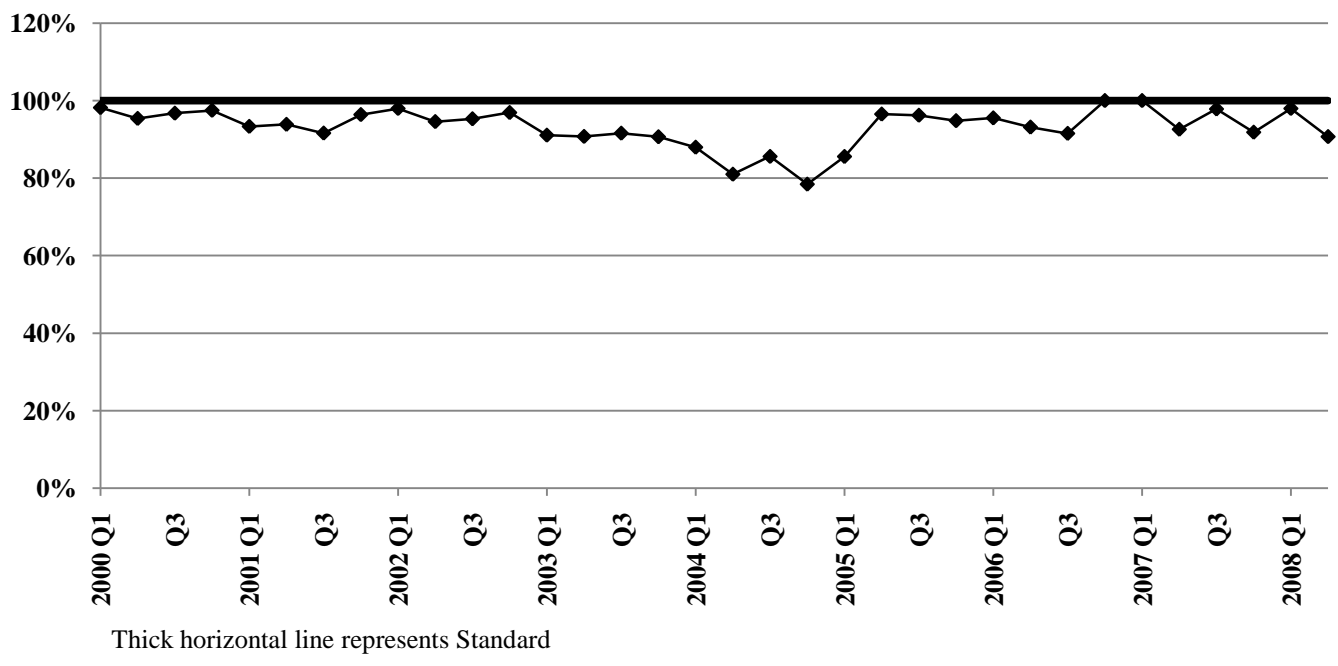
The second part of this measure examines the submission time of State Bar Court cases. For closed cases disposed of by decision or order approving stipulation, the number of days a case was under submission was calculated and compared to the timeline each case type (see "Timeline Standards by Case Type"). The percent of cases in compliance with the timelines was reported for the Hearing Department, and the results are presented in two parts—Decisions and Stipulations.

See chart next page.

Measure 5 Timeliness of Submissions - Hearing Dept. - DECISIONS



Measure 5 Timeliness of Submissions - Hearing Dept. - STIPULATIONS



Measure 5 Timeliness of Submissions - Hearing Department - Decisions

	Cases Submitted	Cases Meeting Timeline	Percentage Meeting Timeline
2000 Q1	27	23	85%
Q2	42	31	74%
Q3	75	61	81%
Q4	54	45	83%
2001 Q1	33	23	70%
Q2	33	29	88%
Q3	54	38	70%
Q4	47	39	83%
2002 Q1	41	33	80%
Q2	48	45	94%
Q3	31	27	87%
Q4	39	37	95%
2003 Q1	54	43	80%
Q2	60	48	80%
Q3	36	26	72%
Q4	46	37	80%
2004 Q1	58	53	91%
Q2	36	25	69%
Q3	41	34	83%
Q4	34	30	88%
2005 Q1	44	39	89%
Q2	31	24	77%
Q3	54	45	83%
Q4	48	40	83%
2006 Q1	55	50	91%
Q2	45	42	93%
Q3	51	47	92%
Q4	54	50	93%
2007 Q1	41	38	93%
Q2	40	36	90%
Q3	39	36	92%
Q4	30	26	87%
2008 Q1	42	33	79%
Q2	51	37	73%

*Adoption of
CPS Standards*

Measure 5 Timeliness of Submissions - Hearing Department - Stipulations

	Cases Submitted	Cases Meeting Timeline	Percentage Meeting Timeline
2000 Q1	55	54	98%
Q2	65	62	95%
Q3	92	89	97%
Q4	119	116	97%
2001 Q1	75	70	93%
Q2	114	107	94%
Q3	143	131	92%
Q4	166	160	96%
2002 Q1	98	96	98%
Q2	129	122	95%
Q3	85	81	95%
Q4	97	94	97%
2003 Q1	56	51	91%
Q2	108	98	91%
Q3	95	87	92%
Q4	107	97	91%
2004 Q1	108	95	88%
Q2	100	81	81%
Q3	111	95	86%
Q4	102	80	78%
2005 Q1	97	83	86%
Q2	86	83	97%
Q3	79	76	96%
Q4	77	73	95%
2006 Q1	67	64	96%
Q2	73	68	93%
Q3	59	54	92%
Q4	71	71	100%
2007 Q1	48	48	100%
Q2	54	50	93%
Q3	46	45	98%
Q4	49	45	92%
2008 Q1	49	48	98%
Q2	43	39	91%

*Adoption of
CPS Standards*

Measure 5 Commencement of Oral Arguments - Review Department

Definition

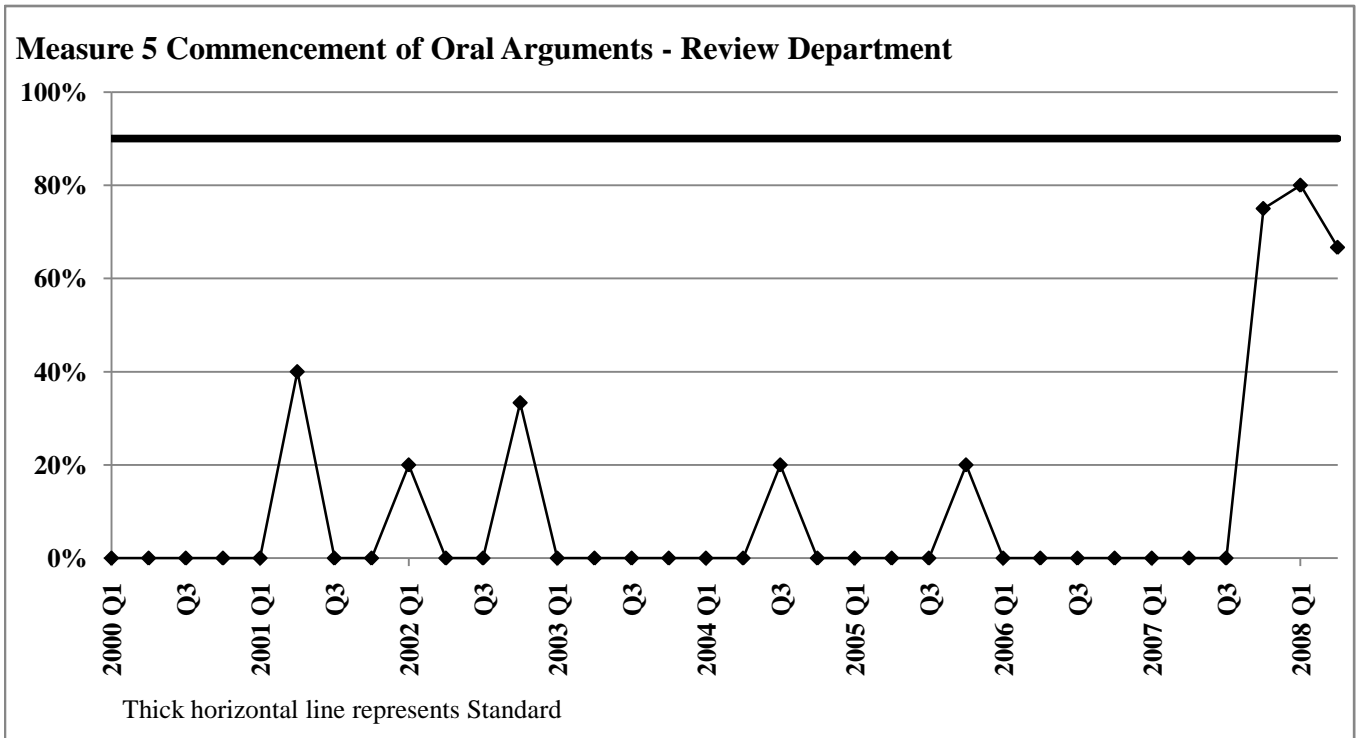
The percentage of Oral Arguments commenced within established time frames. The commencement date is the first date the Oral Argument was held in a matter.

Standard

90% of cases are to commence Oral Argument within Review Department timelines;
100% of cases are to commence Oral Argument within 150% of Review Department timelines.

Methodology

The first part of this measure examines the pendency of cases in the Review Department at the time of commencement of oral argument. For cases in which Oral Arguments were conducted, the number of days pending was calculated for each case pending in the Review Department at the time the oral argument commenced. The percentage of cases meeting the standard was then calculated.



Measure 5 Commencement of Oral Arguments - Review Department

	Cases Oral Argument Commenced	Cases Within Timeline	Percentage Within Timeline	Cases Within 150% of Timeline	Percentage Within 150% of Timeline
2000 Q1	4	0	0%	*	*
Q2	3	0	0%	*	*
Q3	8	0	0%	*	*
Q4	1	0	0%	*	*
2001 Q1	5	0	0%	*	*
Q2	5	2	40%	*	*
Q3	1	0	0%	*	*
Q4	1	0	0%	*	*
2002 Q1	5	1	20%	*	*
Q2	1	0	0%	*	*
Q3	8	0	0%	*	*
Q4	3	1	33%	*	*
2003 Q1	1	0	0%	*	*
Q2	3	0	0%	*	*
Q3	2	0	0%	*	*
Q4	5	0	0%	*	*
2004 Q1	4	0	0%	*	*
Q2	2	0	0%	*	*
Q3	5	1	20%	3	60%
Q4	6	0	0%	0	0%
2005 Q1	5	0	0%	1	20%
Q2	4	0	0%	0	0%
Q3	3	0	0%	1	33%
Q4	5	1	20%	3	60%
2006 Q1	1	0	0%	0	0%
Q2	4	0	0%	1	25%
Q3	2	0	0%	0	0%
Q4	6	0	0%	2	33%
2007 Q1	5	0	0%	2	40%
Q2	4	0	0%	2	50%
Q3	6	0	0%	2	33%
Q4	4	3	75%	4	100%
2008 Q1	5	4	80%	5	100%
Q2	6	4	67%	6	100%

*Adoption of
CPS Standards*

* Prior to the adoption of the CPS Standards, the measurement of 150% of the timeline had not been suggested. It was not calculated at the time the initial CPS measurements were developed.

Measure 5 Timeliness of Submissions - Review Department

Definition

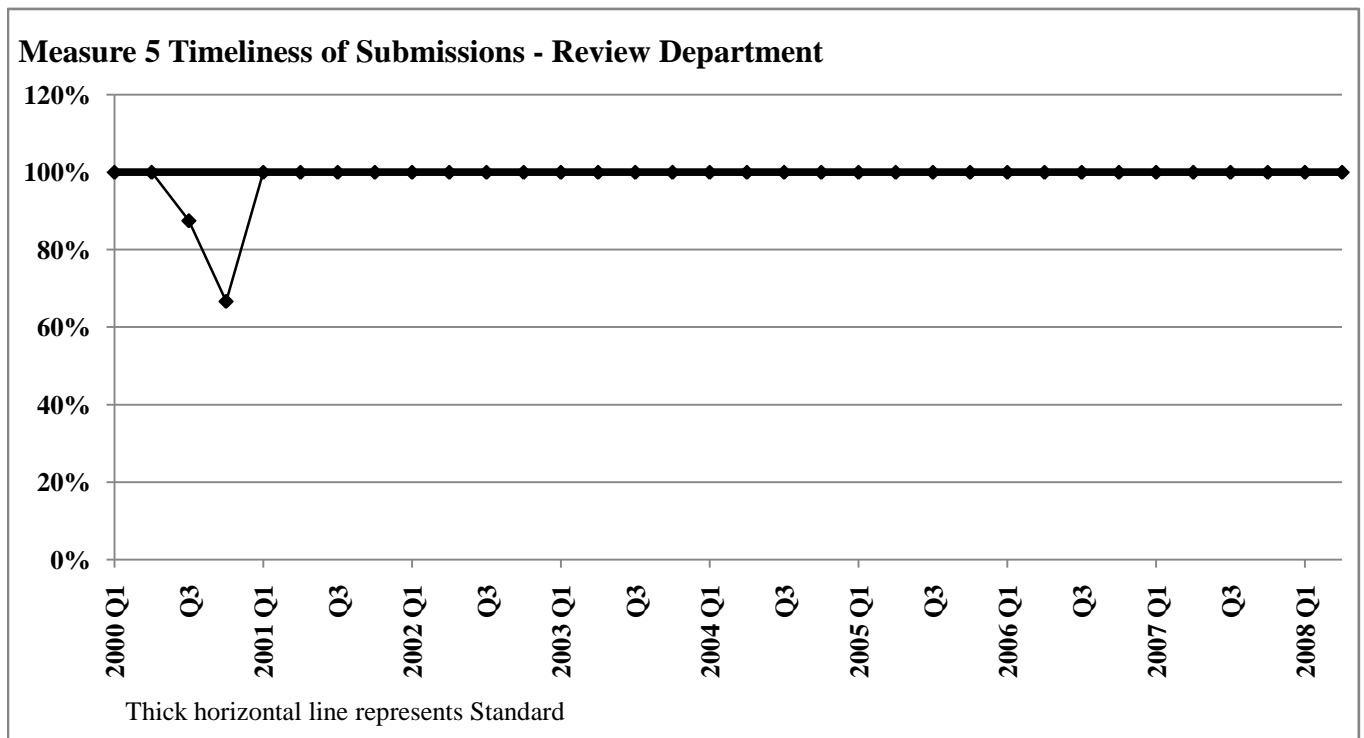
The percentage of cases under submission in which the opinion or order was filed within the established time frames.

Standard

100% compliance with timeline for submission.

Methodology

The second part of this measure examines the submission time of Review Department cases. For closed cases disposed of by opinion, the number of days a case was under submission was calculated and compared to the timeline (see "Timeline Standards by Case Type"). The percentage of cases in compliance with the timeline standard was then calculated.



Measure 5 Timeliness of Submissions - Review Department

	Cases Submitted	Cases Meeting Timeline	Percentage Meeting Timeline
2000 Q1	4	4	100%
Q2	4	4	100%
Q3	8	7	88%
Q4	6	4	67%
2001 Q1	4	4	100%
Q2	4	4	100%
Q3	9	9	100%
Q4	2	2	100%
2002 Q1	5	5	100%
Q2	2	2	100%
Q3	2	2	100%
Q4	2	2	100%
2003 Q1	7	7	100%
Q2	5	5	100%
Q3	5	5	100%
Q4	3	3	100%
2004 Q1	7	7	100%
Q2	3	3	100%
Q3	5	5	100%
Q4	5	5	100%
2005 Q1	5	5	100%
Q2	2	2	100%
Q3	7	7	100%
Q4	9	9	100%
2006 Q1	7	7	100%
Q2	1	1	100%
Q3	4	4	100%
Q4	6	6	100%
2007 Q1	7	7	100%
Q2	5	5	100%
Q3	3	3	100%
Q4	6	6	100%
2008 Q1	5	5	100%
Q2	1	1	100%

*Adoption of
CPS Standards*

Measure 6

Case File Reliability and Accuracy

Definition

The percentage of case files meeting established criteria of accuracy and completeness (integrity).

