

Lawyers Professional Responsibility Board and Office of Lawyers Professional Responsibility

Strategic Plan (July 2018 - June 2023)

Protecting the Public, Strengthening the Profession

Strategic Planning Committee:

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I. OVERVIEW

A. Purpose

It is the responsibility of the Office of Lawyers Professional Responsibility (OLPR) to protect the public and to promote the ethical practice of law through prompt investigation and disposition of alleged misconduct, and promotion of the highest ethical standards. It is the responsibility of the Lawyers Professional Responsibility Board (LPRB) to supervise the OLPR among other rule-based obligations. Given the complexities of our changing world, the law and practitioner diversity in the legal community, the OLPR and LPRB must be responsive to ensure lawyer compliance with the rules, and proactive in assisting lawyers to understand the issues they may encounter and how to take action to protect against misconduct.

The purpose of this strategic plan is to provide a blueprint for the future by anticipating and specifying OLPR's key strategies to meet the needs of the public and legal profession, and to ensure the execution of the OLPR's core functions. With clearly articulated objectives, the LPRB and Court can more effectively exercise supervisory authority over the administration of the OLPR.

B. Components

The components of the OLPR's Strategic Plan are: a vision statement, a mission statement and regulatory objectives; a current and future state analysis; and the OLPR priorities and objectives. The OLPR vision is future-oriented; it articulates what OLPR strives for and conveys the core purpose of OLPR and its commitment to its stakeholders. The OLPR mission addresses what OLPR does, for whom, as well as how and why. It is a statement of what can be done today. The regulatory objectives provide guidelines and illustrate the values by which OLPR performs its responsibilities; they are the OLPR's North Star and they help orient and prioritize OLPR work.

To envision the future, the current and future state analysis provided the perspectives of OLPR constituents and experts to assess where OLPR is today and the strengths that can be leveraged to accomplish future needs and opportunities. Finally, OLPR priorities and objectives provide the road map that identifies the direction and focus for achieving future results. It shapes the use of resources and efforts, ensuring a longer-term focus. Specific objectives illustrate how priorities will be accomplished. From there, the OLPR will develop action plans to specify the individual tasks necessary to achieve the plan objectives.

Overall, the Strategic Plan is a tool to identify and support alignment between OLPR's vision, mission and regulatory objectives and OLPR's work to ensure continued effectiveness as the agency strives to protect the public and to promote the ethical practice of law.

C. The Vision and Mission of the OLPR

Protecting the Public, Strengthening the Profession.

Vision:

Through effective, efficient and accountable regulation, the Office of Lawyers Professional Responsibility promotes the public interest and inspires confidence in the legal profession.

Mission:

Protecting the public and serving the legal profession through the fair and efficient enforcement of the Minnesota Rules of Professional Conduct, and provision of effective educational resources.

D. OLPR Regulatory Authority

As part of its plenary authority to regulate the legal profession, the Minnesota Supreme Court created the Lawyers Professional Responsibility Board in 1971, and the first director took office January 4, 1971. The OLPR is responsible for upholding the rules regulating the legal profession which include the Minnesota Rules of Professional Conduct (MRPC) (effective September 1, 1985, replacing the 1970 Minnesota Code of Professional Responsibility), and the Rules on Lawyers Professional Responsibility (RLPR) (effective January 1, 1977).

There have been 11 directors of the OLPR and 11 chairs of the LPRB. The OLPR is assisted in its work by district ethics committees throughout the state, comprised of lawyers and nonlawyers, who volunteer their valuable time to investigate complaints. The Minnesota Supreme Court created the Client Security Fund in 1987 to compensate victims of attorney dishonest conduct. The OLPR provides staffing to support the Client Security Board and its work.

