

5.4 Discussion Regarding Office of Chief Trial Counsel Performance Metrics



The State Bar of California

Office of Chief Trial Counsel Performance Metrics – Q2 2024

George Cardona, Chief Trial Counsel

Board of Trustees Meeting, September 19–20, 2024

Interactive Dashboard

- Performance metrics for the Office of Chief Trial Counsel (OCTC) are available for viewing in an [interactive dashboard](#). Dashboard is updated and provided to the Board, sitting as the Regulation and Discipline Committee, as a standing agenda item.
- Last presented on Q4 2023 and Q1 2024 performance metrics from dashboard at the May 16/17, 2024, meeting.
- Current dashboard includes a glossary that defines certain terms and has been updated to modify/add metrics and targets.
- Today's discussion includes proposed modifications to some targets
 - Several current targets based on SB 211 proposed case processing standards
 - Current fee bill (AB 3297) does not provide funding for additional OCTC positions identified as necessary to meet the SB 211 proposed case processing time standards in the April 1, 2024, [“Progress Report on Discipline System Case Processing Standards and Analysis of Office of Chief Trial Counsel Staffing Needs”](#)



OFFICE OF CHIEF TRIAL COUNSEL | KEY PERFORMANCE INDICATORS - 2024 Q2

The State Bar
of California



Office of
Chief Trial
Counsel

Main Page

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Division,
(MAAD)

Current Target: Modified from 100% to 120% with goal of working down case inventory over time.

Proposed Target: No Change

CASE INVENTORY

6388

Previous QTR: 6823 (-435)

CASELOAD CLEARANCE RATE

111%

Previous QTR: 122% (-11%)

Target Clearance Rate: 120%

CRU REOPENS FOR REASONS OTHER THAN NEW EVIDENCE

1%

Target: 2% (-1.4%)

RANDOM AUDIT REOPENS FOR SUBSTANTIVE REASONS

3.1%

Target: 4.3% (-1.2%)

Period: Sep 2022 - Feb 2023

AVERAGE DAYS SPENT IN INVESTIGATION

NON-COMPLEX CASES

210

Previous QTR: 216 (-6)

Target: 120 days

COMPLEX CASES

276

Previous QTR: 319 (-43)

Target: 180 days

AVERAGE DAYS TO CLOSE

NON-COMPLEX CASES

79

Previous QTR: 87 (-7)

Target: 60 days

COMPLEX CASES

338

Previous QTR: 373 (-35)

Target: 233 days

PERCENT CASES CLOSED WITHIN TARGET

NON-COMPLEX CASES CLOSED IN ≤180 DAYS

86%

Previous QTR: 87% (-1%)

Target: 90%

COMPLEX CASES CLOSED IN ≤365 DAYS

66%

Previous QTR: 64% (+2%)

Target: 90%

Jan-Jun 2020: 190 average days reported by Auditor

NOTES:

- Rule 2201 (OEX) program cases are not included in this report.
- Metrics are marked blue when targets are met and red when missed, except for the Case Inventory KPI, which reflects the performance of the previous quarter.
- KPI's shown on this page are for ADR cases only. For ADR case definition, see [Glossary](#).

Current Targets:

Based on SB 211 Proposed Case Processing Standards



CASE INVENTORY

6388

Previous QTR: 6823 (-435)

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Division,
(MAAD)

| Case Category | Average Case Processing Time (Days) | | | | |
|---|-------------------------------------|-----------|------|-----------------|-------------------|
| | 2018-2021 | 2022-2023 | 2023 | SB 211 Standard | Gap from Standard |
| 1. Closed in Intake | 42 | 35 | 37 | 30 | 7 (23%) |
| 2. Closed after investigation: higher RPP, noncomplex cases | 169 | 130 | 130 | 120 | 10 (8%) |
| 3. Closed after investigation: lower RPP, noncomplex cases | 196 | 164 | 169 | 150 | 19 (13%) |
| 4. Closed after investigation: higher RPP, complex cases | 248 | 226 | 225 | 180 | 45 (25%) |
| 5. Closed after investigation: higher RPP, complex cases | 307 | 300 | 286 | 210 | 76 (36%) |
| 6. Closed or filed in charging | 450 | 562 | 598 | 300 | 298 (99%) |

AVERAGE DAYS SPENT IN INVESTIGATION

NON-COMPLEX CASES

210

Previous QTR: 216 (-6)

Target: 120 days

COMPLEX CASES

276

Previous QTR: 319 (-43)

Target: 180 days

Jan-Jun 2020: 190 average days reported by Auditor

Noncomplex Cases:

150 days (lower RPP, noncomplex cases)
– 30 days (intake) = 120 days (investigation)

Complex Cases:

210 days (lower RPP, complex cases)
– 30 days (intake) = 180 days (investigation)

CASES CLOSED WITHIN TARGET

NON-COMPLEX CASES
≤ 120 DAYS

COMPLEX CASES CLOSED IN
≤ 365 DAYS

66%

Previous QTR: 64% (+2%)

Target: 90%

NOTES:

- Rule 2201 (OEX) program cases are not included in this report.
- Metrics are marked blue when targets are met and red when missed, except for the Case Inventory KPI, which reflects the performance of the previous quarter.
- KPI's shown on this page are for ADR cases only. For ADR case definition, see [Glossary](#).

Proposed Targets:

Hybrid – 2023 Actual Case Data & SB 211 Standards



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CASE INVENTORY

6388

Previous QTR: 6823 (-435)

CASELOAD CLEARANCE

111

Previous QTR: 111

Target Clearance Rate: 120%

AVERAGE DAYS SPENT IN INVESTIGATION

NON-COMPLEX CASES

210

Previous QTR: 216 (-6)

Target: 120 days

COMPLEX CASES

276

Previous QTR: 319 (-43)

Target: 240 days

Jan-Jun 2020: 190 average days reported by Auditor

NOTES:

- Rule 2201 (OEX) program cases are not included in this report.
- Metrics are marked blue when targets are met and red when they are not.
- KPI's shown on this page are for ADR cases only. For ADR case definition, see [Glossary](#).

NSEL | KEY PERFORMANCE INDICATORS

| 2023 Actual Case Data | | | | |
|---|---|-------------------------------------|-----------------|-------------------|
| Case category | Proportion of Cases Resolved in each SB 211 Case Category (%) | Average Case Processing Time (Days) | SB 211 Standard | Gap from Standard |
| 1. Closed in Intake | 60.2 | 37 | 30 | 7 (23%) |
| 2. Closed after investigation: higher RPP, noncomplex cases | 3.7 | 130 | 120 | 10 (8%) |
| 3. Closed after investigation: lower RPP, noncomplex cases | 17.3 | 169 | 150 | 19 (13%) |
| 4. Closed after investigation: higher RPP, complex cases | 3.1 | 225 | 180 | 45 (25%) |
| 5. Closed after investigation: lower RPP, complex cases | 12.6 | 286 | 210 | 76 (36%) |
| 6. Closed or filed in charging | 3.1 | 598 | 300 | 298 (99%) |

Target: 2% (-1.4%)

Target: 4.3% (-1.2%)

Period: Sep 2022 - Feb 2023

Noncomplex Cases:

Weighted average of days to close in investigation – 30 days (intake) = 132 days (rounding down to 120 days, so no change)

COMPLEX CASES:

COMPLEX CASES CLOSED IN ≤365 DAYS

66%

Complex Cases:

Weighted average of days to close in investigation – 30 days (intake) = 244 days (rounding to 240) (Assumes move to charging takes same time as closure)

| Average Case Processing Time (Days) | | | | | |
|---|-----------|-----------|------|-----------------|-------------------|
| Case Category | 2018-2021 | 2022-2023 | 2023 | SB 211 Standard | Gap from Standard |
| 1. Closed in Intake | 42 | 35 | 37 | 30 | 7 (23%) |
| 2. Closed after investigation: higher RPP, noncomplex cases | 169 | 130 | 130 | 120 | 10 (8%) |
| 3. Closed after investigation: lower RPP, noncomplex cases | 196 | 164 | 169 | 150 | 19 (13%) |
| 4. Closed after investigation: higher RPP, complex cases | 248 | 226 | 225 | 180 | 45 (25%) |
| 5. Closed after investigation: higher RPP, complex cases | 307 | 300 | 286 | 210 | 76 (36%) |
| 6. Closed or filed in charging | 450 | 562 | 598 | 300 | 298 (99%) |

Noncomplex Cases:

75%*30 (intake) + 25%*150 (investigation, lower RPP, noncomplex cases) = 60 days

AVERAGE DAYS SPENT IN INVESTIGATION

NON-COMPLEX CASES

210

Previous QTR: 216 (-6)

Target: 120 days

COMPLEX CASES

276

Previous QTR: 319 (-43)

Target: 180 days

Jan-Jun 2020: 190 average days reported by Auditor

AVERAGE DAYS TO CLOSE

NON-COMPLEX CASES

79

Previous QTR: 87 (-7)

Target: 60 days

COMPLEX CASES

338

Previous QTR: 373 (-35)

Target: 233 days

PERCENT CASES CLOSED WITHIN TARGET

NON-COMPLEX CASES
CLOSED IN ≤180 DAYS

86%

Previous QTR: 87% (-1%)

Target: 90%

COMPLEX CASES CLOSED IN
≤365 DAYS

66%

Previous QTR: 64% (+2%)

Target: 90%

Current Targets:

Based on SB 211 Proposed Case Processing Standards

in this report.

and red when missed, except for the Case for ADR case definition, see [Glossary](#).