Standard

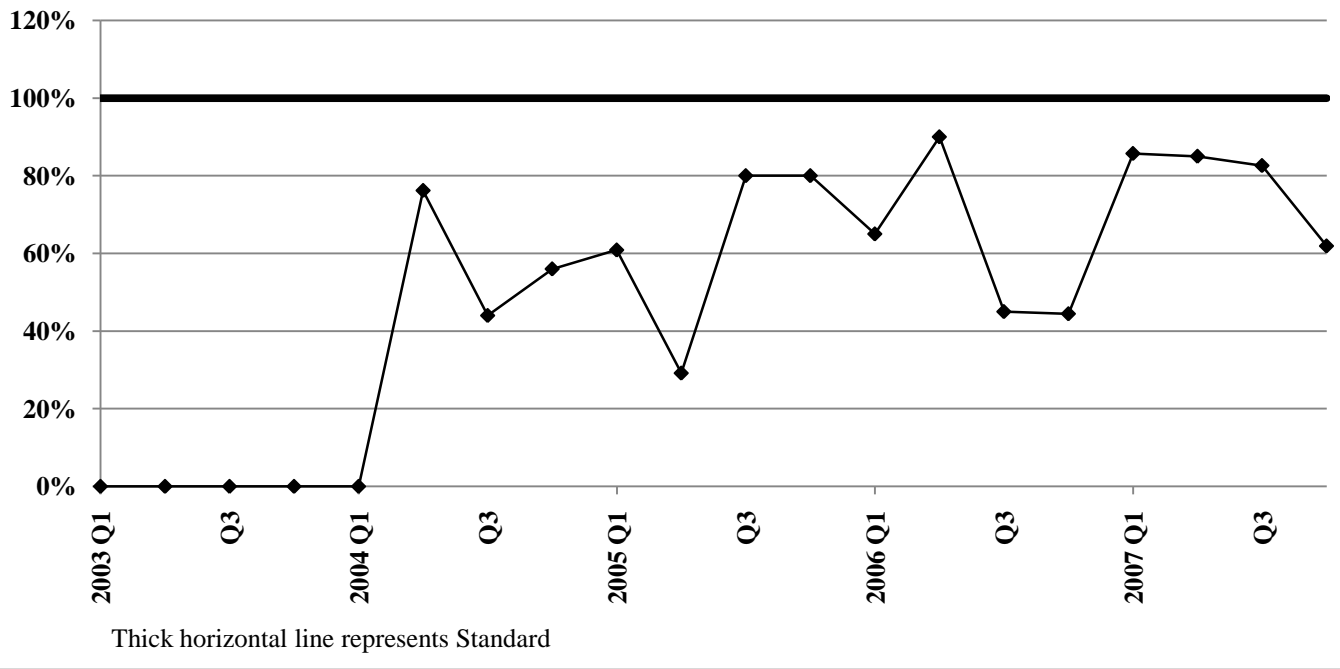
100% compliance with established audit criteria.

Methodology

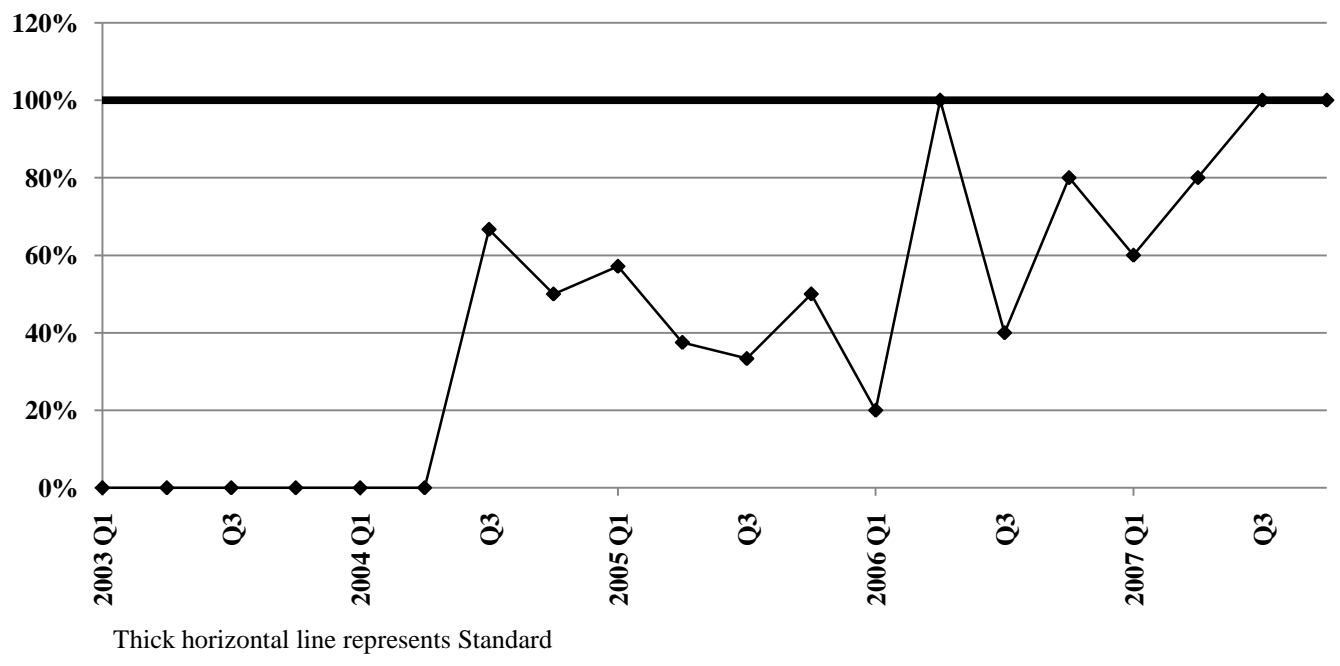
The initial assessment was based on 24 different criteria covering the content, timeliness and accuracy of the court case files. For each quarter reported, 25 case files are selected randomly for audit. Of the 25 case files selected for audit not all files were available, thus reducing the number of files audited for that period. In 2004 – 2006 the audits indicated a high degree of compliance with 22 of the 24 criteria. Two criteria, Timely Issuance of the Notice of Assignment (referred to in the chart and graph as Timeliness) and the accuracy of Exhibits (marking, indexing and assembly) have been the sole focus of the recent measurements. Cases identified randomly for audit are checked for the timely issuance of the Notice of Assignment and the accurate processing of Exhibits.

See chart next page.

Measure 6 Case File Reliability and Accuracy - Timeliness



Measure 6 Case File Reliability and Accuracy - Exhibits



Measure 6 Case File Reliability and Accuracy - Timeliness

	Cases Audited	Cases in Compliance	Percentage in Compliance	
<i>Adoption of CPS Standards</i>	2003 Q1	*	*	
	Q2	*	*	
	Q3	*	*	
	Q4	*	*	
	2004 Q1	*	*	
	Q2	21	16	76%
	Q3	25	11	44%
	Q4	25	14	56%
	2005 Q1	23	14	61%
	Q2	24	7	29%
	Q3	20	16	80%
	Q4	20	16	80%
	2006 Q1	20	13	65%
	Q2	20	18	90%
	Q3	20	9	45%
	Q4	18	8	44%
2007 Q1	21	18	86%	
Q2	20	17	85%	
Q3	23	19	83%	
Q4	21	13	62%	
2008 Q1	**	**	**	
Q2	**	**	**	

* Baseline data not gathered.

** Data not available.

Measure 6 Case File Reliability and Accuracy - Exhibits

	Cases Audited	Cases in Compliance	Percentage in Compliance
<i>Adoption of CPS Standards</i>	2003 Q1	*	*
	Q2	*	*
	Q3	*	*
	Q4	*	*
	2004 Q1	*	*
	Q2	2	0
	Q3	6	4
	Q4	4	2
	2005 Q1	7	4
	Q2	8	3
	Q3	3	1
	Q4	4	2
	2006 Q1	5	1
	Q2	5	5
	Q3	5	2
	Q4	5	4
2007 Q1	5	3	
Q2	5	4	
Q3	2	2	
Q4	3	3	
2008 Q1	**	**	
Q2	**	**	

* Baseline data not gathered.

** Data not available.

Measure 7 Accountability for Public Resources

Definition

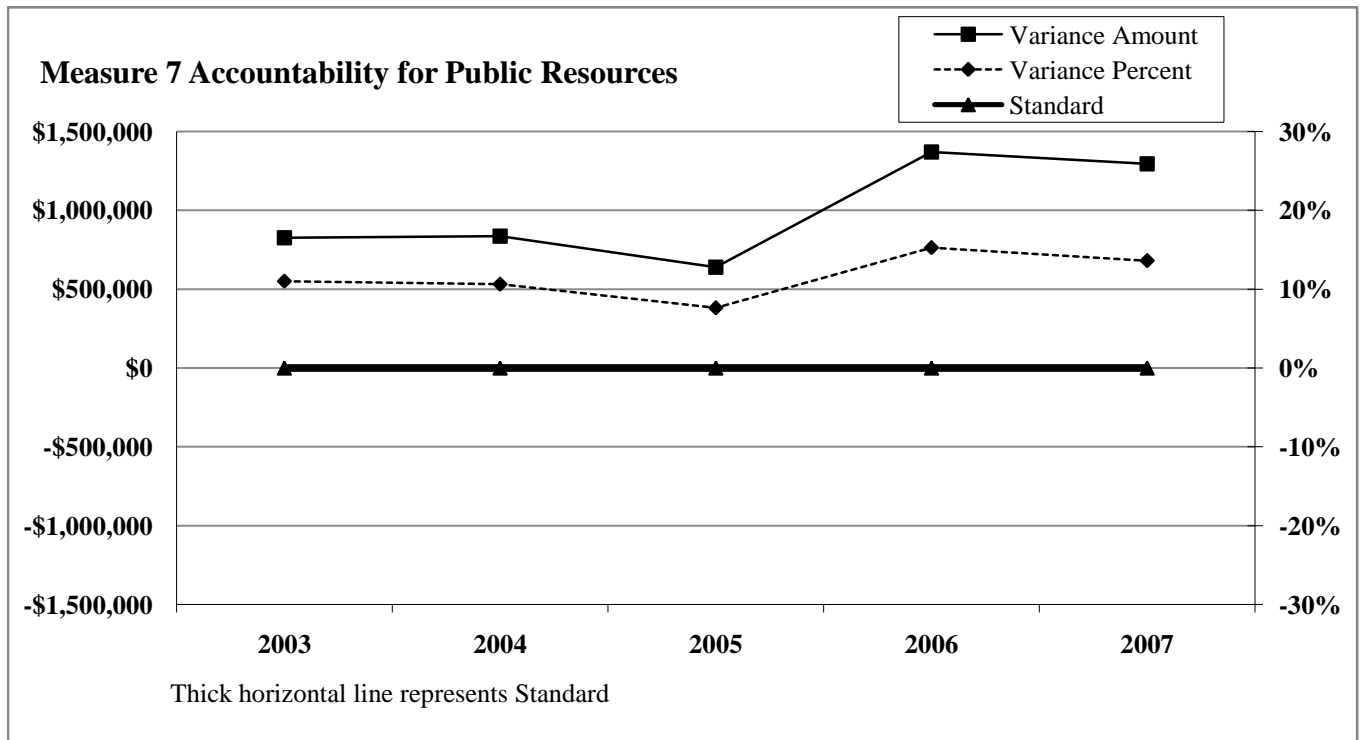
This measure allows the court to account for its fiscal resources, which are funded by attorney membership dues and approved by the State Bar Board of Governors and allocated to the State Bar Court pursuant to Bus. & Prof. Code Sec. 6140.6 et. seq.

Standard

Operate within Authorized Budget.

Methodology

For a given quarter, year-to-date actual expenditures were compared to the year-to-date budgets. The variance amounts were then compared to the overall budget and expressed as a percentage. Budgets are monitored monthly and research is routinely conducted to understand the reasons for both positive and negative variances.



Measure 7 Accountability for Public Resources

	Annual Budget	Year End Operating Expense	Variance Amount	Percentage of Variance
2003	\$7,515,090	\$6,687,866	\$827,224	11.01%
2004	\$7,871,961	\$7,035,235	\$836,726	10.63%
2005	\$8,373,309	\$7,733,891	\$639,418	7.64%
2006	\$8,988,764	\$7,617,630	\$1,371,134	15.25%
2007	\$9,522,479	\$8,226,286	\$1,296,193	13.61%
2008	\$9,042,091	*	*	*

* Data not available

Measure 8 Public Education - Outreach Events

Definition

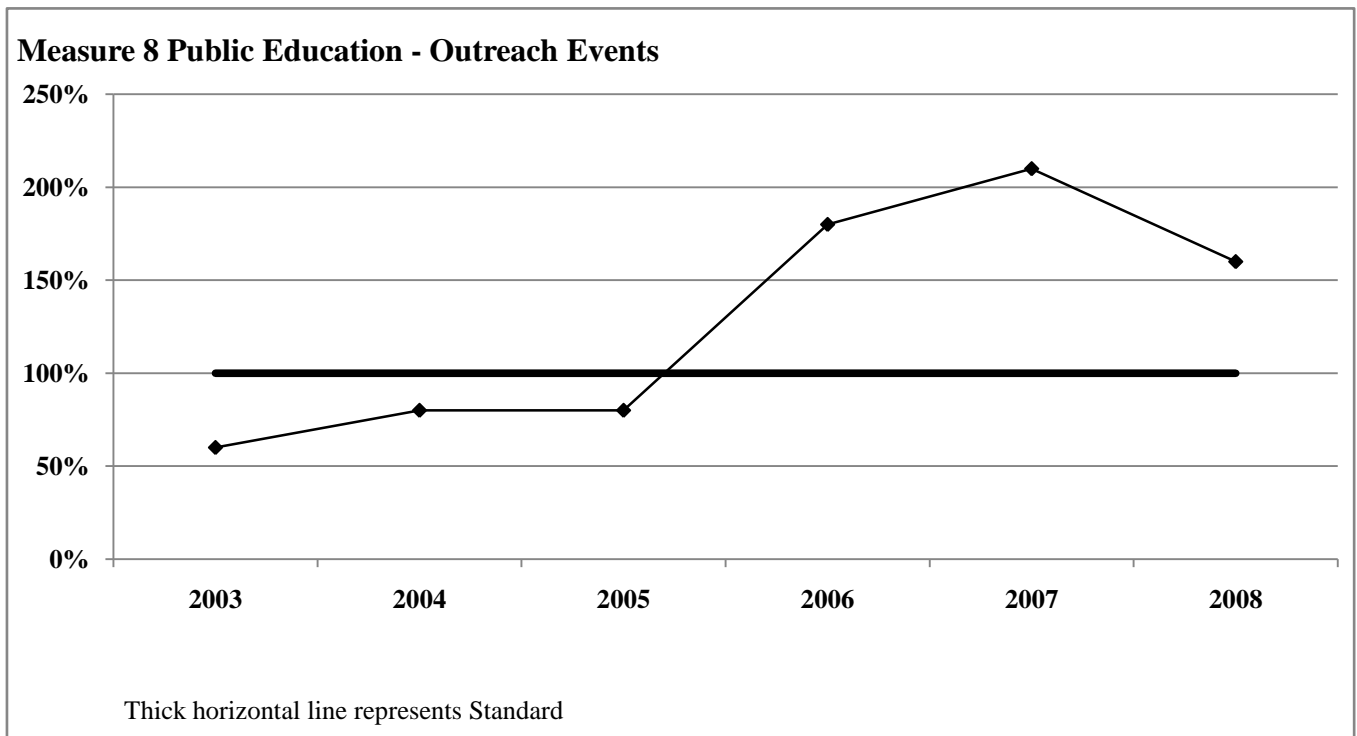
Assess community outreach efforts and measure the extent the State Bar Court disseminates information about its purpose, operations and programs to State Bar personnel, the public, attorneys and professional or regulatory agencies.