In regulating the practice of law in Minnesota in the public interest, the regulatory objectives of the OLPR and LPRB are:

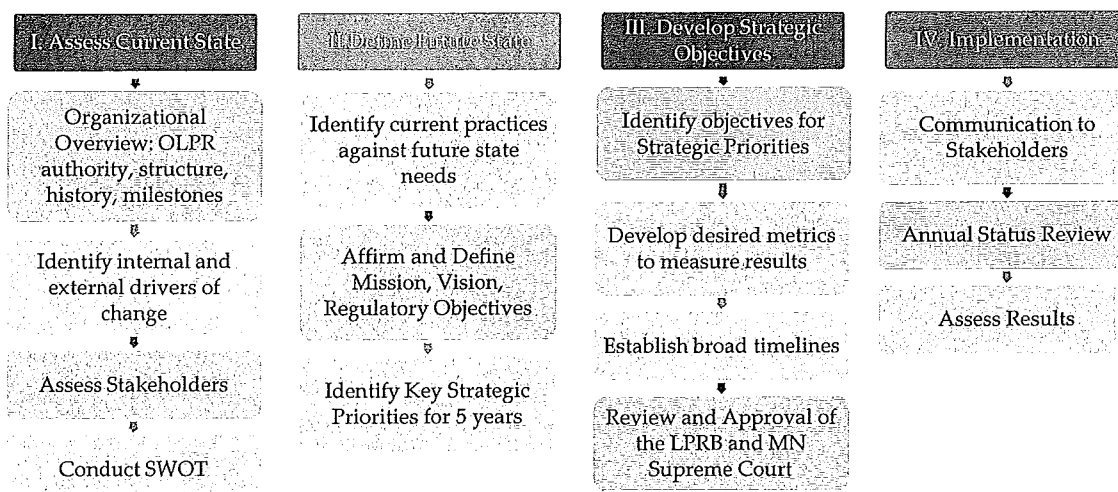
Regulatory Objectives:

1. Enhance client protection and promote public confidence;
2. Ensure compliance with the Rules of Professional Conduct in a manner that is fair, efficient, transparent, effective, targeted and proportionate;
3. Proactively assist lawyers in maintaining competence, well-being and professionalism;
4. Promote access to justice and public choice in the availability and affordability of competent legal services;
5. Safeguard the rule of law and ensure judicial and attorney independence sufficient to allow for a robust system of justice;
6. Promote diversity, inclusion, equality and freedom from discrimination in the delivery of legal services and the administration of justice; and
7. Protect confidential client and other legally protected information.

II. STRATEGIC PLANNING PROCESS

A. Overview

The OLPR Strategic Planning committee membership included individuals with deep, yet varied, perspectives on the work of the OLPR. The committee included members of the LPRB Executive Committee and LPRB, including three public members, the OLPR Director and two current OLPR attorneys, a former chair of the LPRB, the Professional Services Director (a regulatory agency partner) and an organizational development professional to guide the process. Development of the 2019-2023 OLPR strategic plan followed the process illustrated in the diagram below:



B. Current State Analysis

The Strategic Planning committee took a three-pronged approach to assessing the current state of the OLPR to inform the strategic plan. First, the committee identified issues based on five drivers of change that are most likely to influence the future success of the OLPR. The five drivers assessed were technology, demographics, internal and external governance, resources and the legal community. Second, stakeholder feedback processes were developed to inform strategic priorities through themes development and to capture issues of importance to particular constituencies.

To solicit stakeholder feedback, the OLPR conducted interviews and an electronic survey. Key informant interviews were conducted with a diverse group of individual stakeholders to provide insights from their areas of expertise about the role, effectiveness and opportunities for new or enhanced services by the OLPR. An anonymous electronic survey solicited feedback from over 800 individuals. Themes from the interviews and the survey provided clear and consistent information across subject areas, while highlighting issues of more importance to particular constituents.