Complex Cases:

75% * 210 days (investigation, lower RPP, complex cases) + 25% * 300 (charging) = 233 days

| 2023 Actual Case Data | | | | |
|---|---|-------------------------------------|-----------------|-------------------|
| Case category | Proportion of Cases Resolved in each SB 211 Case Category (%) | Average Case Processing Time (Days) | SB 211 Standard | Gap from Standard |
| 1. Closed in Intake | 60.2 | 37 | 30 | 7 (23%) |
| 2. Closed after investigation: higher RPP, noncomplex cases | 3.7 | 130 | 120 | 10 (8%) |
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| 4. Closed after investigation: higher RPP, complex cases | 3.1 | 225 | 180 | 45 (25%) |
| 5. Closed after investigation: lower RPP, complex cases | 12.6 | 286 | 210 | 76 (36%) |
| 6. Closed or filed in charging | 3.1 | 598 | 300 | 298 (99%) |

Target Clearance Rate: 120%

INDICATORS - 2024 Q2

Noncomplex Cases:

74% * 30 days (SB 211 intake) + 26% * 162 days (weighted average time to close in investigation) = 64 days (rounding down to 60, so no change)

1%

Target: 2% (-1.4%)

3.1%

Target: 4.3% (-1.2%)

Period: Sep 2022 - Feb 2023

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AVERAGE DAYS SPENT IN INVESTIGATION

NON-COMPLEX CASES

210

Previous QTR: 216 (-6)

Target: 120 days

COMPLEX CASES

276

Previous QTR: 319 (-43)

Target: 240 days

Jan-Jun 2020: 190 average days reported by Auditor

AVERAGE DAYS TO CLOSE

NON-COMPLEX CASES

79

Previous QTR: 87 (-7)

Target: 60 days

COMPLEX CASES

338

Previous QTR: 373 (-35)

Target: 300 days

PERCENT CASES CLOSED WITHIN TARGET

NON-COMPLEX CASES
CLOSED IN ≤180 DAYS

86%

Previous QTR: 87% (-1%)

Target: 90%

COMPLEX CASES CLOSED IN
≤365 DAYS

66%

Previous QTR: 64% (+2%)

Target: 90%

Complex Cases:

84% * 274 days (weighted average time to close in investigation) + 16% * 450 days (actual 2018-2021 average time to charging) = 303 days (rounding down to 300 days)

Proposed Targets:

Hybrid – 2018-2023 Actual Case Data
& SB 211 Standards



§ 6094.5 Goals and Policy of Disciplinary Agency

(a) It is the goal and policy of the State Bar to ensure that matters are handled competently, accurately, and timely. Until processing goals are established pursuant to subdivision (b) and codified in statute, the goal and policy of the State Bar is to dismiss a complaint, admonish the attorney, or have the Office of Chief Trial Counsel file formal charges within **six months** after it receives a complaint alleging attorney misconduct. As to complaints designated as complicated matters by the Chief Trial Counsel, it shall be the goal and policy of the State Bar to dismiss a complaint, admonish the attorney or have the Office of Chief Trial Counsel file formal charges within **12 months** after it receives a complaint alleging attorney misconduct.

AVERAGE DAYS SPENT IN INVESTIGATION

NON-COMPLEX CASES

210

Previous QTR: 216 (-6)

Target: 120 days

COMPLEX CASES

276

Previous QTR: 319 (-43)

Target: 180 days

AVERAGE DAYS TO CLOSE

NON-COMPLEX CASES

79

Previous QTR: 87 (-7)

Target: 60 days

COMPLEX CASES

338

Previous QTR: 373 (-35)

Target: 233 days

PERCENT CASES CLOSED WITHIN TARGET

NON-COMPLEX CASES
CLOSED IN **≤180 DAYS**

86%

Previous QTR: 87% (-1%)

Target: 90%

COMPLEX CASES CLOSED IN
≤365 DAYS

66%

Previous QTR: 64% (+2%)

Target: 90%

Jan-Jun 2020: 190 average days reported by Auditor

NOTES:

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- KPI's shown on this page are for ADR cases only. For ADR case definition, see [Glossary](#).

Current Targets: Based on BPC 6094.5
Proposed Targets: No Change

OFFICE OF CHIEF TRIAL COUNSEL | KEY PERFORMANCE INDICATORS - 2024 Q2

The State Bar
of California



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CASE INVENTORY

6388

Previous QTR: 6823 (-435)

CASELOAD CLEARANCE RATE

111%

Previous QTR: 122% (-11%)

Target Clearance Rate: 120%

No change in target

CRU REOPENS FOR REASONS OTHER THAN NEW EVIDENCE

1%

Target: 2% (-1.4%)

No change in target

RANDOM AUDIT REOPENS FOR SUBSTANTIVE REASONS

3.1%

Target: 4.3% (-1.2%)

Period: Sep 2022 - Feb 2023

No change in target

AVERAGE DAYS SPENT IN INVESTIGATION

NON-COMPLEX CASES

210

Previous QTR: 216 (-6)

Target: 120 days

No change in target

COMPLEX CASES

276

Previous QTR: 319 (-43)

Target: 180 days

New Target: 240 days

Jan-Jun 2020: 190 average days reported by Auditor

AVERAGE DAYS TO CLOSE

NON-COMPLEX CASES

79

Previous QTR: 87 (-7)

Target: 60 days

No change in target

COMPLEX CASES

338

Previous QTR: 373 (-35)

Target: 233 days

New Target: 300 days

PERCENT CASES CLOSED WITHIN TARGET

NON-COMPLEX CASES
CLOSED IN ≤180 DAYS

86%

Previous QTR: 87% (-1%)

Target: 90%

No change in target

COMPLEX CASES CLOSED IN
≤365 DAYS

66%

Previous QTR: 64% (+2%)

Target: 90%

No change in target

NOTES:

- Rule 2201 (OEX) program cases are not included in this report.
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- KPI's shown on this page are for ADR cases only. For ADR case definition, see [Glossary](#).

FILTER BY:

Filter Info

ADR

☒ Yes
☐ No

ABATED

☐ No

COMPLEX

☐ No
☐ Yes

PRIORITY

All

OPEN CASES IN BACKLOG STATUS IN 2024 Q2

3372

2023 Backlog: 3305 (+67)
2022 Backlog: 1991 (+1314)

53%

2023 Backlog: 43% (+7%)
2022 Backlog: 34% (+9%)
Target: Under 10%

PROJECTED CASES CLOSED IN BACKLOG STATUS IN 2024

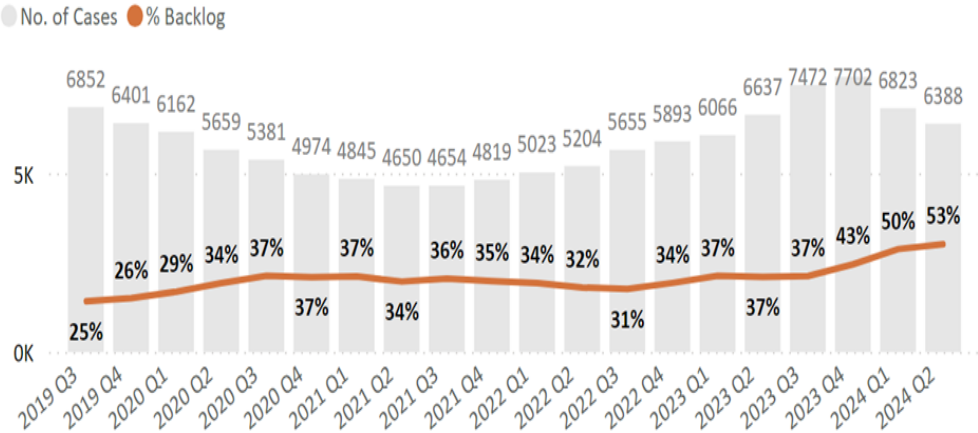
3620

2023 Backlog: 2123 (+1497)
2022 Backlog: 1844 (+279)

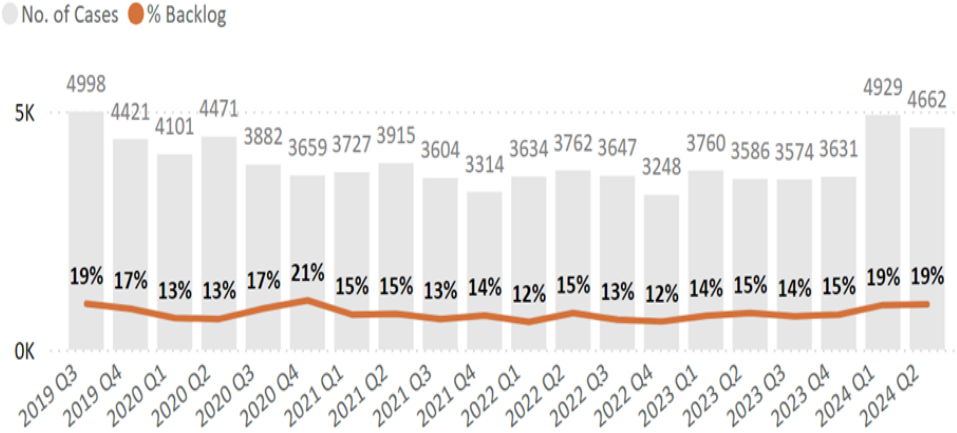
19%

2023 Backlog: 15% (+4%)
2022 Backlog: 13% (+2%)
Target: Under 10%

% OF OPEN CASES IN BACKLOG STATUS



% OF CASES CLOSED IN BACKLOG STATUS



FILTER BY:

Filter Info

ADR

☒ Yes
☐ No

ABATED

☐ No

COMPLEX

☐ No
☐ Yes

PERIOD

All

PRIORITY

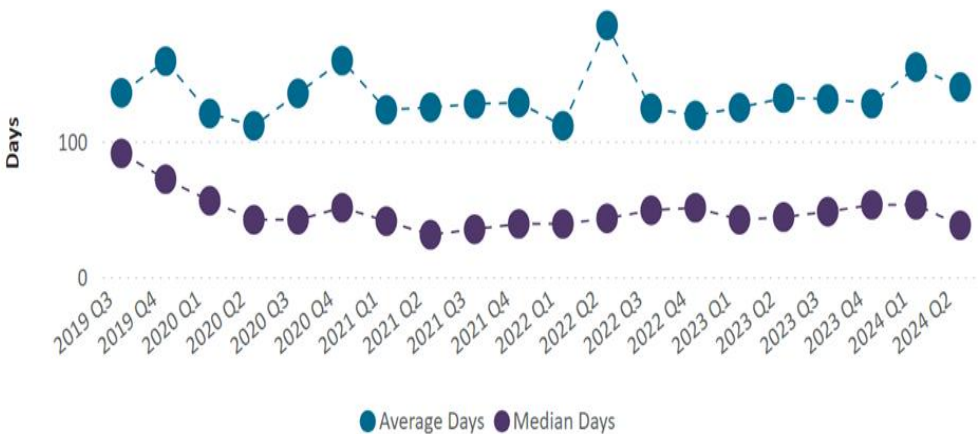
All

Note: Complex filter does not apply to clearance rate due to the nature of its calculation.

