

5.3 Discussion Regarding Complaint Review Unit Performance Metrics



The State Bar of California

Complaint Review Unit Performance Metrics – Q2 2024

Ellin Davtyan, General Counsel

Carissa Andresen, Assistant General Counsel, Office of General Counsel

Kyla Lowery, Attorney III, Office of General Counsel

Board of Trustees Meeting, September 19–20, 2024

Summary – End of Q2 2024



CRU requests received
have increased by 55%

- Q4 2023: 369
- Q2 2024: 572



CRU requests clearance
rate has increased by 8%

- Q1 2024: 51%
- Q2 2024: 59%



Average disposition
time has fallen by 5%

- Q4 2023: 330 days
- Q2 2024: 314 days



OFFICE OF GENERAL COUNSEL | COMPLAINT REVIEW UNIT (CRU) REQUEST PROCESSING

FILTERS

COMPLEX - OCTC*

All

PRIORITY - OCTC*

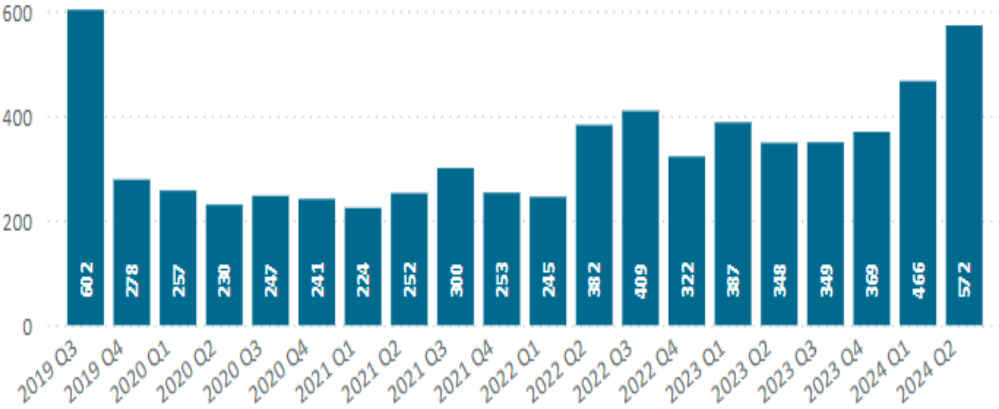
All

CASE CLOSURE PHASE - OCTC*

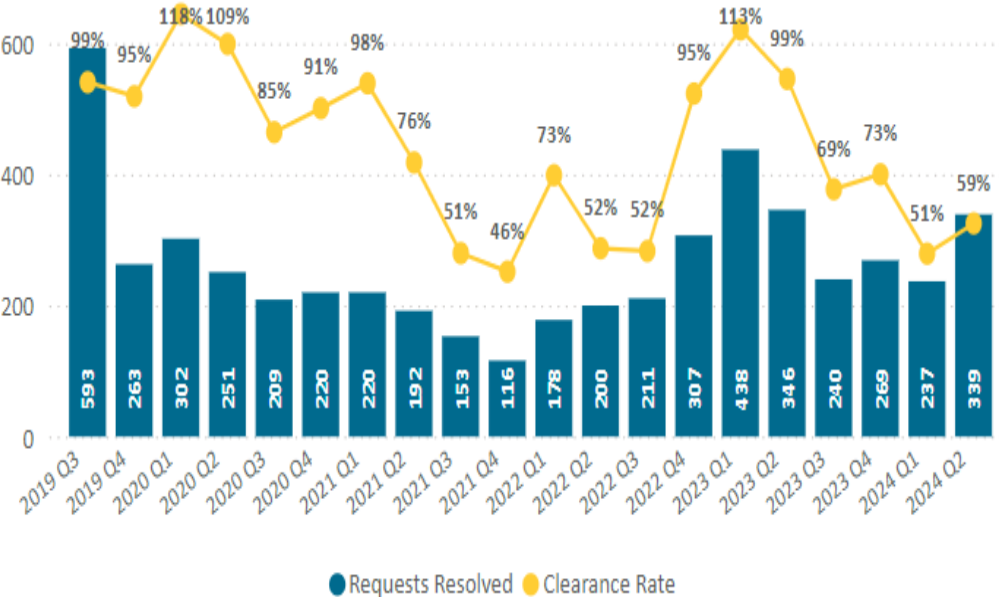
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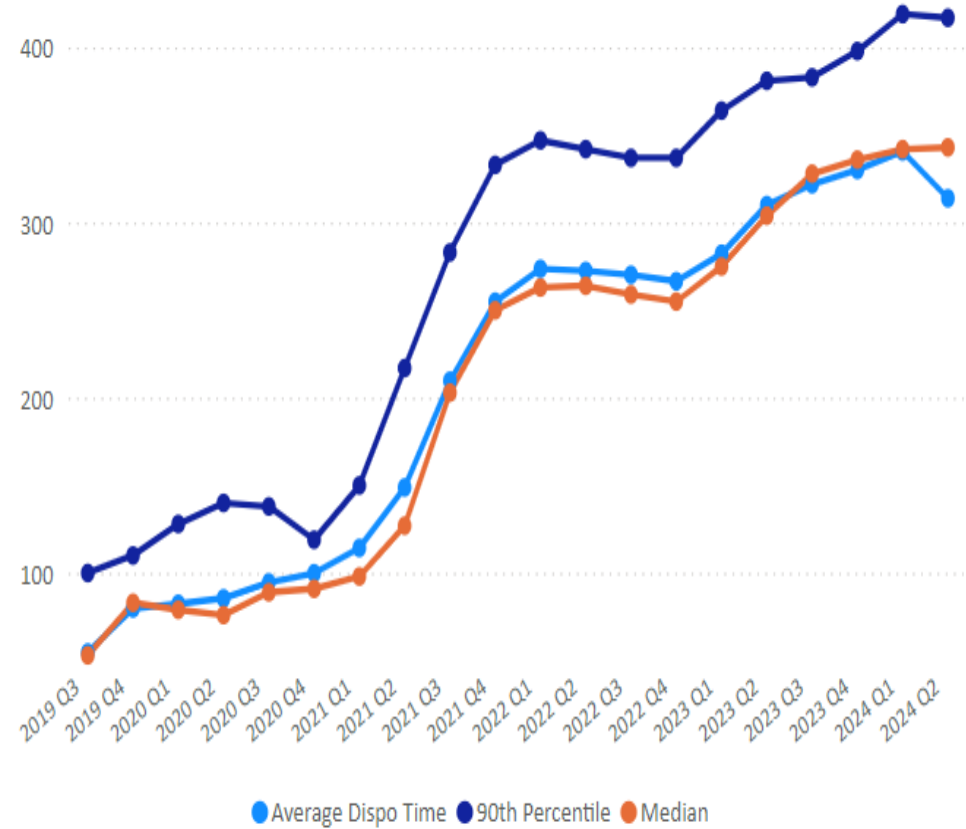
REQUESTS RECEIVED