Third, the committee conducted a SWOT analysis to identify OLPR strengths, weaknesses, opportunities and threats. Key themes from the SWOT analysis and stakeholder feedback disclosed the following strengths and challenges:

STRENGTHS:

FUNDING/ RESOURCES	<ul style="list-style-type: none"> • Dedicated funding sufficient to perform core functions. • High quality educational materials.
EXPERTISE	<ul style="list-style-type: none"> • A reputation as knowledgeable, competent and dedicated to achieving the OLPR mission.

PROCESS	• Responsiveness through the availability of staff to take questions and provide advisory opinions.
	• Statewide presence through Board membership and regional DEC's; and public participation at the board and DEC levels.
	• Case management processes are clearly defined and regularly measured against performance metrics.
	• Outreach is established and responsive to trends and changing needs of the public and legal community.
LEGAL COMMUNITY	• The support and confidence of the Minnesota Supreme Court.
	• Good relationships with partner agencies and the MSBA.
PUBLIC	• Public support through participation in the process.
	• A strong reputation in the legal community; well-regarded nationally.

CHALLENGES:

FUNDING/ RESOURCES	<ul style="list-style-type: none"> • Funding impacted by fewer attorneys entering profession and attorney retirements, and insufficient resources to expand proactive outreach. • Structure is dependent on widespread use of volunteers.
PROCESS	• The changing technological environment and cybersecurity.
	• Balancing pro-active initiatives with maintaining case clearance rates; meeting timelines for case processing.
	• Change resistance.
LEGAL COMMUNITY	• Diverse legal community with diverse concerns and needs.
	• Size and range of attorney services and service areas; no central source of information and support given declining MSBA membership.
	• Ability of attorneys to adapt practices to the impacts from technology and well-being challenges.
PUBLIC	• Increased numbers of self-represented litigants.
	• Increase in non-attorney legal service providers that are not regulated.

C. Future State Analysis

Like other organizations, the work and effectiveness of the OLPR and OLPR stakeholders is affected by the increased integration of technology into managing, processing and storing work content and financial resources. Shifting demographics have affected the number of new and retiring attorneys, their skills and resources and

overall state bar membership. Similarly, technology and the economic environment have created both benefits and barriers for litigants in need of legal services, affecting the types of issues the OLPR sees.

OPPORTUNITIES:

FUNDING	<ul style="list-style-type: none"> • Little opportunity to diversify funding streams to offset potential funding gaps but strong ability to increase awareness of and value proposition to support continued funding needs.
EXPERTISE	<ul style="list-style-type: none"> • Diversify OLPR personnel reflective of the demographics of the legal community and state through anticipated retirements.
	<ul style="list-style-type: none"> • Provide staff development and education and outreach to increase legal and technical competencies, and expand the breadth of OLPR attorney expertise.
	<ul style="list-style-type: none"> • Increase outreach to strengthen staff connections to the legal community.
	<ul style="list-style-type: none"> • Leverage DEC expertise to enhance sustainability and support.
PROCESS	<ul style="list-style-type: none"> • Further leverage technology to increase case processing speed and efficiency.
	<ul style="list-style-type: none"> • Continue to streamline processes, moving toward a paperless environment.
	<ul style="list-style-type: none"> • Use of social media for communication and as a resource repository; expand forms of communication outreach.
LEGAL COMMUNITY	<ul style="list-style-type: none"> • Achieve mutual goals through cross-organization partnerships.
	<ul style="list-style-type: none"> • Be a leader for attorney "Well-Being."
	<ul style="list-style-type: none"> • Continue to provide substantive education and educational resources that meet public and professional needs in a changing technological and legal environment.
	<ul style="list-style-type: none"> • Expand methodologies to match education content and delivery methods to target audiences.
PUBLIC	<ul style="list-style-type: none"> • Expand websites and community outreach to provide complainants and the public with information and resources.

III. OLPR Strategic Priorities, Fiscal Years 2019-2023 (July 2018 - June 2023)

To protect the public and meet the future needs of the Minnesota legal community, the OLPR has identified four strategic priorities: leadership within the profession,

operational excellence, promote trust and confidence in the regulatory process, and organizational competence and efficiency.