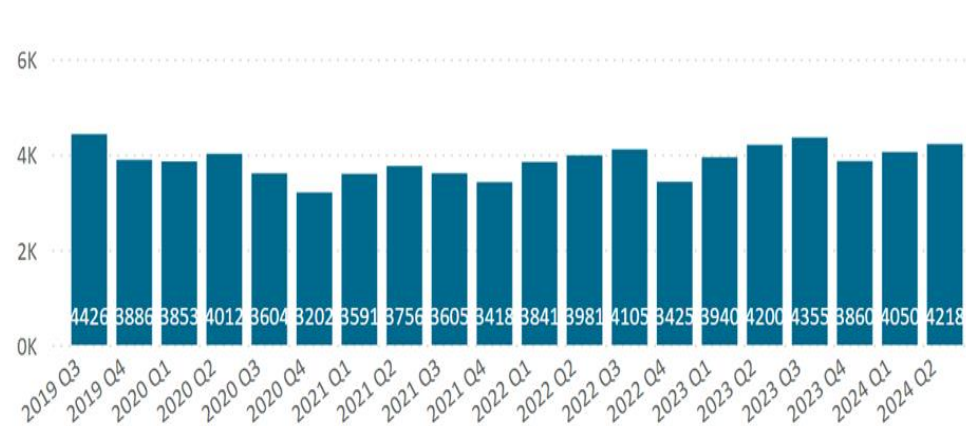
CASES CLOSED AND CLOSURE RATE



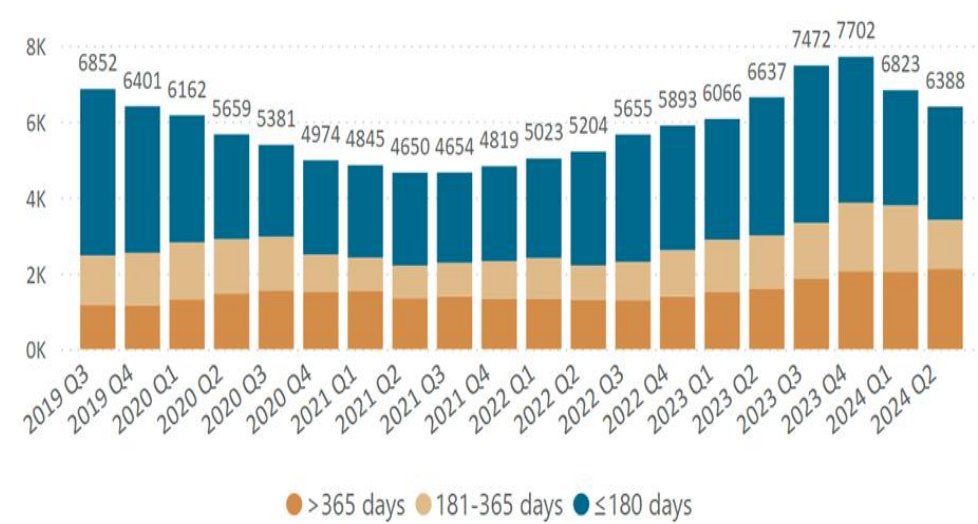
CASE AGE AT CLOSURE



INCOMING CASES



INVENTORY BY CASE AGE



Current Target: SB 211 Standard
Proposed Target: No Change

FILTER BY:

Filter Info

ADR

☒ Yes
☐ No

ABATED

☐ No

COMPLEX

☐ No
☐ Yes

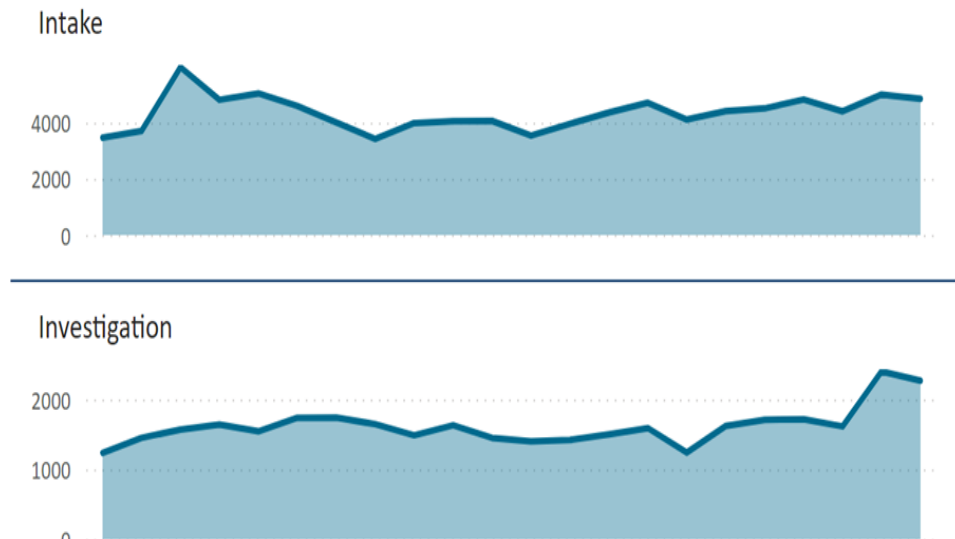
All

▼

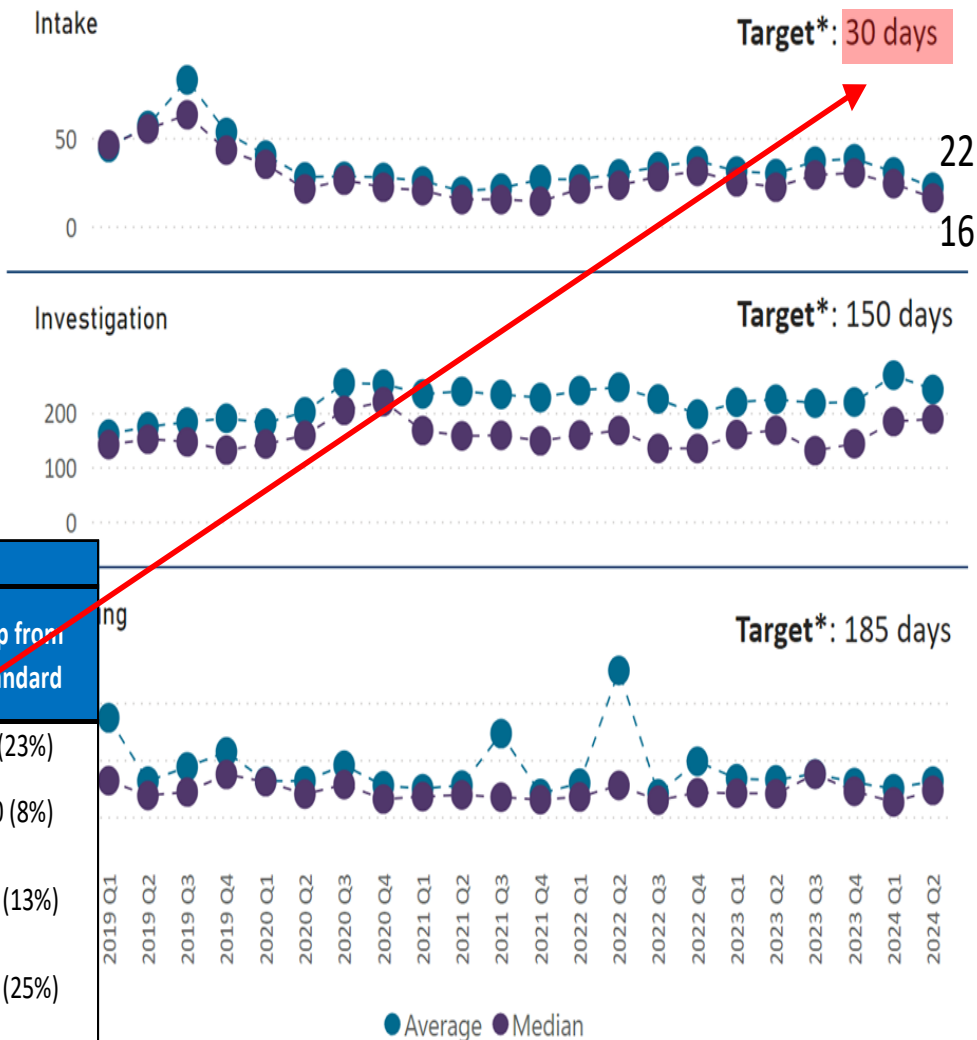
All

▼

CASES PASSING THROUGH EACH PHASE



DURATION OF CASES AT EACH PHASE (DAYS)



| 2023 Actual Case Data | | | | |
|---|---|-------------------------------------|-----------------|-------------------|
| Case category | Proportion of Cases Resolved in each SB 211 Case Category (%) | Average Case Processing Time (Days) | SB 211 Standard | Gap from Standard |
| 1. Closed in Intake | 60.2 | 37 | 30 | 7 (23%) |
| 2. Closed after investigation: higher RPP, noncomplex cases | 3.7 | 130 | 120 | 10 (8%) |
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| 5. Closed after investigation: lower RPP, complex cases | 12.6 | 286 | 210 | 76 (36%) |
| 6. Closed or filed in charging | 3.1 | 598 | 300 | 298 (995) |

was calculated using a weighted average of case processing standards for both and non-complex cases.

FILTER BY:

Filter Info

ADR

☒ Yes

☐ No

ABATED

☐ No

COMPLEX

☐ No

☐ Yes

PERIOD

All

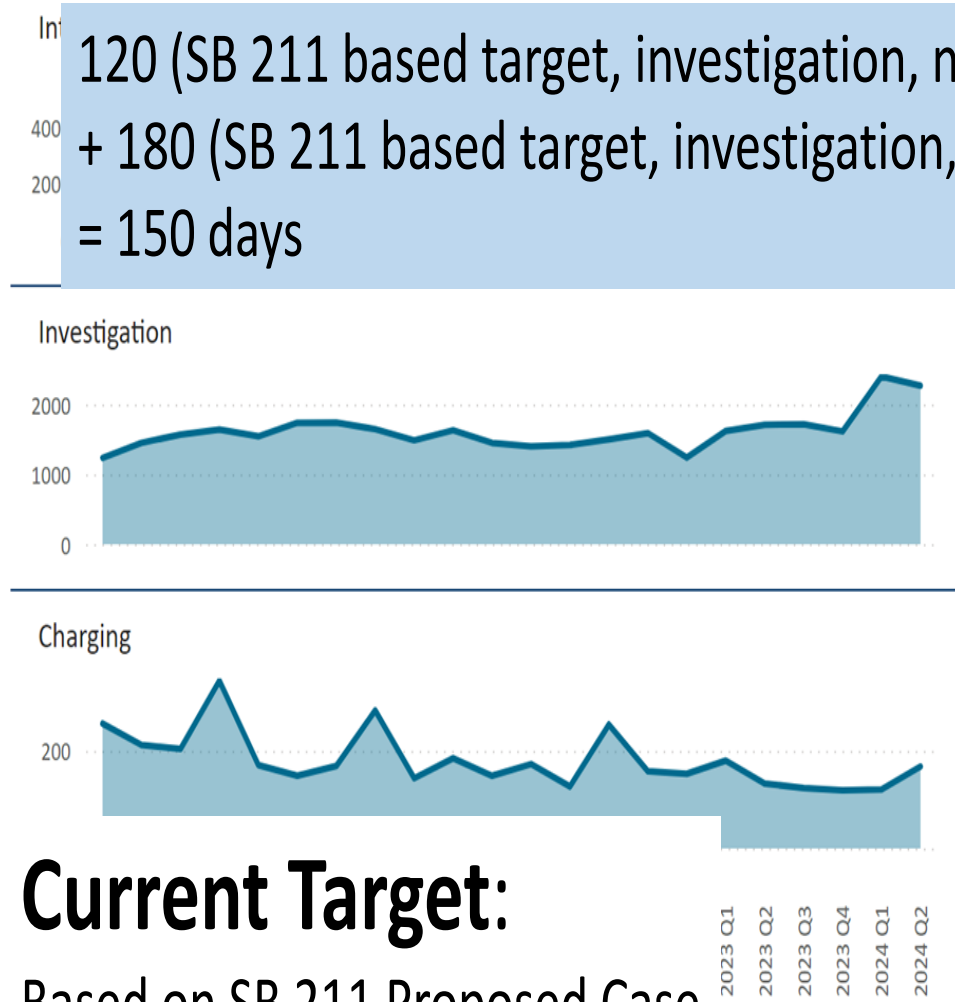
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PRIORITY