Standard

- 1) Conduct at least one Bench/Bar conference per year,
- 2) Present at least one program at Section Education Institute and/or Annual Meeting,
- 3) Judicial officers and/or court staff to participate in a total of a least ten outreach activities per year,
- 4) Increase the written and electronic dissemination of materials.

Methodology

For the initial assessment, two types of measurement were implemented because the court's outreach efforts had been almost completely dormant for several years. First, an employee was designated to coordinate, document and track outreach efforts so that data could be collected and assessed. Second, an outreach Program Evaluation Form was created and implemented to obtain feedback on presentations.



Measure 8 Public Education - Outreach Events

	Year End Total	Goal to Participate in Events Per Year	Percentage of Compliance with Goal at Year End	Year End Total Number of Attendees
2003	6	10	60%	*
2004	8	10	80%	*
2005	8	10	80%	**140
2006	18	10	180%	**999
2007	21	10	210%	** 370
2008	16	10	160%	*** 530

- * Data not gathered.
- ** Incomplete data.
- *** Data as of June 2, 2008.

Measure 9

Court Workforce Strength

Definition

This measure reports the results of a survey administered to all court employees to obtain their view and opinions about the following performance areas -- Resources; Vision/Goals/Priorities; Management/Leadership; Job Satisfaction/Nature of Work; Communication; Teamwork; Structure/Organization.

Standard

Improve performance in targeted areas; maintain performance in other areas; re-survey staff in 24-36 months.

Methodology

Priority areas for improvement were identified as: (1) Teamwork, (2) In May 2003, all court employees were asked to provide input through the use of a survey. The survey covered seven performance categories: (1) Resources, (2) Vision/Goals/Priorities, (3) Management/Leadership, (4) Job Satisfaction/Nature of Work, (5) Communication, (6) Teamwork, (7) Structure/Organization. In May 2004, the identical survey was re-administered by Dr. Wagenknect-Ivey, who had administered the initial survey in 2003. The 2004 survey results were compared to the 2003 results, and that comparison illustrated four priority areas for improvement.

Due to long-term vacancies on the court management team, re-administration of the employee survey has been deferred until 2009 or later.

STATE BAR COURT OF CALIFORNIA

SURVEY OF COURT USERS: ASSESSING COURT PERFORMANCE

June 11, 2008



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OVERVIEW OF COURT PERFORMANCE SURVEY

(June 2008)

I. Survey Overview

1. The survey was mailed/administered in late February to 998 court users (818 Respondents/Applicants/Petitioners, 117 Counsel for Respondents/Applicants/Petitioners, and 63 Deputy Trial Counsel). The June 2004 survey was administered to a total of 726 court users.
2. N=933: the total possible sample size is 933 after subtracting the 65 surveys that were returned as “undeliverable/no forwarding address” (as of 5/2/08).
3. n=224: 224 court users completed the survey. In 2004, 143 court users completed the survey.
4. 2008 Response Rate: 23%. This also was the response rate in 2004.

II. Survey Categories & Questions

5. Two surveys were administered. One was for Respondents/Applicants/Petitioners, and the other was for Counsel representing Respondents and Deputy Trial Counsel.
6. The surveys were very similar. There were only slight differences in the wording of some of the questions to reflect that Counsel for Respondents and Deputy Trial Counsel have ongoing cases with the Court whereas Respondents typically do not. In addition, Respondents were asked an additional question about how their most recent matter was resolved.

II. Survey Categories & Questions (continued)

7. The 2008 and 2004 surveys were very similar. Three questions relating to “overall fairness and procedural fairness” were added to the 2008 survey (i.e., questions 25, 26, & 27). Other slight changes were made to the following questions: 7, 12, 22, 34, & 35.
8. The 2008 surveys included:
 - 26 forced-choice questions
 - 1 overall satisfaction question
 - 1 overall performance question
 - 2 open-ended questions
 - 7 demographic questions (questions about their case/experience - Respondent survey)
 - 6 demographic questions (questions about their experiences with the Court – Counsel for Respondents and Deputy Trial Counsel survey)
9. The 26 forced-choice questions were grouped into the following 5 court performance categories:
 - Access to Justice (6 questions)
 - Equality, Fairness, & Integrity (8 questions)
 - Expedition & Timeliness (5 questions)
 - Independence & Accountability (3 questions)
 - Effectiveness/Quality (4 questions).

OVERVIEW OF COURT PERFORMANCE SURVEY

(continued)

III. Rating Scales:

10. 6-Point Rating Scale: The rating scale for the 26 forced-choice questions was:
 - 6 = Strongly Agree
 - 5 = Agree
 - 4 = Somewhat Agree
 - 3 = Somewhat Disagree
 - 2 = Disagree
 - 1 = Strongly Disagree
 - 0 = Don't Know/Not Sure/Not Applicable
11. 4-Point Rating Scale: The rating scale for the overall satisfaction question was:
 - 4 = Satisfied
 - 3 = Somewhat Satisfied
 - 2 = Somewhat Dissatisfied
 - 1 = Dissatisfied
 - 0 = Don't know/not sure
12. 4-Point Rating Scale: The rating scale for the overall performance question was:
 - 4 = Excellent
 - 3 = Good
 - 2 = Fair
 - 1 = Poor
 - 0 = Don't know/not sure

IV. Open-Ended Questions

13. The two open-ended questions were:
 - Greatest strengths of the Court and
 - Greatest weaknesses of the Court.

V. Demographic Questions

14. The demographic questions included:
 - Venue with most frequent contact?
 - Type of survey participant?
 - Frequency of direct contact with the Court in an average month?
 - Approximate number of Court cases involved in?
 - Court Departments appeared in for most recent matter?
 - Average length of time it took to resolve a matter in the Court (from time of filing in the Court & excluding the time before the CA Supreme Court).
 - Respondent/Applicant/Petitioner Survey Only:
How most recent matter was resolved?

INTERPRETING SURVEY RESULTS & OVERVIEW OF FINDINGS

Interpreting Survey Results:

15. The survey results are presented using mean – or average – scores. Means scores for each of the five court performance categories are computed by averaging the means (i.e., the mean of means) of the set of statements included in each category. The mean scores for each statement are computed using a scale of 1 to 6 where 1=strongly disagree and 6=strongly agree.
16. For each *statement*, the higher the mean score, the higher the level of agreement to that statement.
17. For each *category*, the higher the mean score, the more positive the category was to survey participants.
18. Reminder: 3.5 is the midpoint of the 6-point rating scale. A mean score above 3.5 reflects more positive views/results and below 3.5 reflects more negative views/results. 2.5 is the midpoint of the 4-point rating scales. A mean score above 2.5 reflects more positive views/results and below 2.5 reflects more negative views/results.
19. Statistically Significant Differences: Statistically significant differences are noted in this report, where relevant. Differences in mean scores are statistically significant if there is less than a 5 percent probability that the difference could have occurred by chance alone (i.e., significant at the .05 level or a 95% confidence level). Significance testing at this level is standard for social and behavioral science research.

Observations: Changes in Demographics (2004 vs. 2008)

20. The proportion of survey participants that have direct contact mostly with the Los Angeles venue is down 23% from 2004. The proportion of survey participants that did not indicate a venue is up 22% over 2004.
21. The proportion of Respondent/Applicants/Petitioners completing the 2008 survey is up 11% from 2004, and the proportion of Deputy Trial Counsel completing the 2008 survey is down 11% from 2004.
22. The proportion of survey participants that appeared in the Hearing Department only for their most recent matter is up 16% from 2004 and the proportion that appeared in both the Hearing and Review Departments is down 13% from 2004.

INTERPRETING SURVEY RESULTS & OVERVIEW OF FINDINGS

(continued)

Overview of Findings – Court Performance Survey Categories:

23. All ratings are above the midpoint. The mean scores of all 5 court performance survey categories are above 3.5 (the midpoint of the rating scale). Thus, all categories are viewed positively by survey participants. One court performance survey category was rated slightly higher in 2008 than in 2004 (Effectiveness/Quality), 2 were rated the same (Expedition/Timeliness and Independence & Accountability), and 2 were rated slightly lower in 2008 than in 2004 (Access to Justice and Equality, Fairness, & Integrity). The differences between 2008 and 2004 mean scores are not statistically significant. (Exhibit 6)
24. Highest Rated Category: The *Access to Justice Category* received the highest rating by survey participants in both 2008 and 2004 (2008 average/mean score = 4.7). The average rating was 4.8 in 2004. (Exhibit 6)
25. Lowest Rated Category: The *Independence & Accountability Category* received the same, and lowest average, rating in both 2008 and 2004 (average/mean scores for both years were 4.1). (Exhibit 6)
26. Most Improved Category: The *Effectiveness/Quality Category* was rated slightly higher in 2008 than in 2004 (average/mean scores of 4.6 vs. 4.4 respectively). (Exhibit 6)
27. By Court Location: In both 2008 and 2004, the Los Angeles venue was rated slightly higher on each of the 5 court performance categories than the San Francisco venue. However, the average ratings of the San Francisco venue were slightly higher in 2008 on all 5 court performance categories whereas the 2008 average ratings of the Los Angeles venue were slightly higher on only 2 of the performance categories (Independence & Accountability and Effectiveness/Quality). It is important to note, however, that the differences in 2008 mean scores by location are not statistically significant (e.g., they could have occurred due to chance). (Exhibit 7)
28. By Respondent Group: In 2008 and 2004, Counsel for Respondents rated the Court the highest on 3 of the 5 court performance measures (Equality, Fairness, & Integrity, Expedition & Timeliness, and Effectiveness/Quality). However, the 2008 mean scores on these 3 performance categories are lower than in 2004. In 2008, Deputy Trial Counsel rated the Court the highest on the other 2 performance categories (Access to Justice and Effectiveness/Quality). For both 2008 and 2004, Respondents rated the Court the lowest on each of the performance categories. Note: the differences among mean scores by survey participants are significantly different on 3 of the performance categories: Access to Justice; Equality, Fairness, & Integrity; and Independence and Accountability. That is, there is a high confidence level that the differences are not due to chance alone. (Exhibit 8)

INTERPRETING SURVEY RESULTS & OVERVIEW OF FINDINGS

(continued)

Overview of Findings – Overall Satisfaction and Performance:

29. Overall Satisfaction: The average rating of all 2008 survey participants on *overall level of satisfaction* is 2.6, slightly above the midpoint of the rating scale (2.5 is the midpoint of this rating scale). Survey participants on average are somewhat satisfied with the Court. The average score in 2004 was 2.7. The difference between the 2008 and 2004 ratings is not statistically significant. (Exhibit 9)
30. Overall Satisfaction by Location: The overall satisfaction of survey participants from the San Francisco venue increased slightly from 2004 to 2008 (from 2.6 to 2.9) and the overall satisfaction rating of survey participants from the Los Angeles venue stayed the same (2.8 for both 2004 and 2008). Note, the differences in 2008 mean scores between venues are statistically significant -- there is a high confidence level that the differences are not due to chance alone. (Exhibit 9)
31. Overall Satisfaction by Type of Survey Participant: The overall satisfaction of Respondents and Deputy Trial Counsel increased slightly from 2004 to 2008 and the overall satisfaction level of Counsel for Respondents decreased slightly from 2004 to 2008. While these differences are not statistically significant, there are statistically significant differences among the 2008 average ratings by type of survey participant. (Exhibit 10) See Exhibit 11 for percent changes in satisfaction ratings by the three types of survey participants between 2004 and 2008.
32. Overall Performance: The average rating of all 2008 survey participants on *overall performance* is 2.5, at the midpoint of the rating scale. Survey participants on average rated the overall performance of the Court in the middle of the rating scale – between good and fair. This is the same rating provided in 2004. (Exhibit 12)
33. Overall Performance by Location: The average ratings of survey participants from the San Francisco and Los Angeles venues, as well as those that did not indicate a venue, increased slightly from 2004 to 2008, although the differences are not statistically significant. The ratings from San Francisco survey participants increased the most from 2004 to 2008 (from 2.4 to 2.7 respectively). (Exhibit 12)
34. Overall Performance by Type of Survey Participant: The overall performance ratings of Respondents and Deputy Trial Counsel increased slightly from 2004 to 2008 whereas the overall performance ratings of Counsel for Respondents decreased slightly. Note, however, the differences between 2004 and 2008 are not statistically significant. (Exhibit 13) See Exhibit 14 for the percent changes in overall performance ratings by the three types of survey participants between 2004 and 2008.

INTERPRETING SURVEY RESULTS & OVERVIEW OF FINDINGS

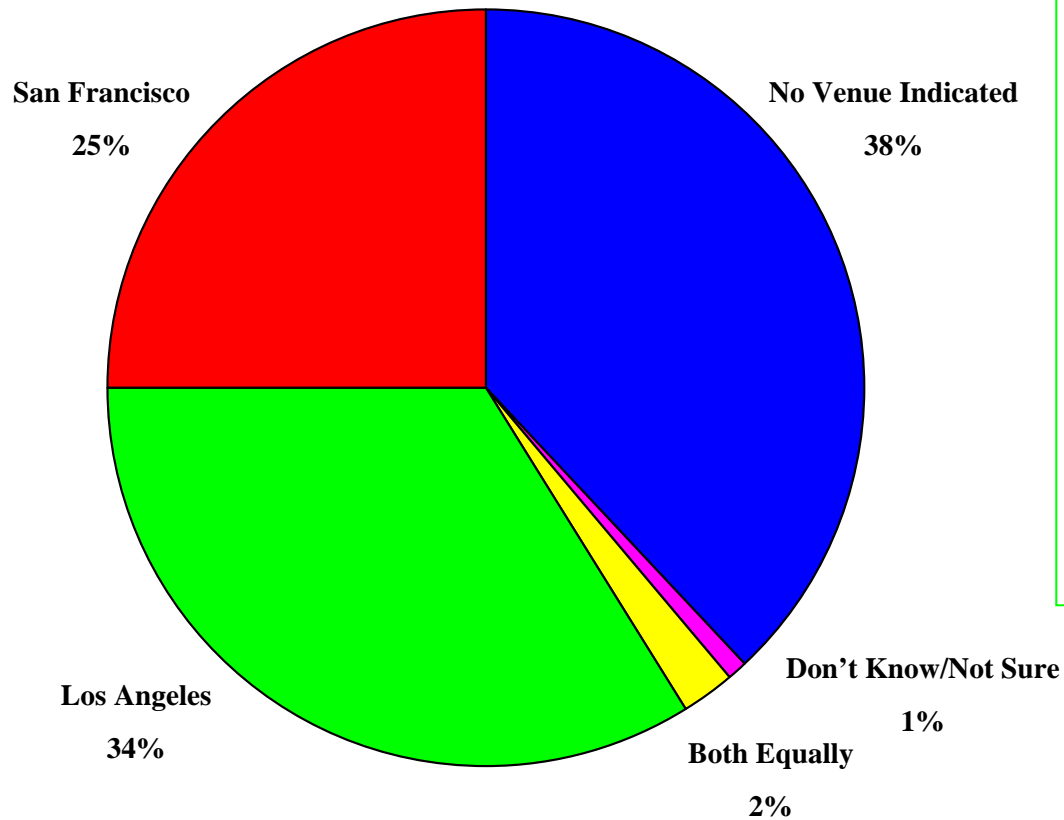
(continued)

Overview of Findings – Court Performance Survey Categories:

35. Highest Rated Individual Statements. Four of the five highest rated questions in 2008 also were in the top 5 in 2004. They are as follows: (1) Telephonic conferences were/are a convenient way to conduct some court business; (2) The level of security provided in the court facility was/is adequate; (3) Court personnel treated/treat me with respect; and (4) It was/is easy to find the court facility. The new question that is in the top 5 in 2008 is as follows: The judge hearing my case treated me with respect/ State Bar Court judges treat me with respect. The 2008 mean score on this new question is significantly higher than the mean score in 2004. This is the only question in the survey where the mean score in 2008 is significantly different from the mean score in 2004. (Exhibit 15)
36. Lowest Rated Individual Statements. Four of the five lowest rated questions in 2008 also were in the 5 lowest in 2004. They are as follows: (1) It was/is clear to me that the State Bar Court is an independent entity, separate from the prosecutor and other State Bar Departments; (2) The time it takes to resolve cases, once they are filed in the court, is reasonable; (3) I believe the Court's procedures were applied fairly in my case/State Bar Court judges apply procedures fairly in my case(s); and (4) Appropriate alternative dispute resolution methods were available to help resolve/settle my case(s) (e.g., Early Neutral Evaluation, Voluntary Settlement Conferences, Alternative Discipline Program). The new question that is the lowest overall rated question in 2008 is: I believe the decision reached in my case was fair/Overall, I believe State Bar Court judges' decisions are fair. This is a new question on the 2008 survey. (Exhibit 16)
37. Greatest Strengths: (in order of most frequently mentioned by survey participants): Below are the top three, most frequently mentioned strengths by survey participants in 2008. They are the same top three mentioned in 2004, albeit a different order. General – Integrity, Professionalism, and Experience was the third highest ranked strength in 2004. (Exhibit 17)
1. General – Integrity, Professionalism, Experience (35% of the people who answered this question mentioned this as a strength at least once)
 2. Judicial Officers (29% mentioned this at least once)
 3. Court Staff (21% mentioned this at least once)
38. Greatest Weaknesses: Below are the top three, most frequently mentioned weaknesses by 2008 survey participants. Two of the top three weaknesses in 2008 also were in the top three in 2004 (Poor/Biased/Unfair Treatment and Lack of Independence). The "Judicial Appointment Process" fell out of the list of weaknesses in 2008 – it was rarely mentioned by survey participants.
1. Application of Law/Procedures/Programs (32% of people who answered this question mentioned this as a weaknesses at least once)
 2. Poor/Biased/Unfair Treatment (27% mentioned this at least once)
 3. Lack of Independence (25% mentioned this at least once)

Exhibit 1
State Bar Court of California – Court Performance Survey
Overview of Survey Participants By State Bar Location
 June 2008 (Percent of Survey Participants)

By State Bar Court Location
 (n=224)

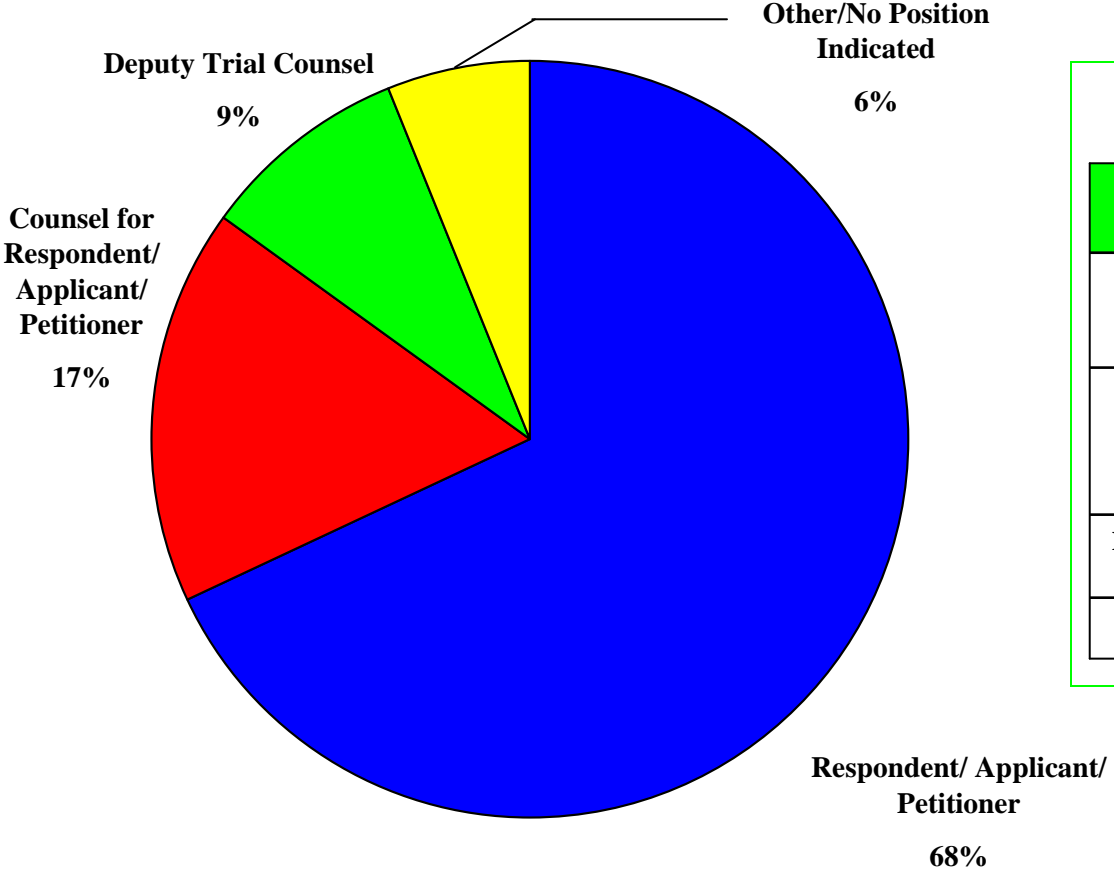


% Change Between 2004 & 2008

Location	2004 (n=143)	2008 (n=224)	% Change
San Francisco	22%	25%	+3%
Los Angeles	57%	34%	-23%
Both Equally	5%	2%	-3%
Don't Know	N/A	1%	
No Venue Indicated	16%	38%	+22%

Exhibit 2
State Bar Court of California – Court Performance Survey
Overview of Survey Participants By Type of Survey Participant
 June 2008 (Percent of Survey Participants)

By Type of Survey Participant
 (n=224)



Survey Participant	2004 (n=143)	2008 (n=224)	% Change
Respondent/ Applicant/ Petitioner	57%	68%	+11%
Counsel for Respondent/ Applicant/ Petitioner	20%	17%	-3%
Deputy Trial Counsel	20%	9%	-11%
Other	4%	6%	+2

Exhibit 3

State Bar Court of California – Court Performance Survey

Overview of Survey Participants By Frequency of Contact in an Average Month

June 2008 (Percent of Survey Participants)

**By Frequency of Contact in an Average Month
(n=211)**



% Change Between 2004 & 2008

Frequency of Contact	2004 (n=143)	2008 (n=211)	% Change
Several times per week	15%	9%	-6%
2-4 times per month	16%	13%	-3%
Once per month	12%	16%	+4%
Less than once per month	40%	45%	+5%
Never	11%	10%	-1%
Other	1%	7%	+6%

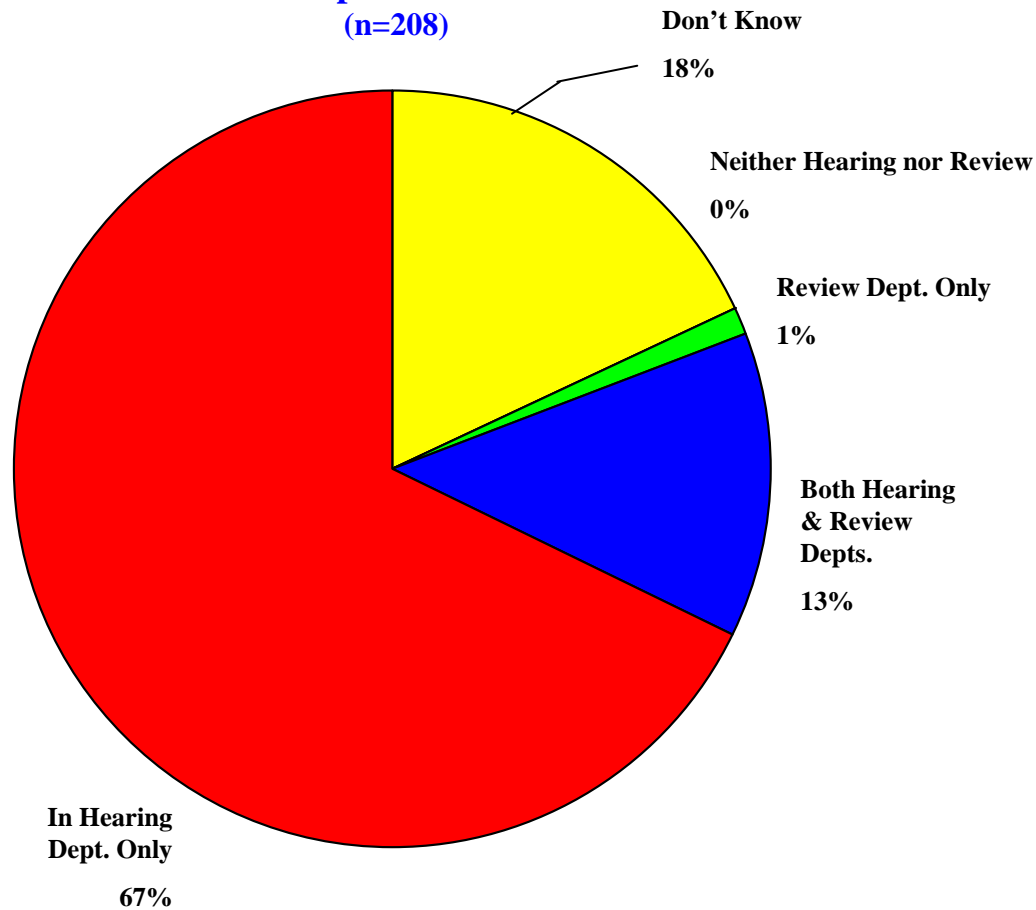
Exhibit 4

State Bar Court of California – Court Performance Survey

Overview of Survey Participants By Appearance in State Bar Court Departments

June 2008 (Percent of Survey Participants)

**By Appearance in State Bar Court
Departments
(n=208)**



% Change Between 2004 & 2008

Appearance	2004 (n=143)	2008 (n=208)	% Change
Hearing Dept Only	51%	67%	+16%
Both Hearing & Review	26%	13%	-13%
Review Dept Only	N/A	1%	N/A
Neither	5%	0%	-5%
Don't Know	17%	18%	+1%

Exhibit 5
State Bar Court of California – Court Performance Survey
Background Characteristics of Participants
 June 2008 (Percent of Respondents)¹ (n=224)

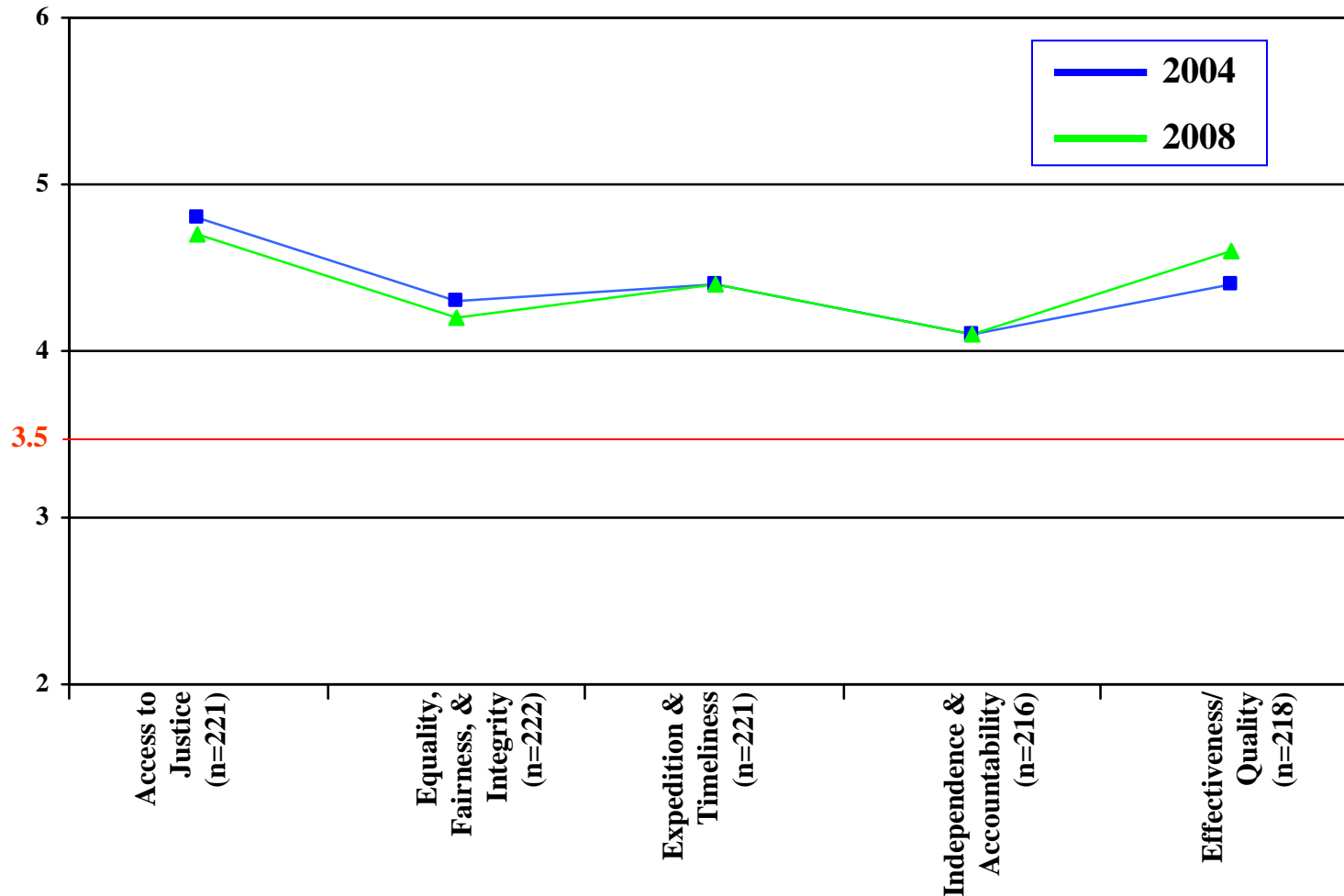
Question	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	2004 Total (n=143)	2008 Total (n=224)
Q32 Survey Participants	(n=57)	(n=76)	(n=5)	(n=2)	(n=84)	(n=143)	(n=224)
- Respondent/Applicant/Petitioner (n=152)	61%	70%	40%	50%	73%	57%	68%
- Counsel for Respondent/Applicant/Petitioner (n=38)	28%	12%	40%	-	13%	20%	17%
- Deputy Trial Counsel (n=20)	9%	14%	-	-	5%	20%	9%
- Other (n=3)	-	-	20%	-	2%	4%	1%
- No position indicated (n=11)	2%	4%	-	50%	7%		5%
Q33 Frequency of Contact in an Average Month	(n=55)	(n=71)	(n=5)	(n=2)	(n=78)	(n=139)	(n=211)
- Several times per week (n=18)	9%	15%	-	-	3%	15%	9%
- 2-4 times per month (n=27)	15%	8%	40%	-	14%	16%	13%
- Once per month (n=33)	13%	18%	20%	-	15%	12%	16%
- Less than once per month (n=96)	42%	45%	40%	50%	49%	40%	45%
- Never (n=21)	15%	7%	-	-	10%	11%	10%
- Other (n=11)	7%	3%	-	-	6%	1%	5%
- Don't Know (n=5)	-	3%	-	50%	3%		2%
Q34 Approximate number of Proceedings Involved in During the Past Year	(n=56)	(n=72)	(n=4)	(n=1)	(n=78)	(n=139)	(n=213)
- 1-2 Cases (n=141)	70%	68%	100%	100%	73%	1%	66%
- 3-5 Cases (n=26)	13%	14%	-	-	12%	33%	12%
- 6-15 Cases (n=7)	4%	-	-	-	4%	20%	3%
- 16 or more cases (n=36)	-	1%	-	-	9%	42%	17%
- Don't Know/Not Sure (n=3)	14%	17%	-	-	3%	3%	1%