Strategic Priority 1:

Partner with the Board and legal community to provide proactive, educational resources designed to promote competence, ethical practices, professionalism, and well-being in the legal profession.

In order to inspire public confidence in the legal profession, it is incumbent upon the OLPR to identify the changing issues and dynamics of the legal profession, develop, and provide easily accessible resources that attorneys can rely upon for guidance and information to help them avoid known pitfalls and promote their professional success.

Specific strategies include:

- a. Collaborate with the Court and other stakeholders to study and implement, as appropriate, recommendations from *The Path to Lawyer Well-Being* task force report, including but not limited to the advisability of a diversion program;
- b. Expand online resources to provide guidance on most frequently violated rules such as retainer agreements, ethical withdrawal and return of client files, as well as transition of practice upon death, disability or retirement;
- c. Expand touch points with attorneys through the creation of an online newsletter or other avenues of communication; and
- d. Amend Rule 2, RLPR, to ensure core responsibility of office includes proactive outreach, adoption of regulatory objectives, and address resource limitations (staffing) relating to same, as appropriate.

Strategic Priority 2:

Maintain operational excellence to ensure ability to execute mission of the Office.

Increasingly diverse and complex caseloads pose a daily challenge to the OLPR as professionals expand their legal expertise and ensure the timely, effective resolution of cases. The OLPR supports creating a clear, positive work environment where professionals utilize their skills and knowledge as they support one another to achieve the OLPR mission to promote the public interest and inspire confidence in the legal profession.

Specific strategies include:

- a. Remain focused on active case management strategies to ensure timely processing of complaints in accordance with Board-established targets;
- b. Support employee engagement by offering continuous learning opportunities, quality in-house training, advancement opportunities and active mentoring; and
- c. Promote employee well-being by facilitating a healthy, collegial, and productive work environment.

Strategic Priority 3:

Strengthen awareness of and confidence in the attorney regulation system.

The public and attorneys must understand and be able to rely on the efficacy of the regulatory process to ensure the OLPR's credibility, sustainability and effectiveness. To strengthen its visibility and value, the OLPR must continue to utilize a variety of outreach methods and products and explore innovative solutions that meet the needs of stakeholders and support the OLPR mission.

Specific strategies include:

- a. Promotion of the advisory opinion service and potential rebranding as hotline, as well as communicating the tagline, mission and regulatory objectives for the Office;
- b. Educate the public regarding the role of the Office, processes and limits of same, including clearer communication around what the Office cannot do, case stages and timelines;
- c. Promote legal community visibility of staff attorneys' qualifications, processes and accessibility; and
- d. Promote and maintain case processing standards, ensuring the Office meets Board-established standards on case management.

Strategic Priority 4:

Strengthen organizational competence and efficiency by ensuring OLPR staff and DEC volunteers have the skills and support necessary to tackle forthcoming challenges within the legal profession.

At its most productive, an organization must understand its constituency and stakeholders and have the knowledge and skills to exercise their responsibilities effectively. The changing demographic composition of society and the aging workforce provide both an opportunity and a challenge as OLPR looks to its future workforce. To maximize workforce effectiveness, OLPR will deliberately expand the perspectives and skill set of the organization as positions become available while continuing to dedicate time and resources for professional development and organizational efficiencies.

Specific strategies include:

- a. Ensure OLPR hirers and Board appointments reflect a diversity of perspectives, backgrounds and skill sets;
- b. Expand training of OLPR attorneys to broaden subject matter knowledge of specific areas of law, and, in partnership with LCL, strengthen skill sets in addressing how stress and other issues impact respondents' and complainants' ability to effectively participate in the process;
- c. Expand training for DEC volunteers on frequent rule violations and the investigation process, and improve Board member on-boarding and training;
- d. Elevate OLPR knowledge of the technology challenges facing the legal profession around privacy, data security and the unauthorized practice of law by non-lawyers and technology companies; and
- e. Maximize the use of technology in case processing and communication including implementation of a new file management database (in process), a paperless case management process (step two), and updated websites.