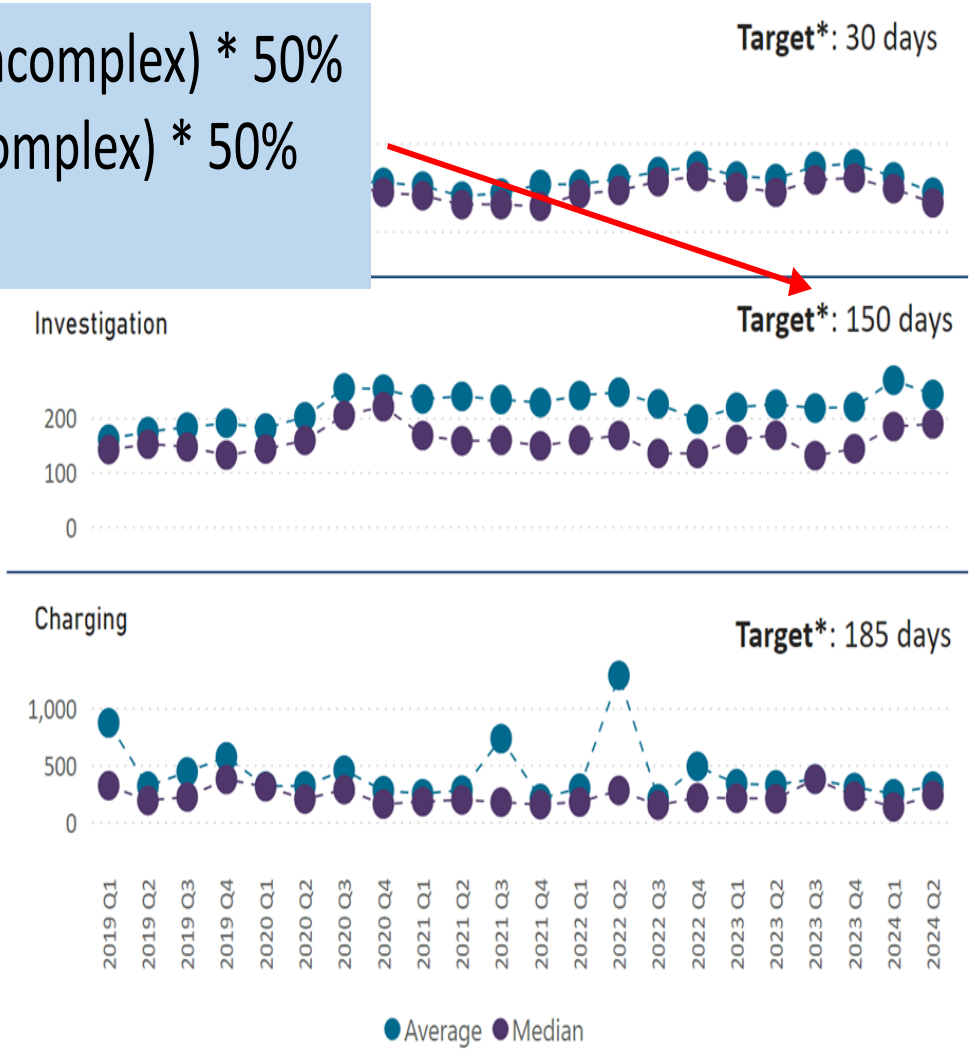
All

▼

CASES PASSING THROUGH EACH PHASE



DURATION OF CASES AT EACH PHASE (DAYS)



Current Target:
Based on SB 211 Proposed Case
Processing Standards

*Target was calculated using a weighted average of case processing standards for both complex and non-complex cases.

FILTER BY:

Filter Info

ADR

☒ Yes

☐ No

ABATED

☐ No

COMPLEX

☐ No

☐ Yes

PERIOD

All

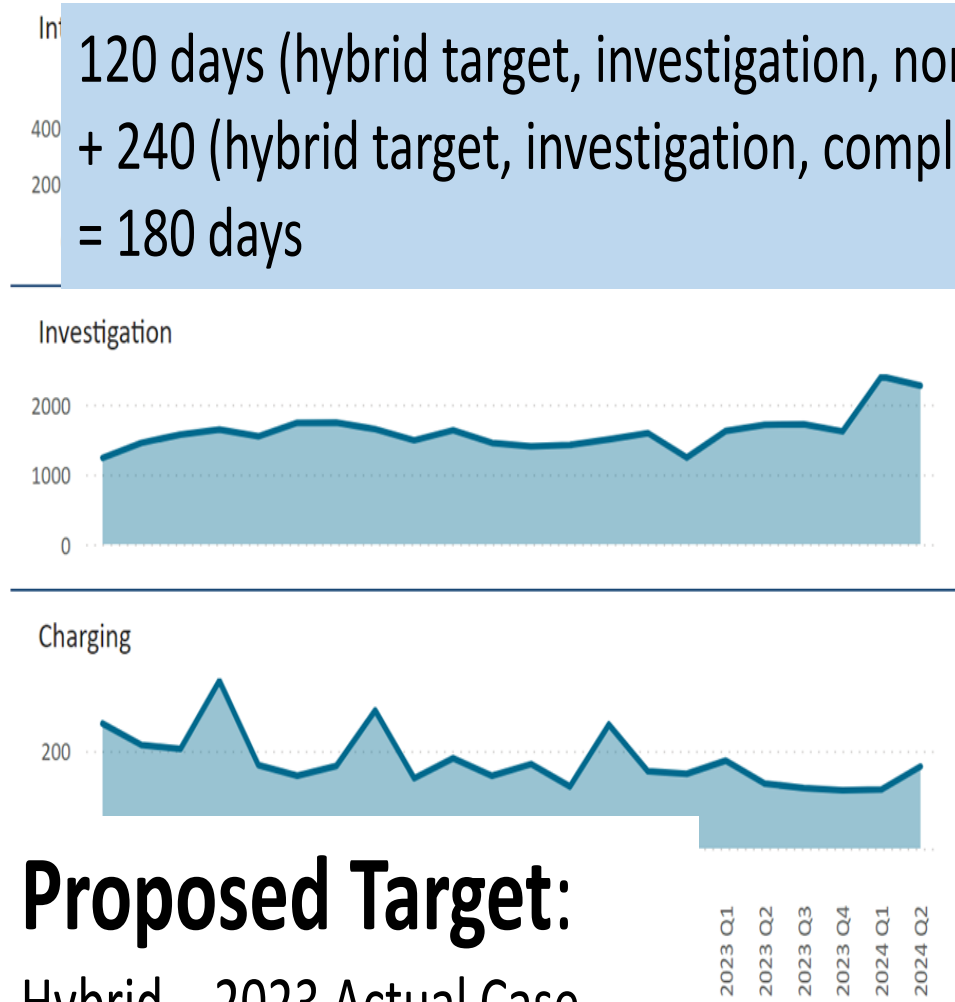
▼

PRIORITY

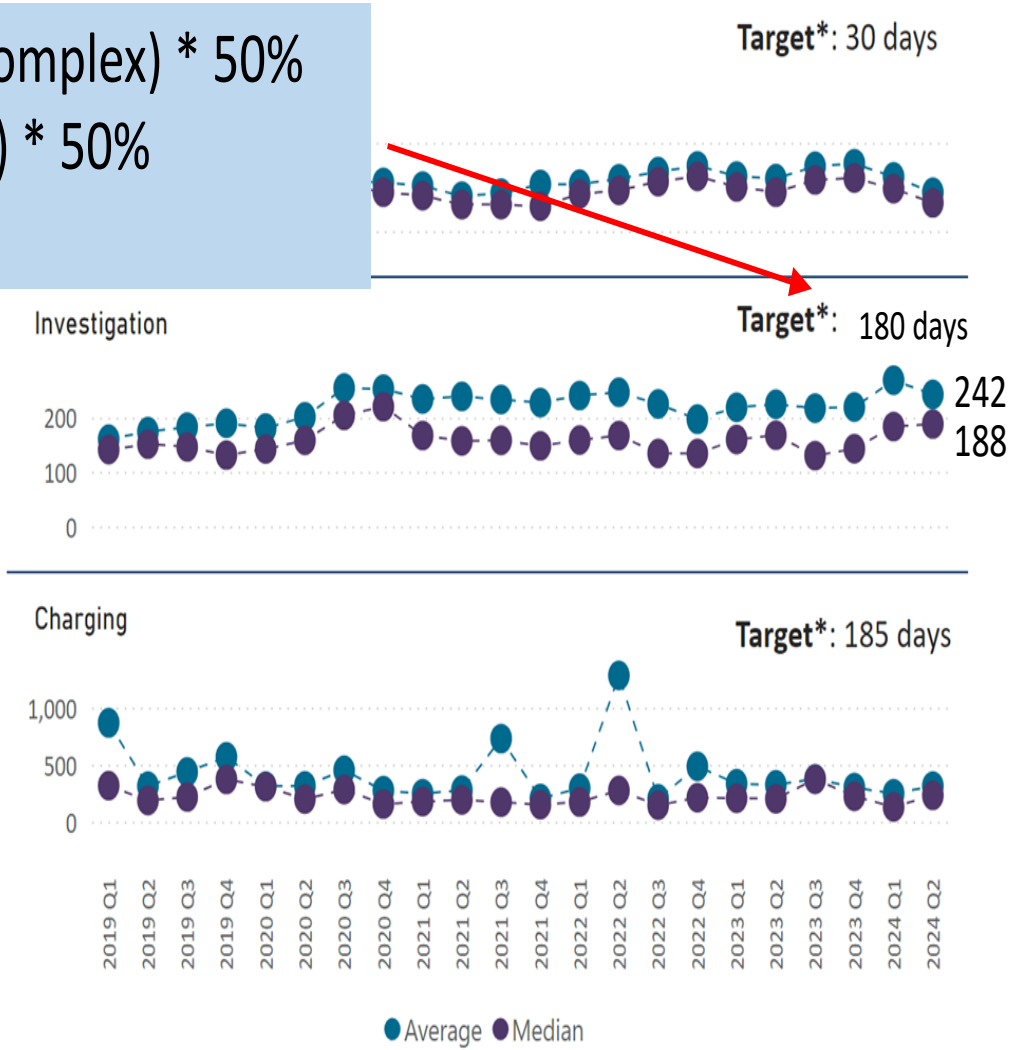
All

▼

CASES PASSING THROUGH EACH PHASE



DURATION OF CASES AT EACH PHASE (DAYS)



Proposed Target:
Hybrid – 2023 Actual Case
Data & SB 211 Standards

*Target was calculated using a weighted average of case processing standards for both complex and non-complex cases.