Exhibit 5 (Continued)
State Bar Court of California – Court Performance Survey
Background Characteristics of Participants
June 2008 (Percent of Respondents)¹ (n=224)

Question	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	2004 Total (n=143)	2008 Total (n=224)
Q35 Appearance in State Bar Court Departments	(n=56)	(n=72)	(n=4)	(n=1)	(n=75)	(n=138)	(n=208)
- Hearing Dept Only (n=140)	70%	68%	100%	100%	63%	51%	67%
- Both Hearing Dept & Review Dept (n=27)	13%	14%	-	-	13%	26%	13%
- Review Dept Only (n=2)	4%	-	-	-	-	n/a	1%
- Neither (n=1)	-	1%	-	-	-	5%	-
- Don't Know/ Not Sure (n=38)	14%	17%	-	-	24%	17%	18%
Q36 Average length of time it takes to Resolve Matter	(n=55)	(n=71)	(n=5)	(n=1)	(n=77)	(n=134)	(n=209)
- < than 12 months (n=81)	40%	35%	40%	100%	40%	40%	39%
- 12 – 18 months (n=56)	29%	25%	20%	-	27%	26%	27%
- 19-24 months (n=17)	9%	10%	-	-	6%	10%	8%
- 25-36 months (n=15)	-	11%	-	-	9%	5%	7%
- > 36 months (n=11)	2%	6%	20%	-	6%	10%	5%
- Don't Know/Not Sure (n=29)	20%	13%	20%	-	10%	10%	14%
Q37 Respondents Only: How most recent matter was resolved.	(n=32)	(n=50)	(n=2)	(n=1)	(n=61)	(n=75)	(n=146)
- Stipulated Disposition (n=75)	53%	50%	50%	100%	51%	63%	51%
- Granting of Motion for Dismissal (n=4)	6%	2%	-	-	2%	7%	3%
- Acceptance of Resignation (n=8)	6%	2%	50%	-	7%	8%	5%
- Decision after trial in Hearing Department (n=8)	9%	6%	-	-	3%	9%	5%
- Opinion in the Review Department (n=3)	3%	-	-	-	3%	4%	2%
- Other (n=35)	13%	32%	-	-	25%	4%	24%
- Don't Know/Not Sure (n=13)	9%	8%	-	-	10%	5%	9%
Total (n=224)	26%	34%	2%	1%	38%	100%	100%

¹ For every question, there was some missing information. Thus, the proportions are based only on the number of survey participants that answered each question. The number of survey participants that answered each question is shown in parentheses.

Exhibit 6
State Bar Court of California – Court Performance Survey
Ratings of All Survey Participants on the Five Court Performance Categories
 June 2008 - (Mean Scores)¹



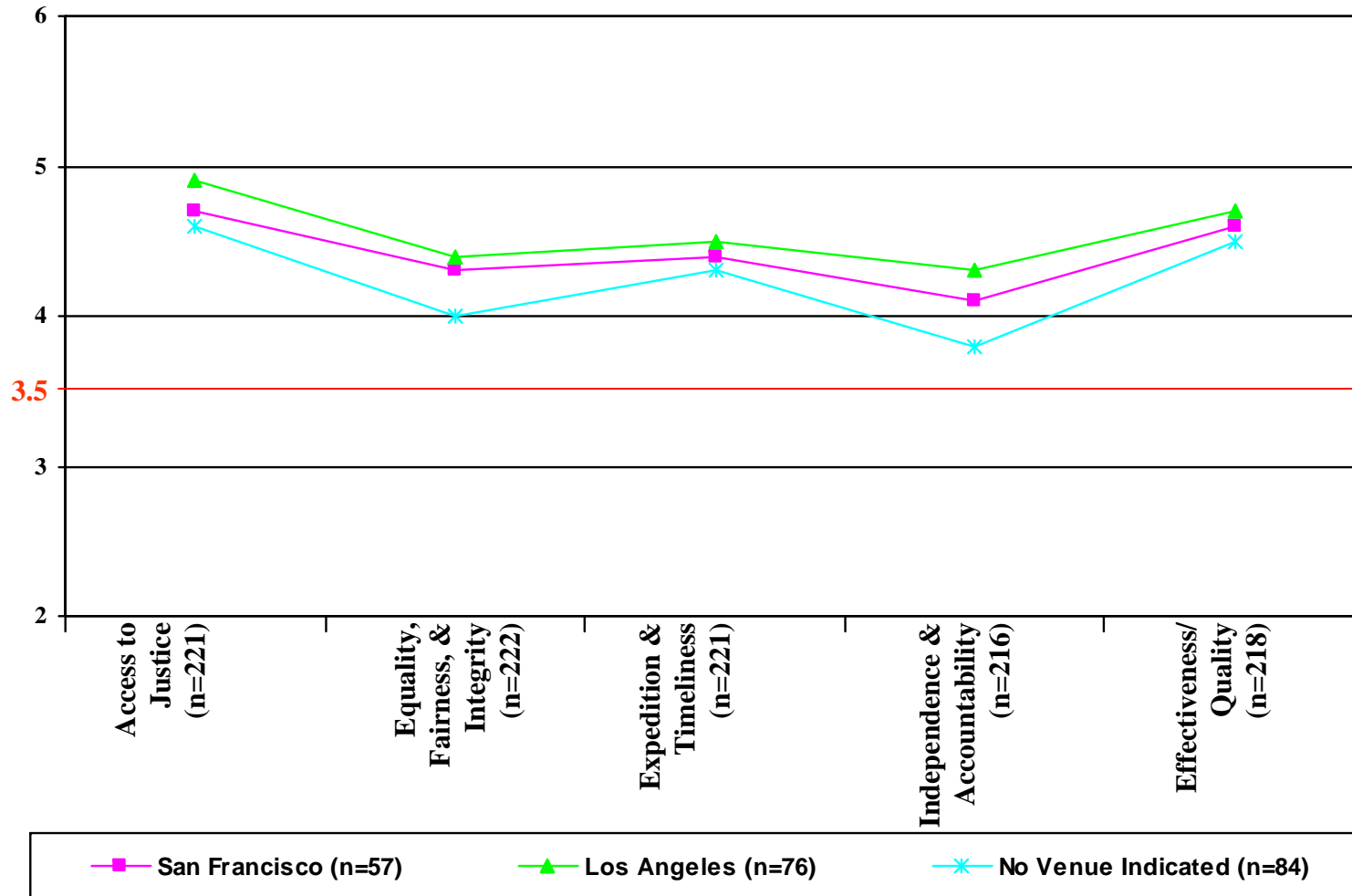
¹Mean scores for each category are computed by averaging the means (i.e., the mean of means) of the set of statements included in each category. The means for each statement are computed using a scale from 1 to 6 where 1=strongly disagree and 6=strongly agree. For each statement then, the higher the mean score, the higher the level of agreement to that statement. For each category, the higher the mean score, the more positive the category is to survey participants. The midpoint of the scale is 3.5. The averages exclude survey participants who did not know how to rate the question or did not answer.

Exhibit 7

State Bar Court of California – Court Performance Survey

Ratings on Court Performance Categories By Court Location

June 2008 - (Mean Scores)¹



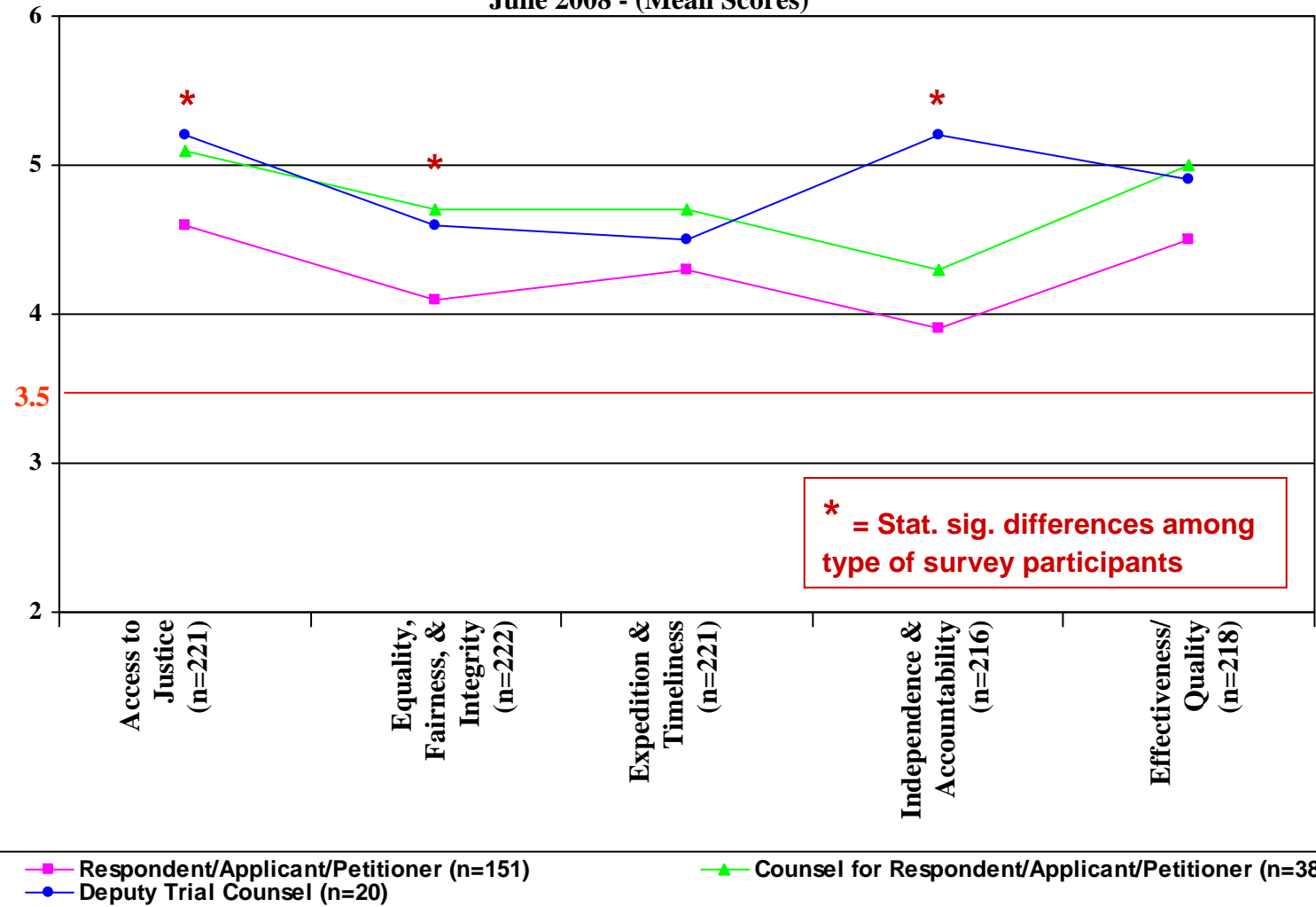
¹Mean scores for each category are computed by averaging the means (i.e., the mean of means) of the set of statements included in each category. The means for each statement are computed using a scale from 1 to 6 where 1=strongly disagree and 6=strongly agree. For each statement then, the higher the mean score, the higher the level of agreement to that statement. For each category, the higher the mean score, the more positive the category is to survey participants. The midpoint of the scale is 3.5. The averages exclude survey participants who did not know how to rate the question or did not answer.

Exhibit 8

State Bar Court of California – Court Performance Survey

Ratings on Court Performance Categories By Type of Survey Participant

June 2008 - (Mean Scores)¹



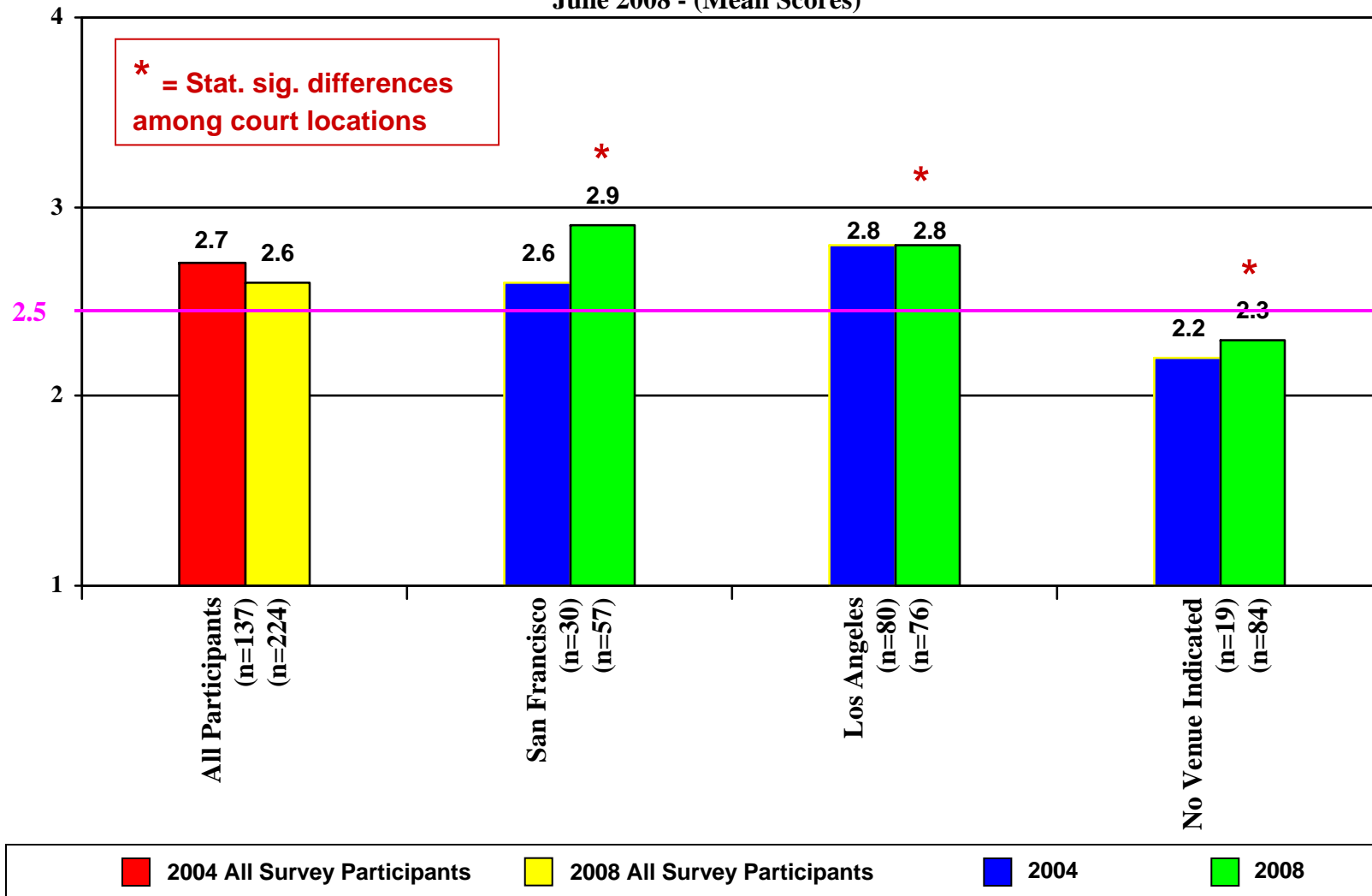
¹Mean scores for each category are computed by averaging the means (i.e., the mean of means) of the set of statements included in each category. The means for each statement are computed using a scale from 1 to 6 where 1=strongly disagree and 6=strongly agree. For each statement then, the higher the mean score, the higher the level of agreement to that statement. For each category, the higher the mean score, the more positive the category is to survey participants. The midpoint of the scale is 3.5. The averages exclude survey participants who did not know how to rate the question or did not answer.