IV. RESOURCES

1. ABA Model Regulatory Objectives for the Provision of Legal Services (February 8, 2016);

2. Colorado Supreme Court Rules Governing the Practice of Law, Chapters 18-20 (Adopted April 7, 2016);
3. National Organization of Bar Counsel Proactive Regulation FAQs (May 19, 2017);
4. *The Path to Lawyer Well-Being*, the Report of the National Task Force on Lawyer Well-Being (August 2017).

V. APPENDIX

1. Strategic Planning Process Overview;
2. Key Informant Interview Questions;
3. Survey Questions;
4. Executive Summary; and
5. Draft Action Plan for Strategic Priorities.

VI. CONTACT INFORMATION

For additional information about the work of the OLPR or its Strategic Plan, please go to <https://lprb.mncourts.gov>, or contact us at:

1500 Landmark Towers
345 St. Peter Street
St. Paul, MN 55102-1218
(651) 296-3952

OLPR STRATEGIC PLANNING PROCESS OVERVIEW

OBJECTIVE:

Develop a three-year strategic plan that positions the Office of Lawyers Professional Responsibility for continued success in achieving its mission.

Process	Responsible Stakeholder	Timeline
I. PRE-WORK	Director, HRD-OD	Create and send to Committee 9-29, prior to Meeting 1 (10-6)
a. Draft OLPR organizational overview that includes the authority for OLPR, current structure and core responsibilities.	Director – Develop Committee-review & approve	Draft; review and adjust Meeting 1 (10-6)
b. Draft historical organizational milestones, successes and known challenges from prior reviews.	Director drafts; Committee expands during Meeting 1 (10-6), final draft reviewed and approved	Draft; review and adjust Meeting 1 (10-6)
c. Create preliminary list of strategic plan resources.	Director	By 9-29, prior to Meeting 1 (10-6)
d. Create Draft OLPR mission, vision, regulatory objectives and tagline for committee feedback. Tagline: "Protecting the Public and the Legal Profession."	Director; Committee expands during Meeting 1 (10-6), final draft reviewed and approved	Prior to Meeting 1 (10-6) review and adjust Meeting 1 (10-6)
e. Create Strategic Plan template.	HRD-OD	By 9-29, prior to Meeting 1 (10-6)
f. Create DRAFT Plan Timeline.	HRD-OD with Director	By 9-29, prior to Meeting 1 (10-6)
g. Create DRAFT questionnaire for key informant interviews and DRAFT survey for stakeholder surveys, with email invitations.	HRD-OD with Director	By 9-29, prior to Meeting 1 (10-6)
II. INFORMING THE PLAN		
a. Comment/additions on OLPR organizational overview (includes the authority for OLPR, current structure, core responsibilities, milestones).	Committee	Meeting 1 (10-6)