Current Target:

Based on BPC 6094.5 & SB 211

Proposed Case Processing Standards

FILTER BY:

Filter Info

ADR

☒ Yes

☐ No

ABATED

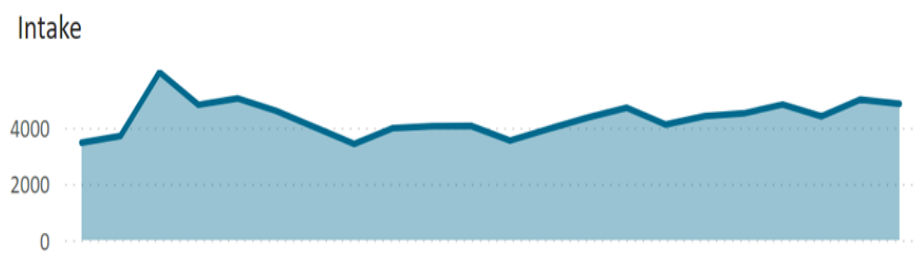
☐ No

COMPLEX

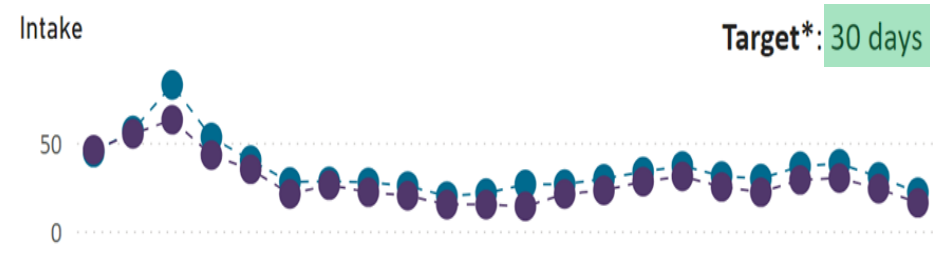
☐ No

☐ Yes

CASES PASSING THROUGH EACH PHASE



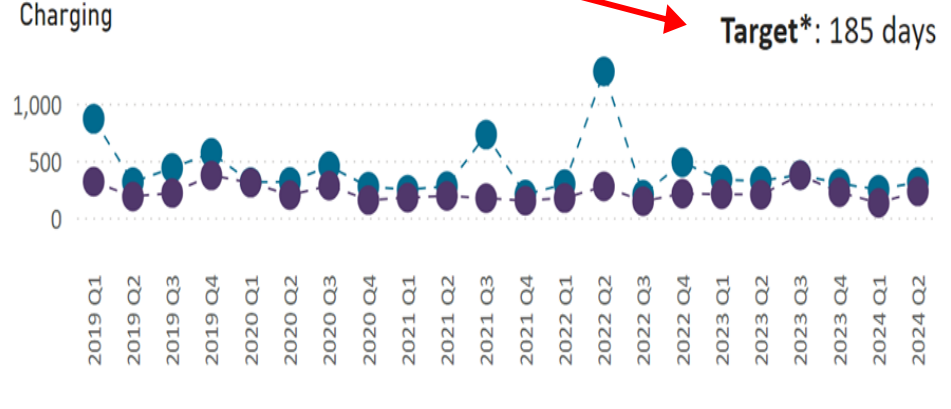
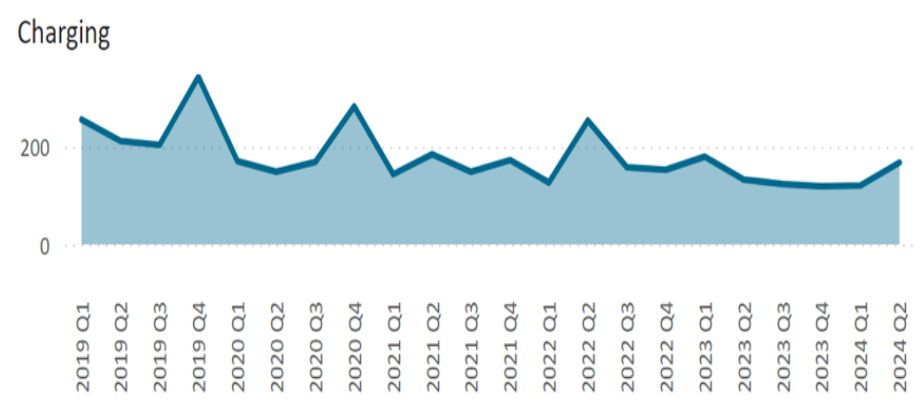
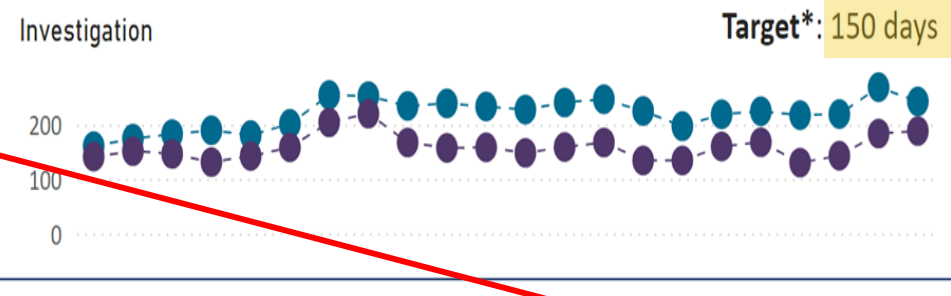
DURATION OF CASES AT EACH PHASE (DAYS)



365 days (BPC 6094.5 target to close 90%, complex)

- 30 days (SB 211 target duration in intake)
- 150 days (SB 211 target duration in investigation)

= 185 days



*Target was calculated using a weighted average of case processing standards for both complex and non-complex cases.

Average Case Processing Time (Days)

| Case Category | 2018-2021 | 2022-2023 | 2023 | SB 211 Standard | Gap from Standard |
|---|-----------|-----------|------|-----------------|-------------------|
| 1. Closed in Intake | 42 | 35 | 37 | 30 | 7 (23%) |
| 2. Closed after investigation: higher RPP, noncomplex cases | 169 | 130 | 130 | 120 | 10 (8%) |
| 3. Closed after investigation: lower RPP, noncomplex cases | 196 | 164 | 169 | 150 | 19 (13%) |
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| 5. Closed after investigation: higher RPP, complex cases | 307 | 300 | 286 | 210 | 76 (36%) |
| 6. Closed or filed in charging | 450 | 562 | 598 | 300 | 298 (99%) |

Proposed Target:

Hybrid – 2018-2023 Actual Case Data & SB 211 Standards

CASES AT EACH PHASE (DAYS)

Target*: 30 days

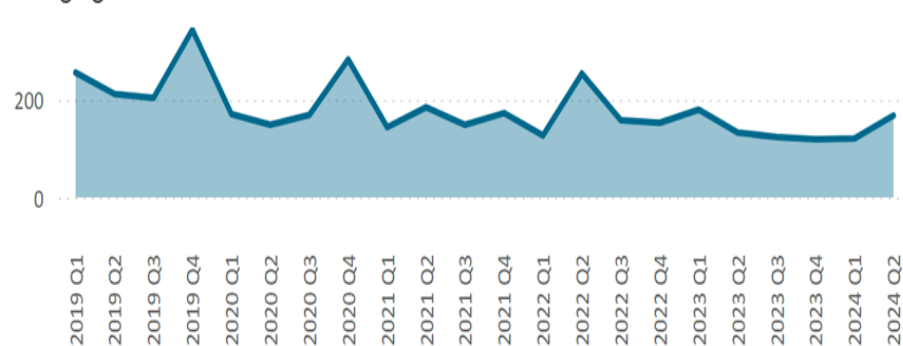
450 days (2018-2021 average to close/file in charging)

- 30 days (SB 211 target duration in intake)

- 180 days (hybrid target duration in investigation)

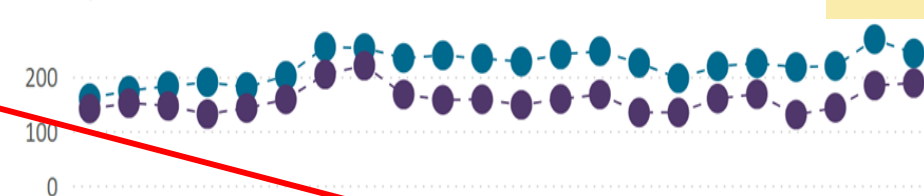
= 240 days

Charging



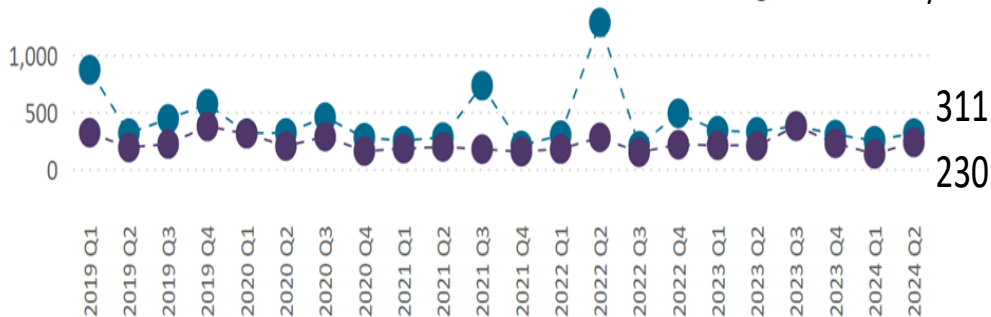
Investigation

Target*: 180 days



Charging

Target*: 240 days



● Average ● Median

*Target was calculated using a weighted average of case processing standards for both complex and non-complex cases.