Exhibit 9

State Bar Court of California – Court Performance Survey

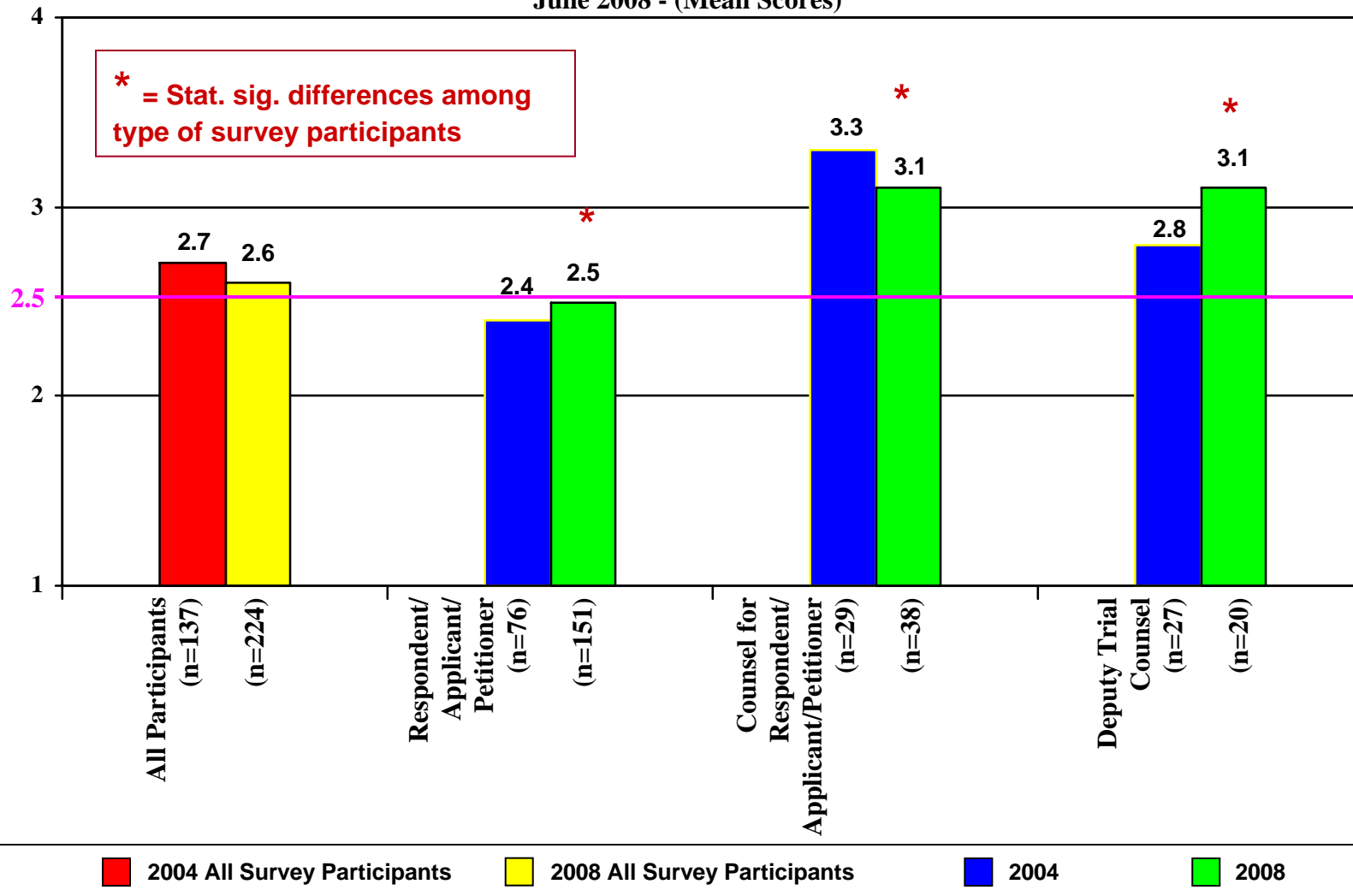
Overall Level of Satisfaction – By All & By Location

June 2008 - (Mean Scores)¹



¹Mean scores are computed by averaging responses to this question, using a scale from 1 to 4 where 1=Dissatisfied and 4=Satisfied. Thus, the higher the mean score, the higher the level of satisfaction with the State Bar Court. The midpoint of the scale is 2.5. The averages exclude survey participants who did not know how to rate the question or did not answer.

Exhibit 10
State Bar Court of California – Court Performance Survey
Overall Level of Satisfaction – By All & By Type of Survey Participant
 June 2008 - (Mean Scores)¹



¹Mean scores are computed by averaging responses to this question, using a scale from 1 to 4 where 1=Dissatisfied and 4=Satisfied. Thus, the higher the mean score, the higher the level of satisfaction with the State Bar Court. The midpoint of the scale is 2.5. The averages exclude survey participants who did not know how to rate the question or did not answer.

Exhibit 11
State Bar Court of California
Overall Level of Satisfaction – 2004 vs. 2008
 June 2008 (Percent of Survey Participants)

**By Respondent/Applicant/
 Petitioner**

Overall Rating	2004 n=82	2008 n=147	% Change
Satisfied	33%	33%	0%
Somewhat Satisfied	11%	17%	+6%
Somewhat Dissatisfied	10%	10%	0%
Dissatisfied	39%	37%	-2%
Don't Know	7%	3%	-4%

**By Counsel for Respondent/
 Applicant/Petitioner**

Overall Rating	2004 n=29	2008 n=37	% Change
Satisfied	62%	49%	-13%
Somewhat Satisfied	20%	27%	+7%
Somewhat Dissatisfied	3%	8%	+5%
Dissatisfied	14%	16%	+2%
Don't Know	--	0%	--

By Deputy Trial Counsel

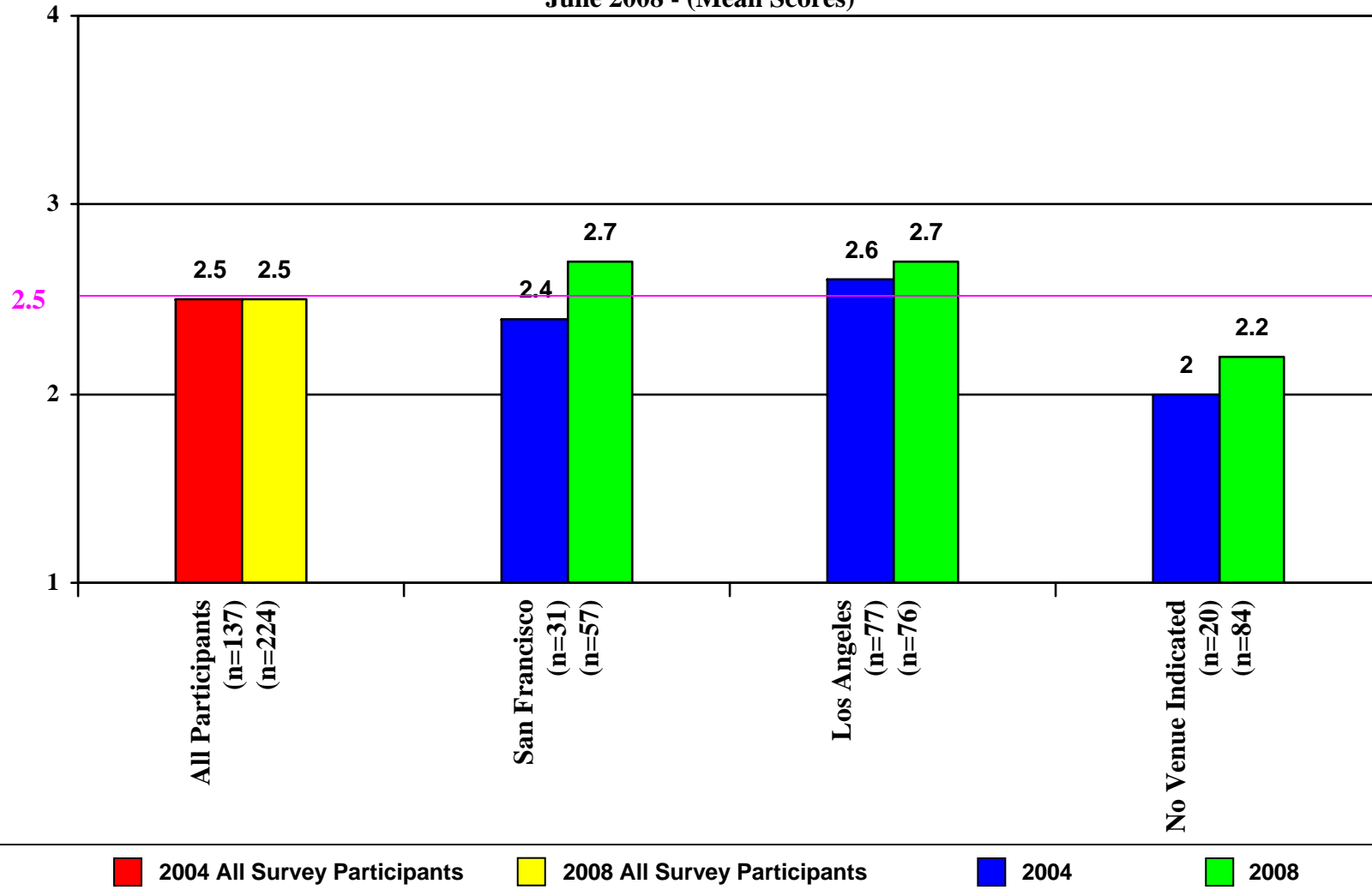
Overall Rating	2004 n=27	2008 n=20	% Change
Satisfied	33%	50%	+17
Somewhat Satisfied	30%	20%	-10%
Somewhat Dissatisfied	22%	15%	-7%
Dissatisfied	15%	15%	0%
Don't Know	--	0%	--

Exhibit 12

State Bar Court of California – Court Performance Survey

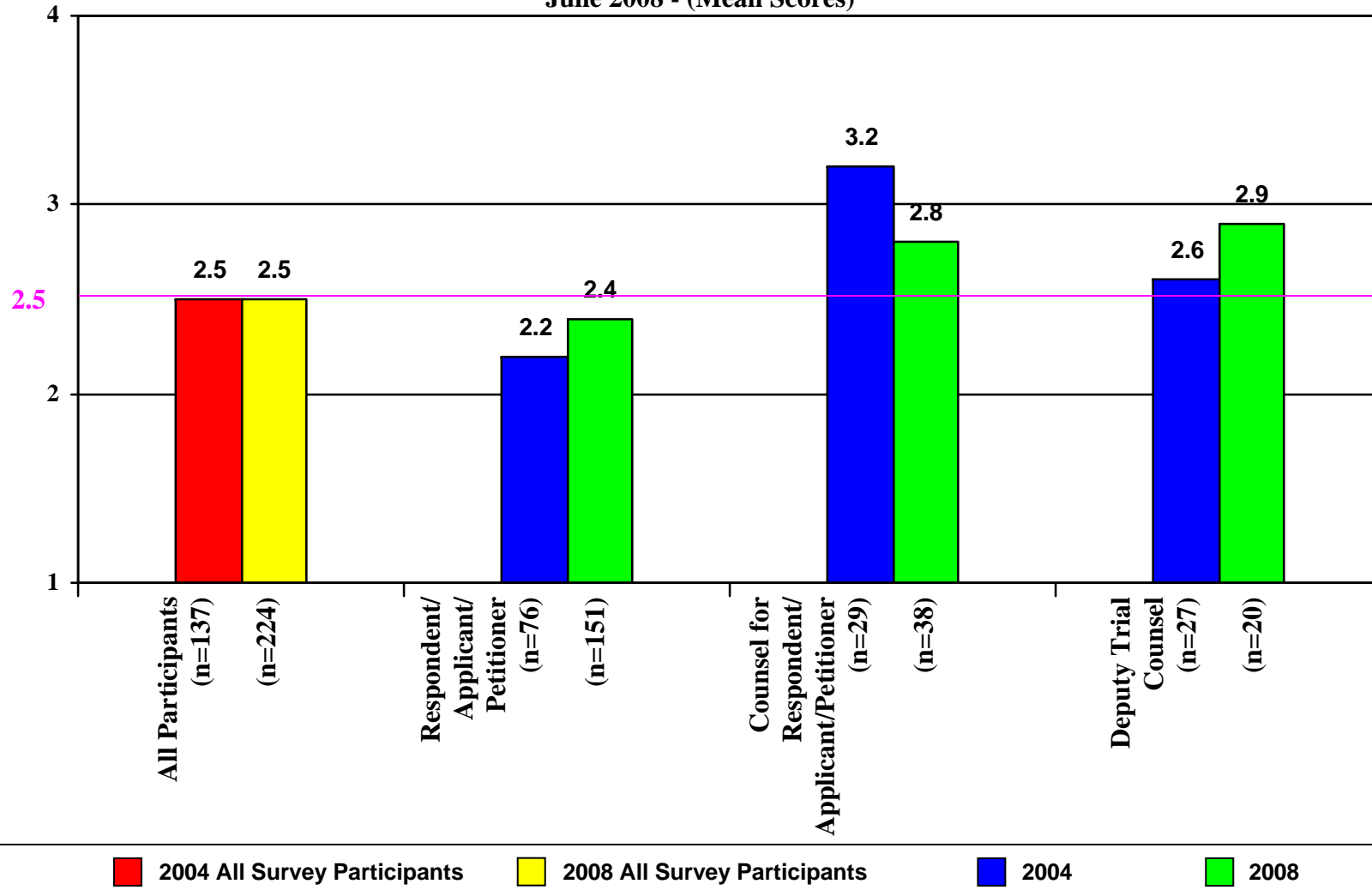
Overall Level of Performance – By All, By Court Location

June 2008 - (Mean Scores)¹



¹Mean scores are computed by averaging responses to this question, using a scale from 1 to 4 where 1=Poor and 4=Excellent. Thus, the higher the mean score, the higher the overall performance rating of the State Bar Court. The midpoint of the scale is 2.5. The averages exclude survey participants who did not know how to rate the question or did not answer.

Exhibit 13
State Bar Court of California – Court Performance Survey
Overall Level of Performance – By All, By Type of Respondent Group
 June 2008 - (Mean Scores)¹



¹Mean scores are computed by averaging responses to this question, using a scale from 1 to 4 where 1=Poor and 4=Excellent. Thus, the higher the mean score, the higher the overall performance rating of the State Bar Court. The midpoint of the scale is 2.5. The averages exclude survey participants who did not know how to rate the question or did not answer.