REQUESTS RESOLVED AND CLEARANCE RATE



DISPOSITION TIME: AVERAGE, MEDIAN AND 90TH PERCENTILE

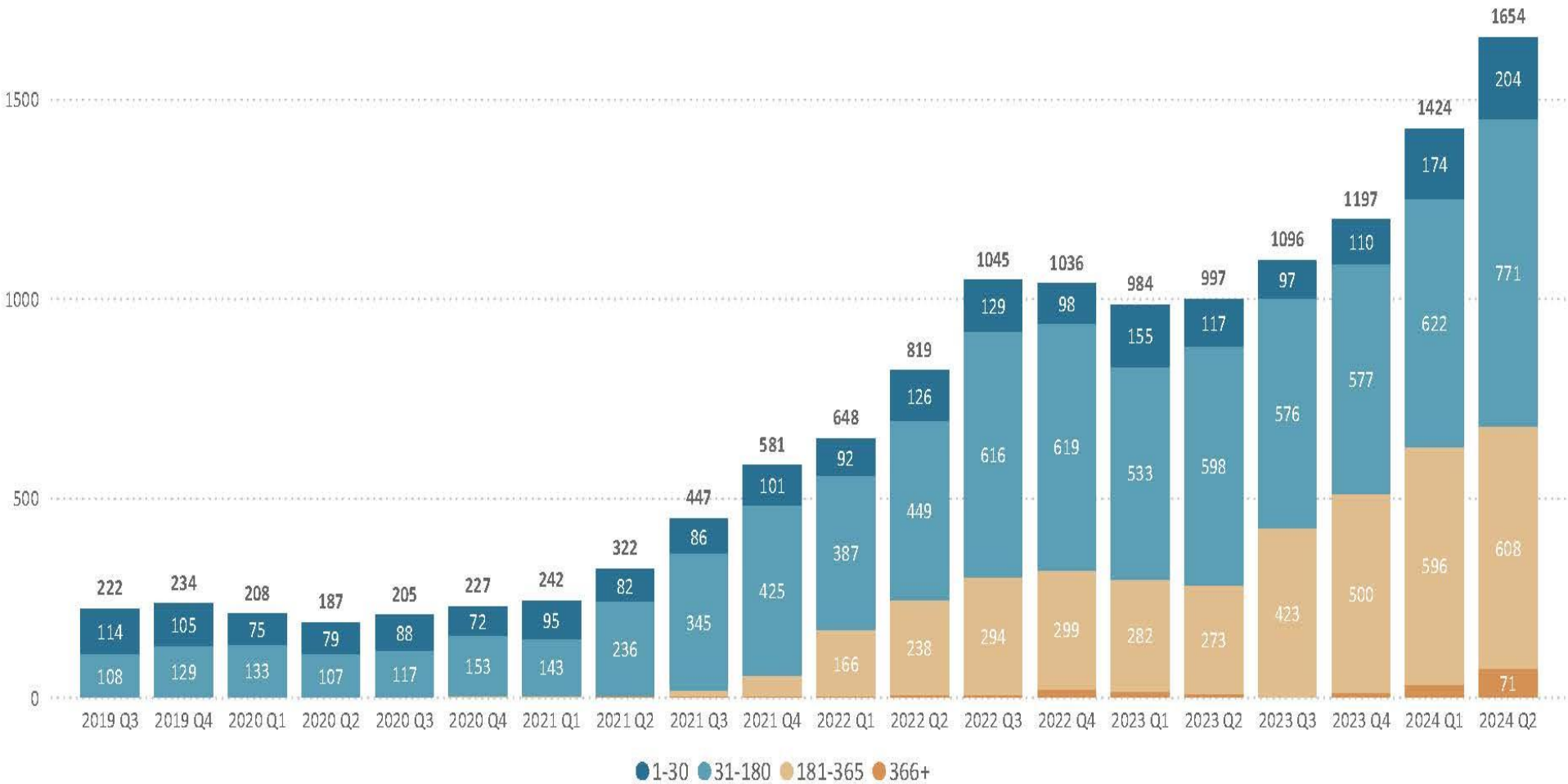


*Complexity and priority are determined by OCTC prior to the closure of original complaint cases. The term "Case Closure Phase" refers to the phase of the case at the time of closure by OCTC. For more information, please see the ["Glossary"](#) page.

OFFICE OF GENERAL COUNSEL | COMPLAINT REVIEW UNIT (CRU) INVENTORY

FILTERS*	COMPLEX - OCTC	▼	PRIORITY - OCTC	▼	CASE CLOSURE PHASE - OCTC	▼	PREVIOUS PAGE
	All	▼	All	▼	All	▼	

INVENTORY BY REQUEST AGE



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The State Bar of California

OFFICE OF GENERAL COUNSEL | COMPLAINT REVIEW UNIT (CRU) DASHBOARD GLOSSARY

CRU Request: Appeals request to review decisions by the Office of Chief Trial Counsel (OCTC) when attorney misconduct complaints are closed without discipline. The Complaint Review Unit (CRU) evaluates the allegations without new investigations. If significant evidence or compelling reasons arise, the matter is returned to OCTC with a recommendation that it be reopened for further action.

Request Clearance Rate: Ratio of the total number of requests closed to the total number of cases opened during the reporting period.

Request Disposition Time: The number of days between the receipt and resolution of a CRU request.

Request Inventory: Number of pending requests at the end of a reporting period. For example, the inventory metric for 2023 Q1 provides the number of pending requests as of 03/31/2023.

Case Closure Phase- OCTC: The phase of the case at the time of closure by OCTC. Most OCTC cases close during one of these 3 case processing phases:

- **Intake:** This phase involves the initial screening of a complaint, an evaluation of the complaint's merits, and follow-up with the complaining witness if necessary.
- **Investigation:** This phase involves preparing an investigation plan, communicating with complaining witnesses, notifying respondents, and carrying out further investigations to obtain additional information required.