FILTER BY:

Filter Info

ADR

☒ Yes

☐ No

ABATED

☐ No

COMPLEX

☐ No

☐ Yes

PERIOD

All

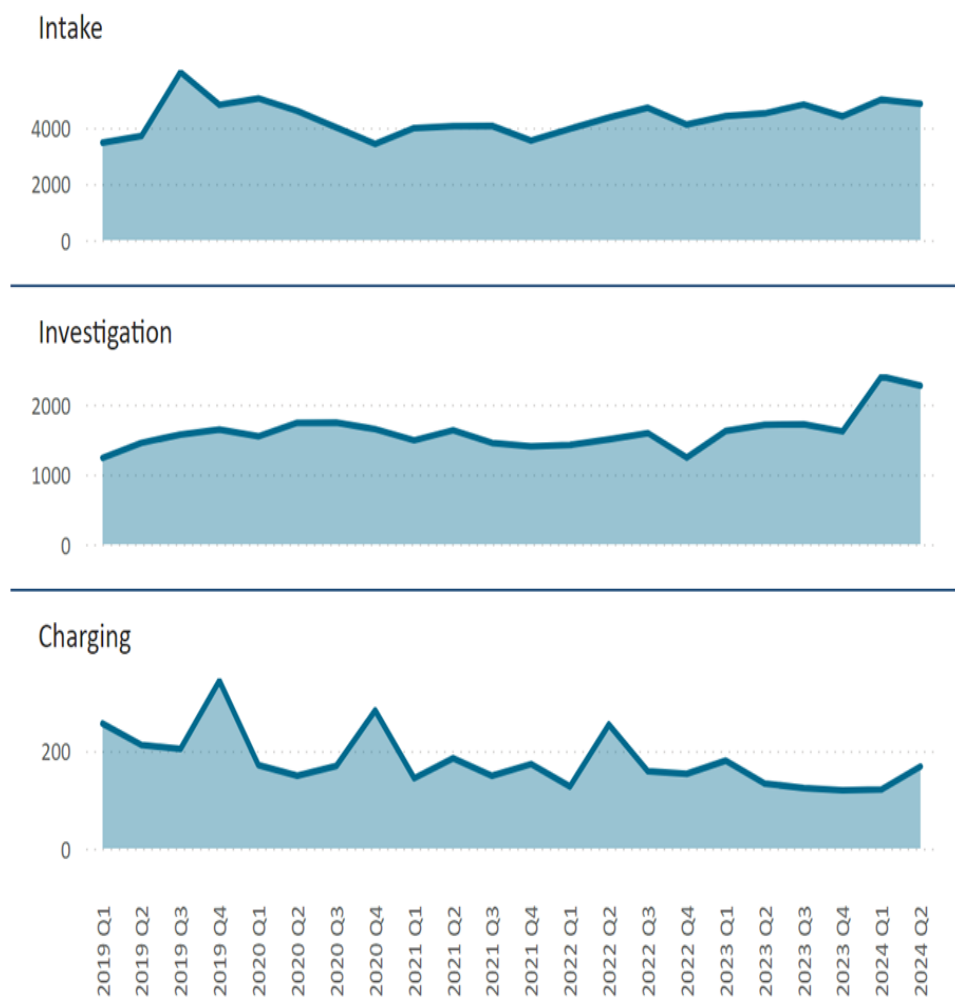
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PRIORITY

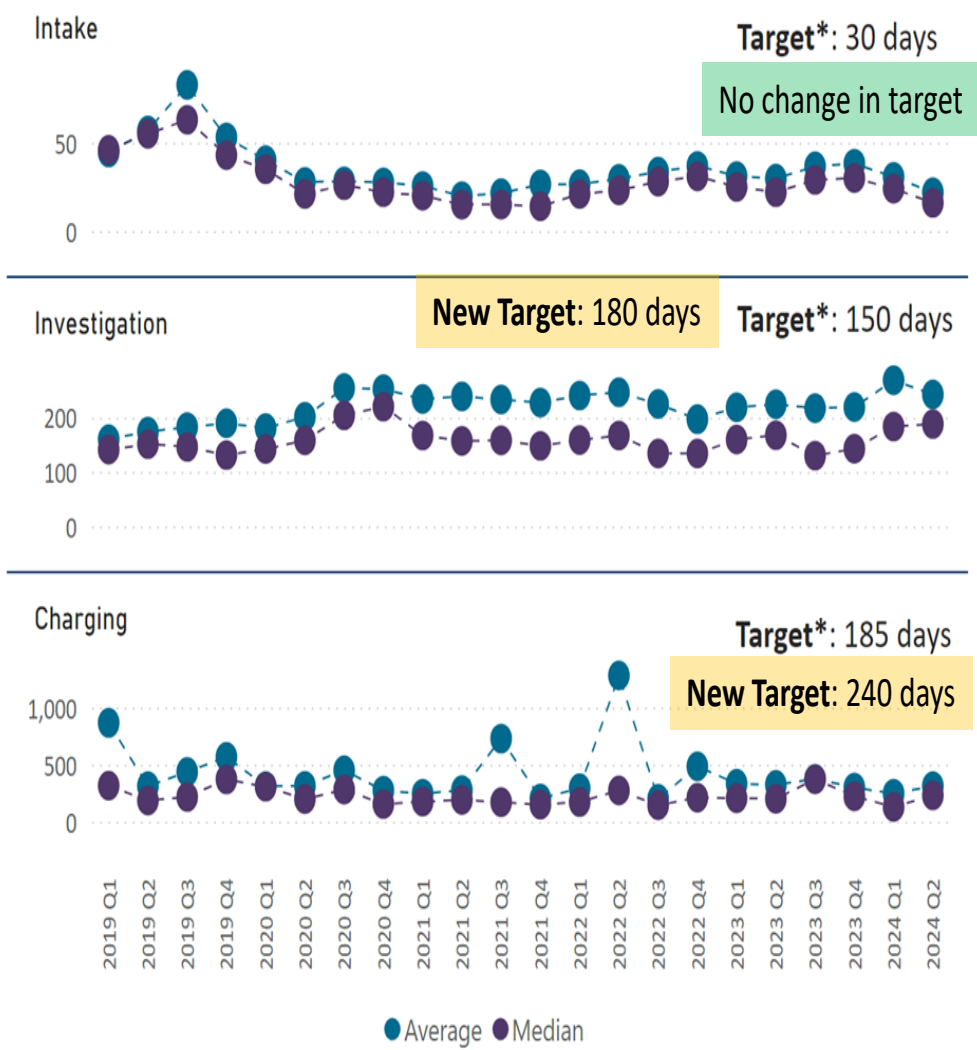
All

▼

CASES PASSING THROUGH EACH PHASE



DURATION OF CASES AT EACH PHASE (DAYS)



*Target was calculated using a weighted average of case processing standards for both complex and non-complex cases.

FILTER BY:

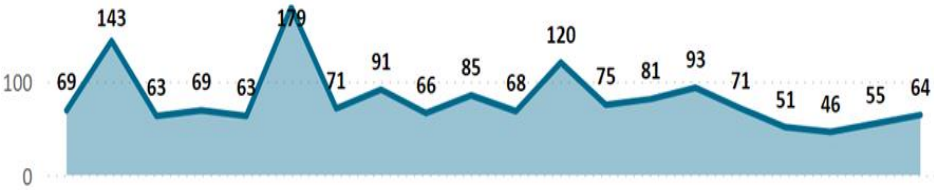
Filter Info

PERIOD

All

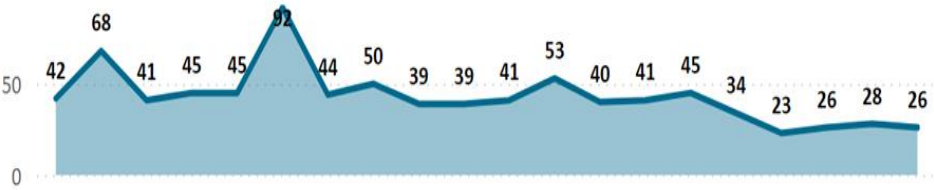
NUMBER OF FILINGS

Notices of Disciplinary Charges

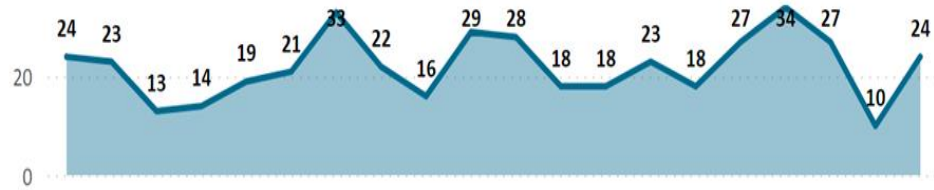


NUMBER OF ATTORNEYS

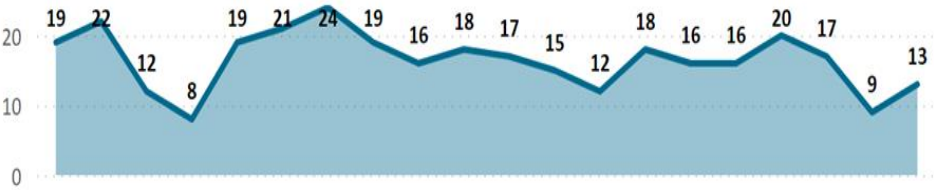
Notices of Disciplinary Charges



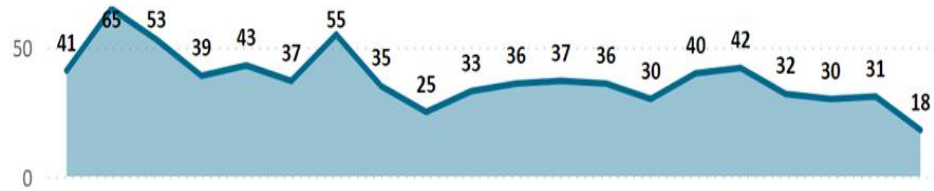
Stipulations to Facts and Discipline



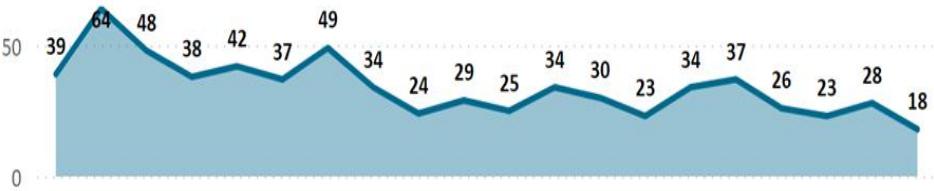
Stipulations to Facts and Discipline



Criminal Conviction Transmittals



Criminal Conviction Transmittals



FILTER BY:

Filter Info

ADR

☒ Yes
☐ No

PERIOD

2024 (Year) + 2 (Qua... ▾

RESPONDENTS WITH NEW CASES
OPENED IN 2024 Q2

TOTAL

3517

WITH 15+
COMPLAINTS

159 5%

WITH 40+
COMPLAINTS

28 1%

ALL RESPONDENTS WITH OPEN
COMPLAINTS - CURRENT QUARTER

TOTAL

4398

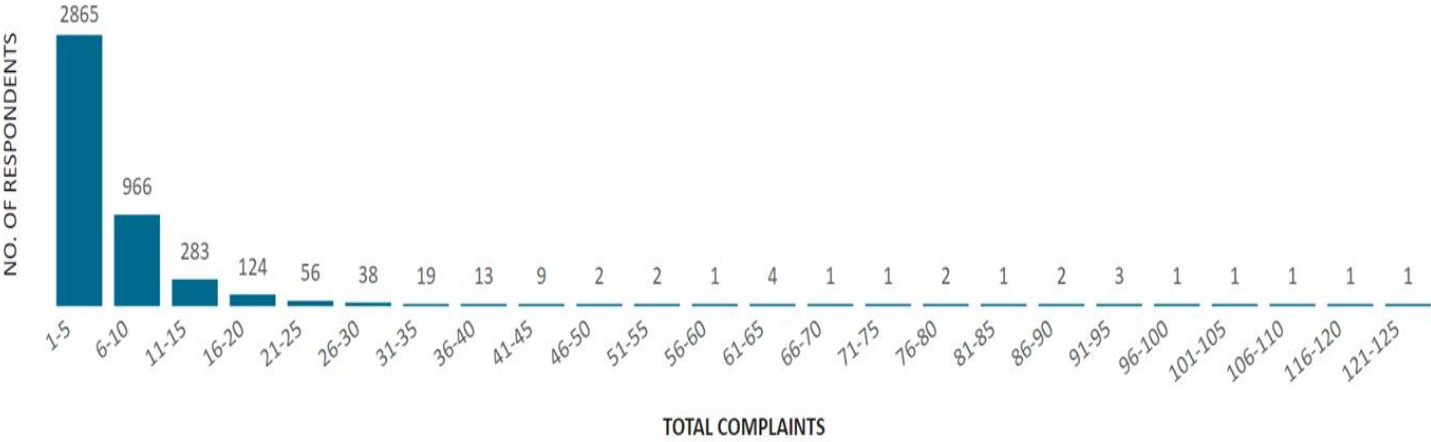
WITH 15+
COMPLAINTS

284 6%

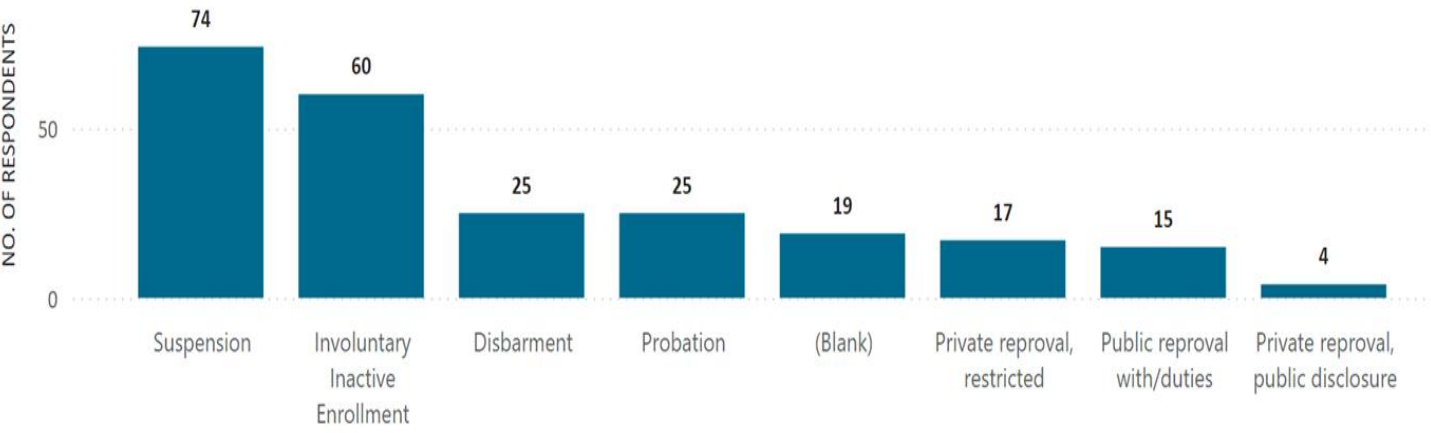
WITH 40+
COMPLAINTS

34 1%

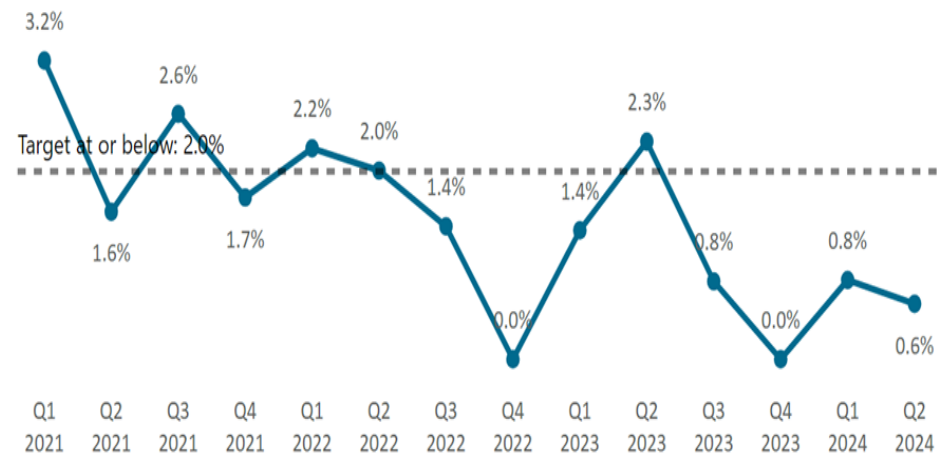
TOTAL COMPLAINTS: ALL RESPONDENTS WITH OPEN COMPLAINTS



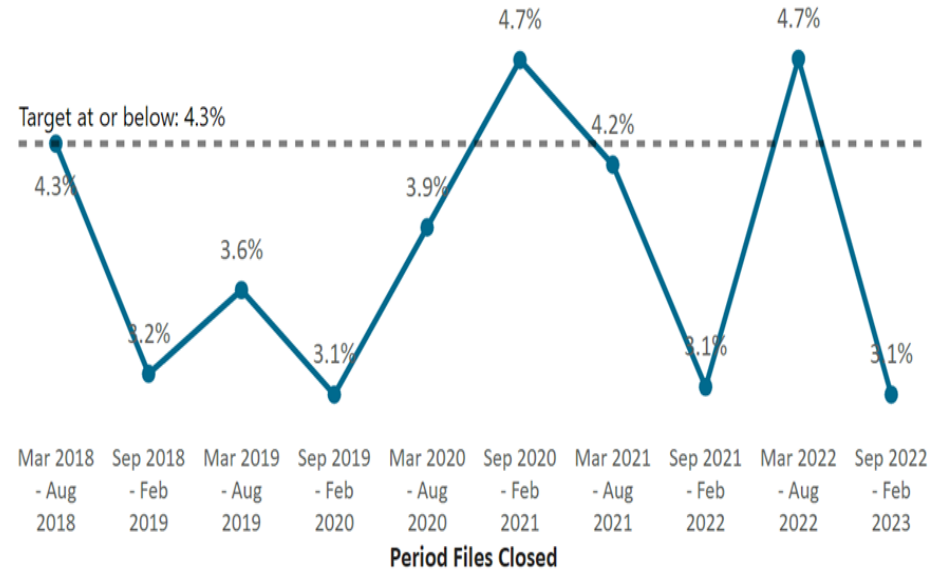
PRIOR DISCIPLINE HISTORY: ALL RESPONDENTS WITH 15+ COMPLAINTS



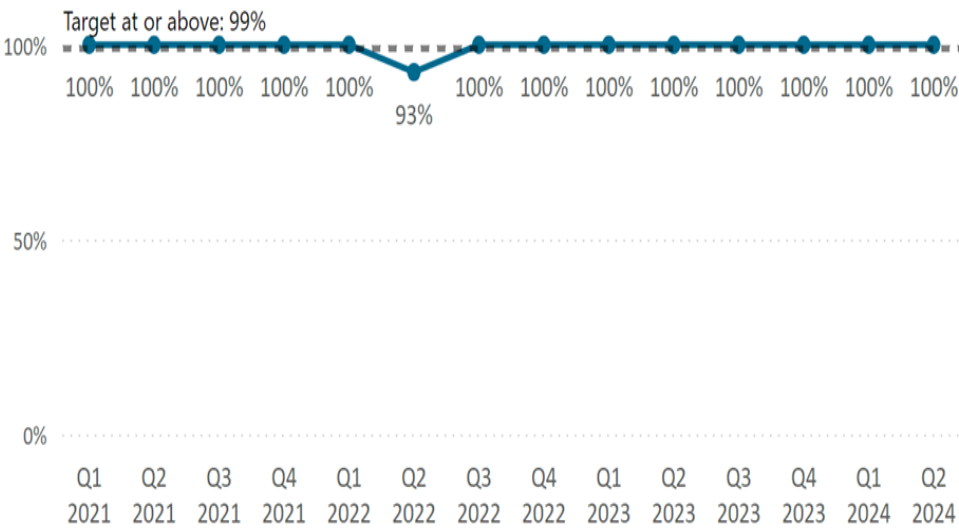
PERCENT OF COMPLAINT REVIEW UNIT REOPENS FOR REASONS OTHER THAN NEW EVIDENCE



PERCENT OF RANDOM AUDIT REOPENS FOR SUBSTANTIVE REASON



PERCENT OF WALKER PETITIONS DENIED



FILTER BY:

PERIOD

Multiple selections

Complaining Witness Survey Comment Summary

i

Show Info

Please see this [document](#) for responses to open ended questions from the Complaining Witness Surveys received during the second quarter of 2024. Below are highlights gleaned from the responses.