Exhibit 14
State Bar Court of California – Court Performance Survey
Overall Level of Performance – 2004 vs. 2008
 June 2008 (Percent of Survey Participants)

**By Respondent/Applicant/
Petitioner**

Overall Rating	2004 n=82	2008 n=146	% Change
Excellent	13%	21%	+8
Good	30%	29%	-1%
Fair	15%	12%	-3%
Poor	37%	31%	-6%
Don't Know	5%	8%	+3%

**By Counsel for Respondent/
Applicant/Petitioner**

Overall Rating	2004 n=29	2008 n=37	% Change
Excellent	45%	49%	+4%
Good	35%	27%	-8%
Fair	19%	8%	-11%
Poor	10%	16%	+6%
Don't Know	4%	0%	-4%

By Deputy Trial Counsel

Overall Rating	2004 n=27	2008 n=20	% Change
Excellent	19%	50%	+31%
Good	33%	20%	-13%
Fair	30%	15%	-15%
Poor	15%	15%	0%
Don't Know	4%	0%	-4%

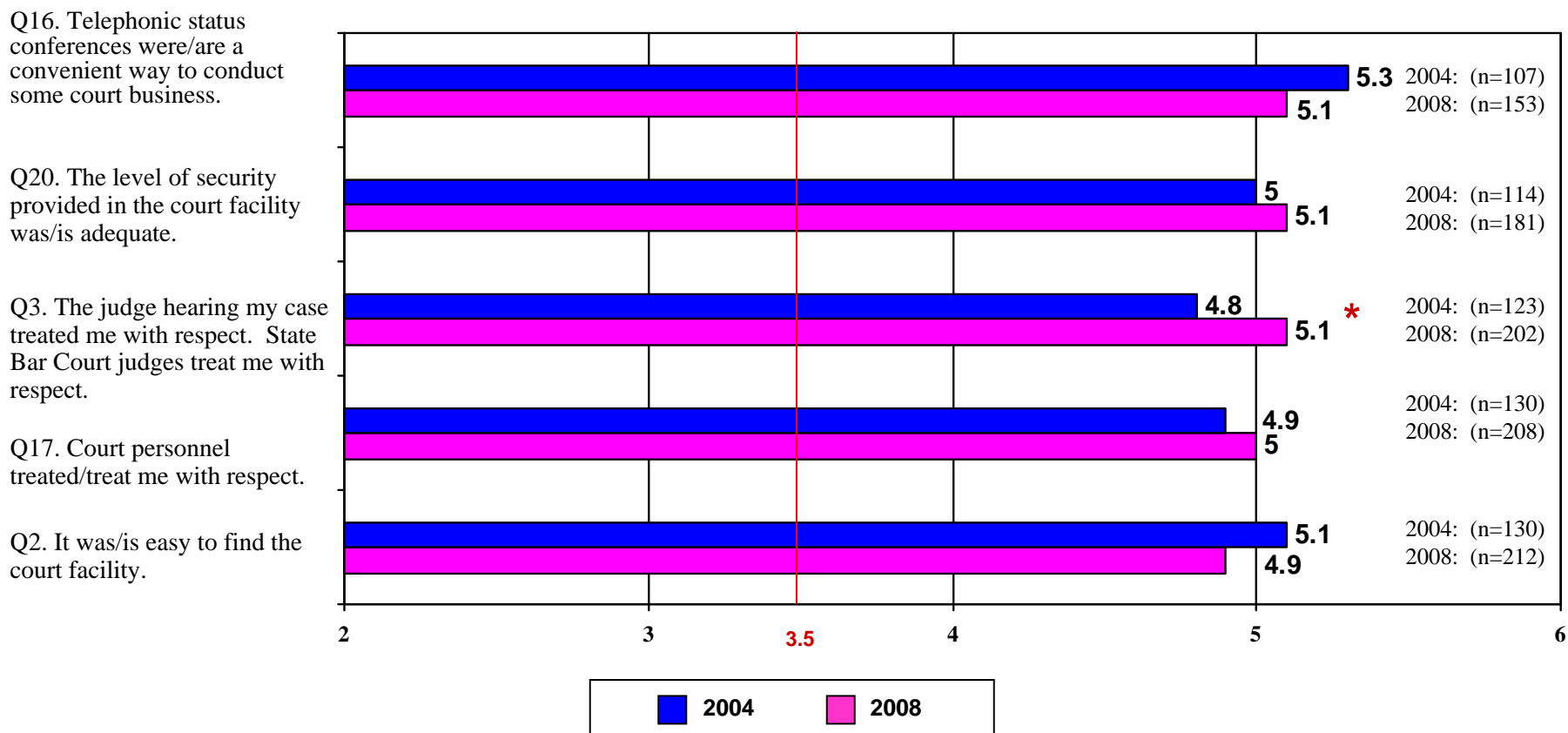
Exhibit 15

State Bar Court of California – Court Performance Survey

Five Highest Rated Survey Questions – 2004 vs. 2008

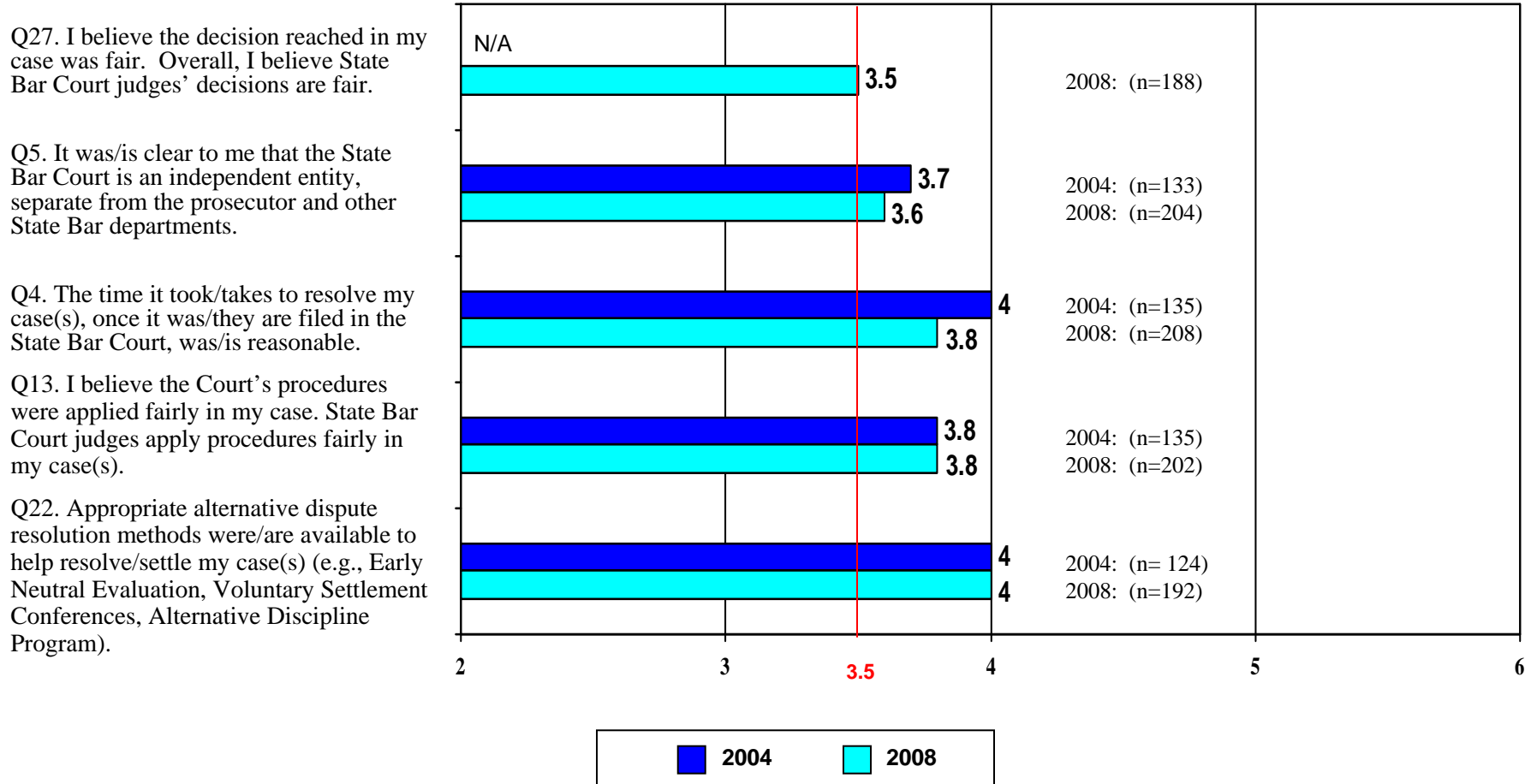
June 2008 - (Mean Scores)¹

*** = Stat. Sig. Difference
& Not in Top 5 in 2004**



¹Mean scores for each statement are computed by averaging the responses to the questions using a scale from 1 to 6 where 1=strongly disagree and 6=strongly agree. For each statement then, the higher the mean score, the higher the level of agreement to that statement. The midpoint of the scale is 3.5. The averages exclude survey participants who did not know how to rate the question or did not answer.

Exhibit 16
State Bar Court of California – Court Performance Survey
Five Lowest Rated Survey Questions – 2004 vs. 2008
 June 2008 - (Mean Scores)¹



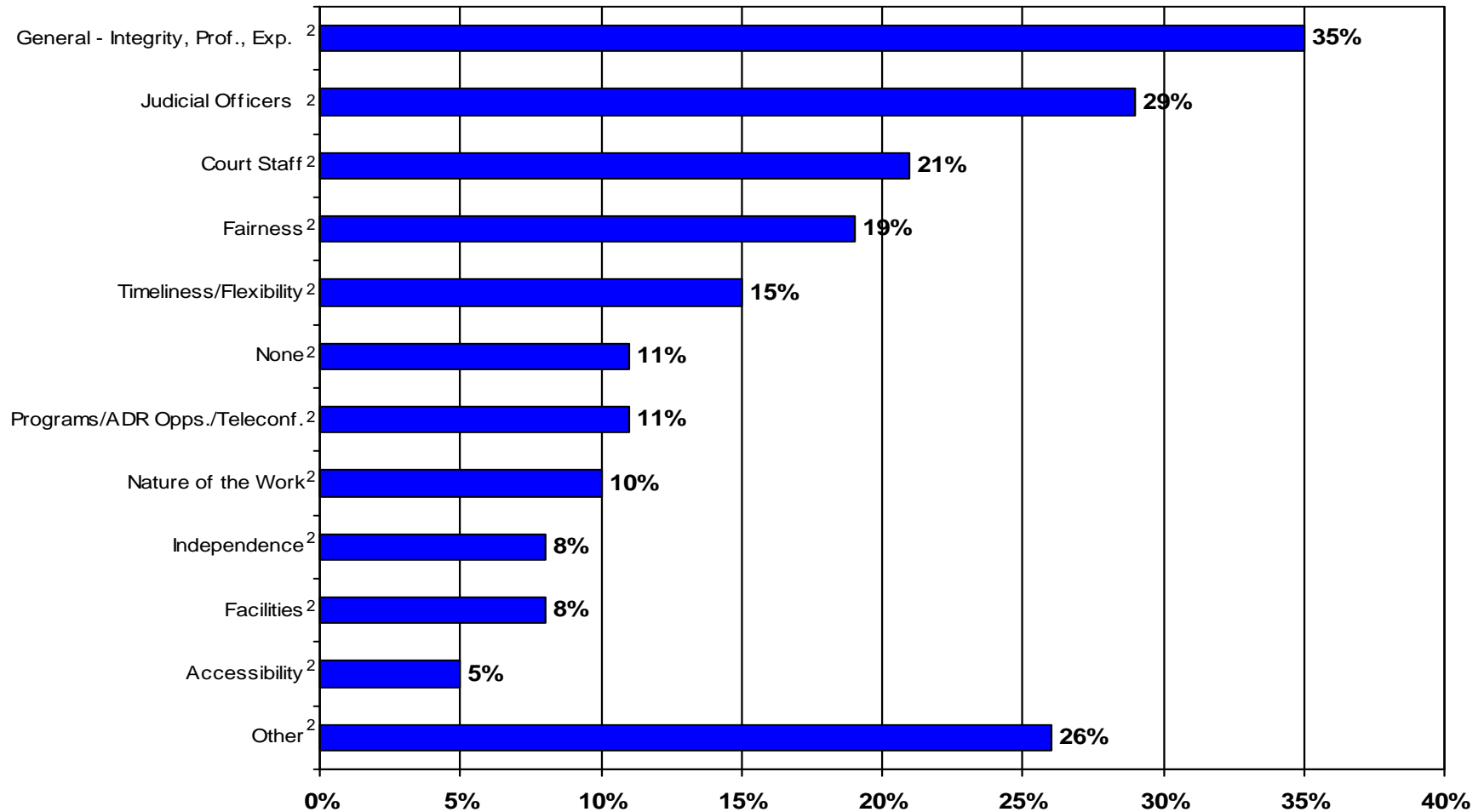
¹Mean scores for each statement are computed by averaging the responses to the questions using a scale from 1 to 6 where 1=strongly disagree and 6=strongly agree. For each statement then, the higher the mean score, the higher the level of agreement to that statement. The midpoint of the scale is 3.5. The averages exclude survey participants who did not know how to rate the question or did not answer.

Exhibit 17

State Bar Court of California – Court Performance Survey

Greatest Strengths of the State Bar Court

June 2008 (Percent of Survey Participants)¹ (n=142)



¹Percentages are computed based on the total number of survey participants that listed at least one strength. This is a multiple response question, thus, the percentages exceed 100%.

² Refer to the next page for examples of what is included in each of the strength categories, as stated by survey participants.

Greatest Strengths of the State Bar Court: Description of Each Category

General - Integrity, Professionalism, Experience: Professional; experience; reasonableness; respect shown by Court to all parties; high standards; professionalism; great individual attention to my case; well thought out procedures; trials/hearings are civil; thoroughness; efficiency and competency.

Judicial Officers: Judges are knowledgeable, hardworking, & conscientious; judges are prepared; the judge in my case; judges are neutral & knowledgeable about the law; competency of judges; excellent judges; judges are courteous & accommodating; quality of the judges; most of the judges are polite & respectful to all parties; professional judges/court (vs. old volunteer system); judges are good fact finders.

Court Staff: Caliber & knowledge-base of its personnel; helpfulness of staff; competency & helpfulness of the clerks/staff; professional staff & clerks; dedicated staff; support staff are over the top excellence in responsiveness and courtesy; court clerks/staff are very friendly, courteous, and helpful.

Fairness: Tries to be even-handed; impartiality/objectivity; listening to my point of view, facts; equity; general commitment to fairness; fair decision even when the result is less than I expected; due process is afforded to respondents.

Timeliness/Flexibility: Motions were ruled on in a timely manner; expeditious; Court System works efficiently; calendars are orderly; fast track procedures for certain types of actions; scheduling flexibility; streamlined, efficient processing of cases; flexibility extended to litigants.

None/has no strengths: They have no strengths; none.

Programs/ADR Opportunities/Teleconferences: Resources; ethics class was excellent; dispute resolution; early mediation and ADR alternative programs; willingness to try ADP; willingness to hold telephone conferences; ADR methods.

Nature of the Work: Its role in policing our profession; provides a venue to resolve problems; power to discipline unethical attorneys; focus on attorney discipline; keeps lawyers more honest, responsible, & accountable; provides a venue to resolve problems; provides a venue for lawyers to defend themselves against false complaints.

Independence: Independence from the prosecutor; independence; the Court acts independently of outside pressure; judges are independently appointed; Court gives parties a 3rd, independent perspective.

Facilities: Nice facility; facility is good (court is very nice); facilities are well secured, clean, & professional; great facilities/website.

Accessibility: Easy access to calendar; convenience; location; transparency – most proceedings are open to the public.