- **Pre-filing or Charging:** This phase involves additional investigation and legal research as needed, followed by closure, a stipulation to facts and discipline, or drafting a charging memorandum and an NDC.

Complex - OCTC: Cases are designated as complex based on the indicators below:

- Major case designation;
- Subpoenas for records to banks, courts, federal immigration officials, or another third-party entity;
- Numerous potential charges (often arising from multiple incidents) or numerous potential parties; or
- Respondent fails to provide information as requested within a reasonable time or at all.

Priority- OCTC: Effective 07/01/2023, the case priority designations have been revised as follows:

- **P1 – Higher RPP** (previously P1). Includes cases in which the conduct in the case caused substantial harm, or posed a risk of potential substantial harm, to clients or the public. Higher RPP cases also include those in which the attorney is the subject of multiple pending complaints, or the current complaint is similar to one or more prior closed complaints, suggesting an increased risk that, absent disciplinary action, the attorney may continue to engage in misconduct.
- **P3 – Lower RPP** (previously P3): Cases that do not meet the criteria for higher RPP cases.
- **P2 – No longer in use:** Discontinued. Includes expedited cases opened prior to the recent changes. Now new cases aren't given a separate priority. They are tagged as "expedited" and also fall under "P1- Higher RPP", "P3 - Lower RPP" or "No Priority" categories.

CRU Backlog Reduction – Updates



As of July 31, 2024:

Current caseload:

- 1,555

Average new requests received monthly:

- 171



Current staffing as of July 2024:

- 9 OGC attorneys
 - Assigned 5-15 hours/week
- 3 contract attorneys
 - 2 FTE equivalent



Recent Monthly Resolutions:

- June: 128
- July: 197



Questions?