What is going well

- Positive experiences when CW's work with live staff, with a CW even praising a helpful front desk staff member who assisted when submitting a complaint in person.
- Ease of access during submission is a strong positive.

Challenges

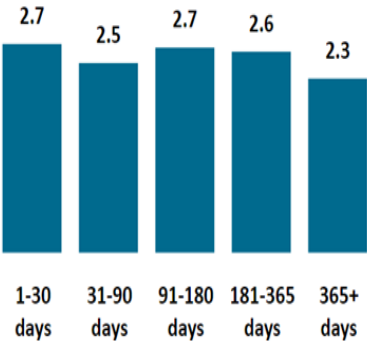
- CW's often feel that complaints are resolved without speaking to them or consulting them first, correlating with lower fairness scores.
- Repeated critiques about maximum limit on amount of evidence that can be submitted and the inability to edit a complaint after submission. This lead CW's to describe their initial submission as incomplete and therefore their case outcomes were unsatisfactory.

482

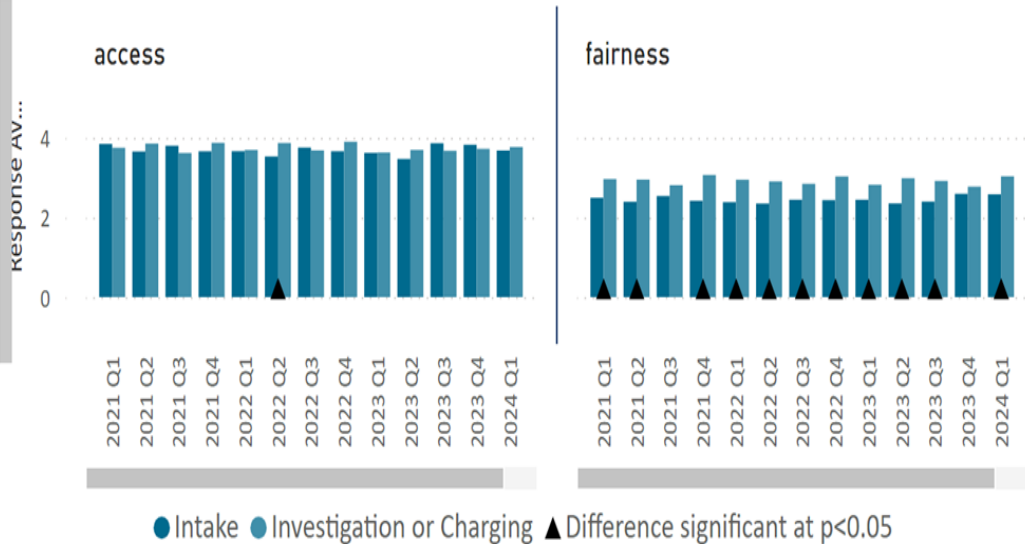
Respondents
2024 Q2

| Score | Response Description |
|-------|----------------------------|
| 1 | strongly disagree |
| 5 | strongly agree |
| 2 | somewhat disagree |
| 4 | somewhat agree |
| 3 | neither agree nor disagree |

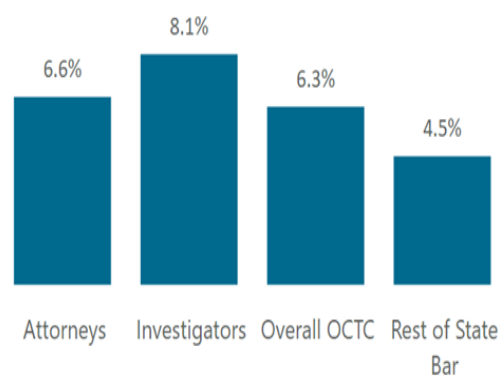
AVERAGE FAIRNESS RESPONSE BY CASE CLOSURE TIME



RESPONSE AVERAGE BY CASE CLOSURE STAGE & COMPOSITE TYPE

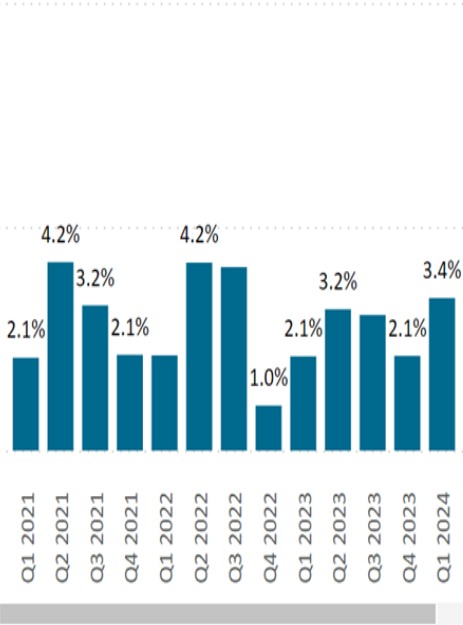


ANNUAL TURNOVER RATE - 2024

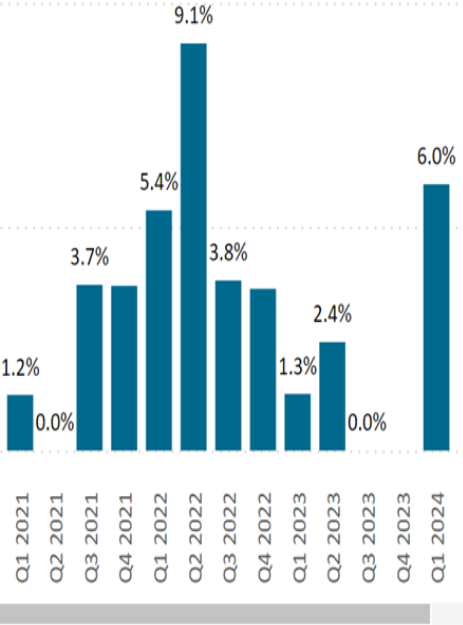


QUARTERLY TURNOVER RATES

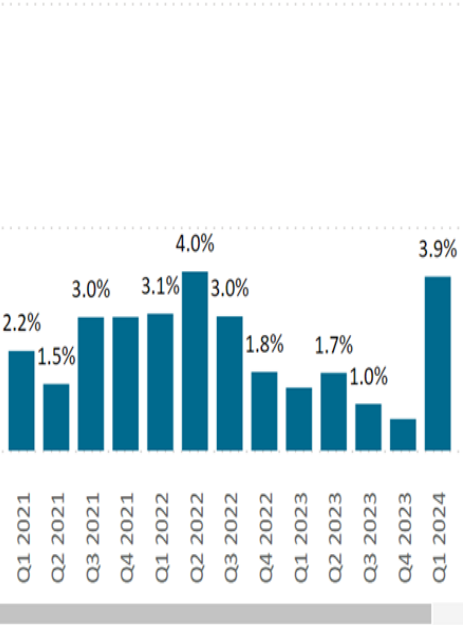
Attorneys



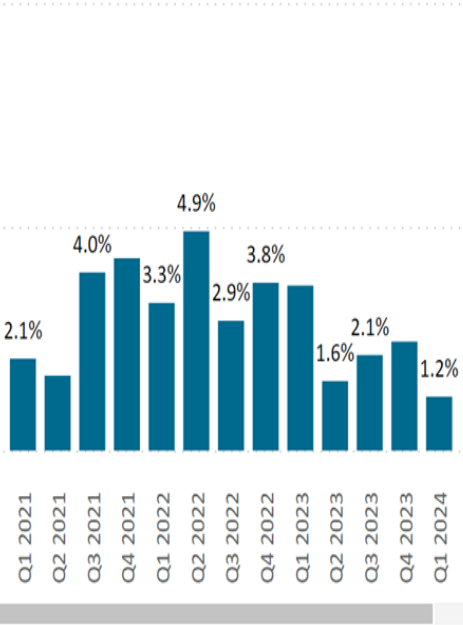
Investigators



Overall OCTC



Rest of State Bar



ADR: Annual Discipline Report (ADR) cases include the following case types:

- 9.20 Violations (State Bar Court Orders & Supreme Court Orders)
- Discipline in Other Jurisdiction
- Original Matters
- Probation Violations
- Repeal Violations
- RA cases (including Contempt Orders, Discipline by Other Licensing Agency, Insufficient Funds, Insurance Claim, Judgment, Multiple Lawsuits, Reversal of Judgment, & Sanction Orders)

Abated: Matters that are abated by OCTC or after filing in State Bar Court. This action is usually taken where there are other investigations or cases pending against a respondent and prosecution of those other complaints is likely to result in disbarment of the lawyer.

Backlog: Cases that failed to meet case processing time standards: 180 days for noncomplex cases and 365 days for complex cases. This dashboard provides the following 2 backlog metrics:

- **Closed Backlog Cases** - Cases that were closed during the reporting period that did not meet case processing time standards. This metric is reported in the Table SR-1B of the 2022 Annual Discipline Report (ADR).
- **Pending Backlog Cases** - Number of pending cases at the end of the reporting period that are older than the case processing time standards.

Case: An individual complaint, Office of Probation referral, State Bar initiated inquiry, reportable action, motion to enforce fee arbitration, motion to revoke probation, motion to terminate practice,* or motion to impose interim suspension or license restrictions (petitions pursuant to section 6007).

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

Case Inventory: Number of pending cases at the end of a reporting period. For example, the case inventory metric for 2023 Q1 provides the number of pending cases on 03/31/2023.

Complex: 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.

Disciplinary Filings: Cases are filed in State Bar Court (SBC) via a Notice of Disciplinary Charges (NDC), Stipulations to Facts and Discipline, and Transmittal of Criminal Convictions. Cases in which an NDC is filed or information about a criminal conviction is transmitted that are later resolved by stipulation are only counted based on the initial filing in SBC.

Prior Discipline: See Attorney Discipline Definitions page [here](#).

Priority: 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.

Respondents with 15+ (or 40+) Complaints: Respondents with over 15 (or 40) complaints including all open complaints plus complaints closed during the preceding 5-year period starting from the report ending date. For example, the 2023 Q1 report counts closed cases during the 5-year period, 03/31/2018 - 03/31/2023.

Questions?