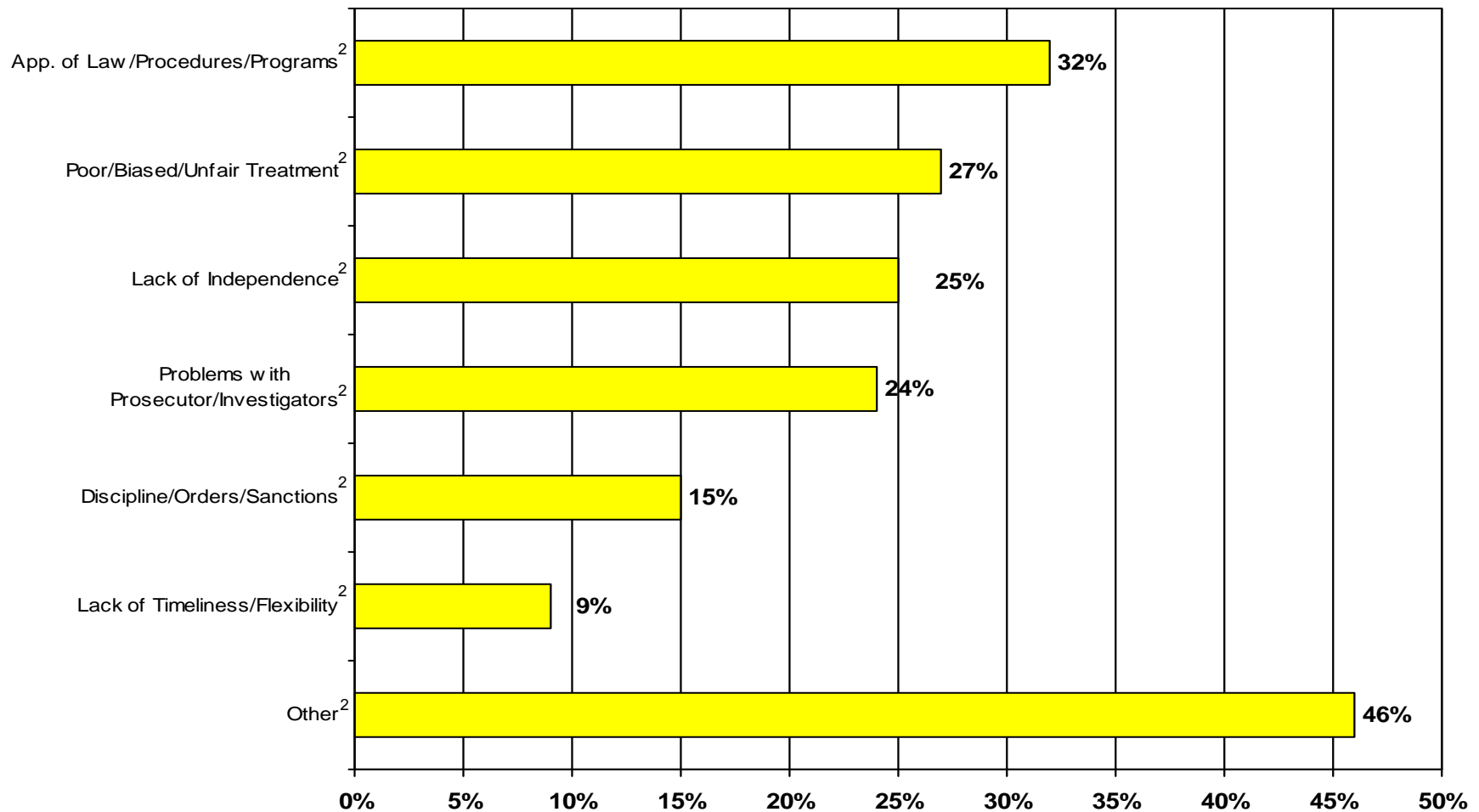
Other: It is regimented; didn't go to court, got plea bargain; affordable; informality; published decisions are instructive; some complaints could be handled by a pro banc attorney & telephone (or face-to-face meeting).

Exhibit 18

State Bar Court of California – Court Performance Survey

Greatest Weaknesses of the State Bar Court

June 2008 (Percent of Survey Participants)¹ (n=164)



¹Percentages are computed based on the total number of survey participants that listed at least one weakness to this question. This is a multiple response question, thus, the percentages exceed 100%.

² Refer to the next page for examples of what is included in each of the weakness categories, as stated by survey participants.

Greatest Weaknesses of the State Bar Court: Description of Each Category

Application of Law/Procedures/Programs: Judges do not follow law/procedures; massive rules of procedure; relaxed approach to rules of evidence and due process of law; the difficulty of understanding procedures; allowing in admissible evidence; lack of discovery early in the case proceeding; need more telephone court appearances; insufficient settlement procedures; more mediation is needed; inability/refusal to require trial counsel to attend mandatory settlement conferences; Early Neutral Evaluation Conferences/ Voluntary Settlement Conferences are not very useful.

Poor/Biased/Unfair Treatment: Lack of empathy/leniency towards attorneys; Review Dept. can be rigid and unfair; stacked against small practitioners; biased against attorneys – assume respondent committed misconduct; arguments were not really listened to because practice is to settle based on recommendations; the Courts is unfair/biased – ratifies recommendations of Prosecutor; biased against sole practitioners/more liberal with large law firms; more assistance needed for pro se respondents.

Lack of Independence: Lack of independence; beholden to OCTC; pressure from Supreme Court to be “tougher;” the Court favors OTC (in factual findings and application of rules of evidence); too much deference to OCTC; the Court is intimidated by the political power of the prosecutor’s office; too many ex parte communications/meetings with the OCTC; the lack of impartiality of the Court – Prosecutor is treated special and respondent with suspicion; State Bar Court is not a separate entity from the State Bar itself.

Problems with Prosecutor/Investigators: Prosecuting attorneys are biased, incompetent, angry; the Court lacks control over conduct of prosecutors; inability of State Bar judges to stand up to overly aggressive prosecutors; failure of State Bar attorney to investigate before complaint was filed; prosecutor was not prepared; too much power vested in inexperienced investigators; investigators are rude/arrogant.

Discipline/Orders/Sanctions: Alternative Discipline Program; an unnecessary, elevated scale of punishment; mandatory levels of discipline on cases where exceptions could be made; sentences are arbitrary and pre-determined; matters result in inappropriate punishment; opinions are individualized with some unjust results.

Lack of Timeliness/Flexibility: Long delays (5 years is too painful); opinions/decisions not issued in a timely manner (been over 4 months since closing arguments); 4 years to file complaint; long wait for hearing on a few occasions; lack of flexibility; .

Other: Public perception; its purposes are poorly presented or understood; it is a frightening and mysterious experience; education to public on what they do; self perpetuating bureaucracy; costs of defending oneself; overburdened with too many cases; lack of financial resources; no court reporter; failure to adequately compensate judges so as to attract qualified jurists; don’t have enough judges to handle the number of cases; some judges are not very experienced/familiar with laws; lack of consistency; no e-filing; security/2nd metal detector is not necessary; disconnect between judges and administrators; inconvenient venue; inadequate parking; too much business by mail; none/haven’t seen any/no comment; no major weaknesses due to the speed and efficiency in which my case was handled; my case was dismissed early in the proceedings – I can’t answer this question.

STATE BAR COURT OF CALIFORNIA – COURT PERFORMANCE SURVEY CATEGORIES

June 2008 (Mean Scores)¹

**TABLE 1:
ACCESS TO JUSTICE**

Questions in this Category	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	Respondents/ Applicants/ Petitioners (n=151)	Counsel for Resp/ App/Pet. (n=38)	Deputy Trial Counsel (n=20)	2004 All Resp. (n=141)	2008 All Resp. (n=224)
Q23 I was/am aware of the Rules of Procedure of the State Bar of California and the Rules of Practice of the State Bar Court. (n= 209)	4.3	4.6	4.8	4.0	4.2	4.0	5.2	5.8	4.6	4.4
Q7 The Court does a good job of providing assistance to court users with special needs (e.g., interpreter services, hearing impaired, disabled). (n=54)	4.5	4.7	-	-	4.5	4.3	4.9	5.0	4.9	4.6
Q2 It was/is easy to find the court facility. (n=212)	4.9	5.1	4.5	5.0	4.7	4.7	5.0	5.5	5.1	4.9
Q12 The information/resources provided by the Court were/ are helpful in completing my court business (e.g., websites, rules, forms) (n=185)	4.1	4.5	4.4	-	4.2	4.1	4.8	4.9	4.2	4.3
Q16 Telephonic status conferences were/are a convenient way to conduct some court business. (n=153)	5.5	5.4	5.3	5.0	5.3	5.3	5.5	5.3	5.3	5.4
Q20 The level of security provided in the court facility was/is adequate. (n=181)	4.9	5.2	4.7	5.0	5.2	5.2	5.2	4.4	5.0	5.1
Grand Mean (n=221)	4.7	4.9	4.6	4.8	4.6	4.6	5.1	5.2	4.8	4.7

¹ Mean scores for each statement are computed using a scale from 1 to 6 where 1=strongly disagree and 6=strongly agree. Mean scores for each category are computed by averaging the means (i.e., mean of means) of the set of statements included in each category. For each statement then, the higher the mean score, the higher the level of agreement to that statement. For each category, the higher the mean score, the more positive the category is to survey participants. The midpoint of the scale is 3.5. The averages exclude survey participants who answered “don’t know/not sure” and did not answer the question.

NOTE: the pink shading reflects statistically significant differences in the mean scores at a 95% confidence level. There is a less than 5 percent probability that the differences could have occurred by chance alone.

**TABLE 2:
EQUALITY, FAIRNESS, & INTEGRITY**

Questions in this Category	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	Respondents/ Applicants/ Petitioners (n=151)	Counsel for Resp/ App/Pet. (n=38)	Deputy Trial Counsel (n=20)	2004 All Resp. (n=141)	2008 All Resp. (n=224)
Q3 The judge hearing my case treated me with respect. State Bar Court judges treat me with respect. (n=202)	4.9	5.3	5.7	5.0	5.0	5.0	5.4	5.2	4.8	5.1
Q8 The judge hearing my case was impartial in his/her rulings. State Bar Court judges are impartial in their rulings. (n=178)	4.1	4.4	4.7	5.0	3.9	4.2	4.3	4.1	4.0	4.1
Q13 I believe the Court's procedures were applied fairly in my case. State Bar Court judges apply procedures fairly in my case(s). (n=202)	4.1	4.0	4.0	5.0	3.4	3.6	4.6	4.3	3.8	3.8
Q17 Court personnel treated/treat me with respect. (n=208)	4.9	5.2	5.5	5.0	4.7	4.8	5.4	5.2	4.9	5.0
Q21 I was given an adequate opportunity to present my case. State Bar Court judges provide me with an adequate opportunity to present my case(s). (n=201)	4.3	4.5	3.8	6.0	4.0	4.1	4.7	4.7	4.4	4.2
Q25 The judge hearing my case (or the case in which I am involved) treated all parties equally. State Bar Court judges treat all parties equally. (n=188)	4.1	4.4	4.7	5.0	4.0	4.3	4.2	4.0	n/a	4.2

**TABLE 2:
EQUALITY, FAIRNESS, & INTEGRITY**

Questions in this Category	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	Respondents/ Applicants/ Petitioners (n=151)	Counsel for Resp/ App/Pet. (n=38)	Deputy Trial Counsel (n=20)	2004 All Resp. (n=141)	2008 All Resp. (n=224)
Q26 The judge explained his/her ruling and/or provided the rationale for the decision on my case. State Bar Court judges explain their rulings and/or provide the rationale for their decisions. (n=170)	4.1	4.4	4.5	6.0	4.1	4.1	4.7	4.5	n/a	4.2
Q27 I believe the decision reached in my case was fair. Overall, I believe State Bar Court judges' decisions are fair. (n=188)	3.8	3.7	3.4	6.0	3.1	3.1	4.3	4.8	n/a	3.5
Grand Mean (n=222)	4.3	4.4	4.0	5.4	4.0	4.1	4.7	4.6	4.3	4.2

**TABLE 3:
EXPEDITION & TIMELINESS**

Questions in this Category	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	Respondents/ Applicants/ Petitioners (n=151)	Counsel for Resp/ App/Pet. (n=38)	Deputy Trial Counsel (n=20)	2004 All Resp. (n=141)	2008 All Resp. (n=224)
Q4 The time it took/takes to resolve my case(s), once it was/they are filed in the State Bar Court, was/is reasonable. (n=208)	3.6	3.9	4.5	5.0	3.8	3.7	4.2	3.9	4.0	3.8
Q9 My court event(s) started on time. Court events start on time. (n=197)	4.6	4.9	4.7	5.0	4.6	4.8	4.8	4.4	4.7	4.7
Q14 I received/receive adequate advance notice of my court events. (n=211)	4.9	4.9	3.6	5.0	4.8	4.7	4.9	5.1	4.8	4.8
Q18 I received/receive written notification of the outcome of my court event(s) within a reasonable amount of time. (n=195)	4.8	4.9	4.0	5.0	4.6	4.6	5.2	4.6	4.6	4.7
Q22 Appropriate alternative dispute resolution methods were/are available to help resolve/settle my case(s) (e.g., Early Neutral Evaluation, Voluntary Settlement Conferences, Alternative Discipline Program). (n=192)	4.0	4.4	3.0	6.0	3.6	3.8	4.6	4.5	4.0	4.0
Grand Mean (n=221)	4.4	4.5	3.7	5.2	4.3	4.3	4.7	4.5	4.4	4.4

**TABLE 4:
INDEPENDENCE & ACCOUNTABILITY**

Questions in this Category	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	Respondents/ Applicants/ Petitioners (n=151)	Counsel for Resp/ App/Pet. (n=38)	Deputy Trial Counsel (n=20)	2004 All Resp. (n=141)	2008 All Resp. (n=224)
Q10 The Court appears to use its financial resources responsibly by providing adequate facilities. (n=168)	4.6	5.0	4.8	5.0	4.6	4.6	5.1	4.9	4.7	4.7
Q24 The Court appears to use its resources responsibly by having an adequate number of personnel to process cases. (n=176)	4.2	4.6	5.3	5.0	4.2	4.3	4.6	4.8	4.5	4.4
Q5 It was/is clear to me that the State Bar Court is an independent entity, separate from the prosecutor and other State Bar departments. (n=204)	3.9	3.8	3.8	4.0	3.2	3.3	3.7	5.7	3.7	3.6
Grand Mean (n=216)	4.1	4.3	4.4	4.7	3.8	3.9	4.3	5.2	4.1	4.1

**TABLE 5:
EFFECTIVENESS/QUALITY**

Questions in this Category	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	Respondents/ Applicants/ Petitioners (n=151)	Counsel for Resp/ App/Pet. (n=38)	Deputy Trial Counsel (n=20)	2004 All Resp. (n=141)	2008 All Resp. (n=224)
Q6 The judge was knowledgeable about the facts of my case. State Bar Court judges are knowledgeable about the facts of my case(s). (n=194)	4.2	4.7	5.7	6.0	4.2	4.3	4.8	4.8	4.2	4.4
Q11 Court personnel answered/ answer my questions in a timely manner. (n=191)	4.6	4.9	4.4	5.0	4.6	4.5	5.2	5.2	4.8	4.7
Q15 The judge assigned to my case was knowledgeable of the law and procedures. State Bar Court judges are knowledgeable of law and procedures. (n=182)	4.4	5.0	5.3	6.0	4.7	4.7	4.9	4.6	4.4	4.7
Q19 I understood the order(s) entered in my case. Orders entered by State Bar Court judges are easy to understand. (n=199)	5.0	4.8	4.6	5.0	4.6	4.7	5.1	4.8	4.6	4.8
Grand Mean (n=218)	4.6	4.7	4.5	5.5	4.5¹	4.5	5.0	4.9	4.4	4.6

¹ The 2008 grand mean of the survey participants that did not indicate a venue is significantly higher than the average rating in 2004 (4.5 vs. 3.7 respectively). There is a high confidence level that this difference is due to factors other than chance alone.

**TABLE 6:
OVERALL SATISFACTION RATINGS²**

Questions in this Category	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	Respondents/ Applicants/ Petitioners (n=151)	Counsel for Resp/ App/Pet. (n=38)	Deputy Trial Counsel (n=20)	2004 All Resp. (n=141)	2008 All Resp. (n=224)
Q28 Based on all of your experiences, what is your overall level of satisfaction with the State Bar Court?	2.9	2.8	2.4	4.0	2.3	2.5	3.1	3.1	2.7	2.6

²The average ratings are based on a 4-point rating scale where 4 = Excellent; 3 = Good; 2 = Fair; and 1 = Poor. 2.5 is the midpoint of a 4-point rating scale.

**TABLE 7:
OVERALL PERFORMANCE RATINGS³**

Questions in this Category	San Francisco (n=57)	Los Angeles (n=76)	Both Equally (n=5)	Don't Know/ Not Sure (n=2)	No Venue Indicated (n=84)	Respondents/ Applicants/ Petitioners (n=151)	Counsel for Resp/ App/Pet. (n=38)	Deputy Trial Counsel (n=20)	2004 All Resp. (n=141)	2008 All Resp. (n=224)
Q29 Based on all of your experiences, how would you rate the State Bar Court on its overall performance?	2.7	2.7	2.4	3.0	2.2	2.4	2.8	2.9	2.5	2.5

³The average ratings are based on a 4-point rating scale where 4 = Excellent; 3 = Good; 2 = Fair; and 1 = Poor. 2.5 is the midpoint of a 4-point rating scale.