Process	Responsible Stakeholder	Timeline
b. Discuss the draft OLPR mission, vision, regulatory objectives; check against stakeholder interests. Redraft. (Review again after information gathering - Meeting 2 (11-17).)	Committee	Meeting 1 (10-6); update for review Meeting 2 (11-17)
c. Identify and assess future drivers for OLPR based on fundamental shifts in technology, demographics, resources, governance and legal environment.	Committee	Meeting 1 (10-6); update for review Meeting 2 (11-17)
d. Identify what success would mean in achieving the mission, meeting stakeholder needs, delivering services, ensure effective operations.	Committee	Meeting 1 (10-6)
e. Review stakeholders for key informant interviews and for the survey to assess stakeholder perspectives on future issues that impact OLPR effectiveness.	Committee	Meeting 1 (10-6)
f. Review interview and survey questions for additions and changes after committee consideration of drivers and exploration of OLPR future "success."	Committee	Meeting 1 (10-6)
g. Deploy survey (stakeholders, users of services, staff) three weeks to respond.	Director	Deploy by 10-16; responses due by 11-3
h. Conduct Key Informant interviews for external stakeholders and focus groups or interviews for internal stakeholders. Submit responses electronically by deadline.	Interview Committee	Conduct interviews; submit findings 11-3 prior to Meeting 2 (11-17)
i. Synthesize Informant Interview information into key themes.	HRD-OD with Director	By 11-10, prior to Meeting 2 (11-17)
j. Review Informant Interview information data and key themes	Committee	Meeting 2 (11-17)
k. Conduct SWOT Analysis. Reference future drivers, data and themes from key informant interviews.	Committee	Meeting 2 (11-17)
l. Identify OLPR priorities by urgency and value.	Committee	Meeting 2 (11-17)
III. DEVELOP THE STRATEGIC PLAN GOALS AND OBJECTIVES	Strategic Planning Committee, Board and Sponsor feedback and approval	
a. Create a draft of potential OLPR strategic priorities (3-7) that reflect the mission and vision of OLPR that would be consistent over time for committee review and modification in Meeting 3 (12-14).	HRD-OD with Director	Between Meeting 2 (11-17) and Meeting 3 (12-14). Distribute by 12-7, prior to Meeting 3 (12-14)

Process	Responsible Stakeholder	Timeline
b. Provide final review and feedback on the draft OLPR mission, vision, regulatory objectives; based on stakeholder feedback and interests and future needs. Redraft.	Committee	Meeting 3 (12-14); redraft and send out by 1-4, for Meeting 4 (1-11)
c. Review key themes and integrated SWOT; record additional insights. Assess for success in achieving the mission, meeting stakeholder needs, delivering services, ensure effective operations.	Committee	Meeting 3 (12-14)
d. Review a draft of potential OLPR strategic priorities (3-7) that reflect the mission and vision of OLPR that would be consistent over time. Revise.	Committee	Meeting 3 (12-14)
e. Assess revised draft for internal – external balance, congruence with allied professional organizations' responsibilities and alignment with MN Judicial Branch mission and strategic priorities. Prioritize critical accountabilities and future needs. Revise.	Committee	Meeting 3 (12-14)
f. Identify desired outcomes for strategic priorities.	Committee	Meeting 3 (12-14)
g. Identify potential options for implementing.	Committee	Meeting 3 (12-14)
IV. DRAFT WRITTEN STRATEGIC PLAN REPORT		
a. Finalize written report sections I-IV for Introduction, Purpose, Methodology and Assessment.	Director, HRD-OD	Circulated 1-4, prior to Meeting 4 (1-11), approved Meeting 4 (1-11).
b. Integrate final goals, objectives and details into written plan.	Director, HRD-OD, Board Chair; Committee Review	Circulated 1-4, prior to Meeting 4 (1-11), approved Meeting 4 (1-11).
c. Develop description of OLPR Strategic Plan accountability for report inclusion.	Director, Board Chair	Drafted 12-7, prior to Meeting 3 (12-14), Reviewed and finalized Meeting 4 (1-11).
d. Create final Resources list.	Director	Completed by Meeting 4 (1-11)
e. Update full OLPR Board and Judicial Liaison on progress to date. Solicit comments.	Director/Board Chair	January Board meeting (1-26)

Process	Responsible Stakeholder	Timeline
V. CREATE A COMMUNICATION PLAN	Drafted by Director with HRD-OD, reviewed and refined by Strategic Planning committee	
a. Specify the purpose and objectives for the communication plan.	HRD-OD with Director	By 9/29, pre-Meeting 1 (10-6), review Meeting 1 (10-6), update Meeting 4 (1-11)
b. The plan includes communication for: plan initiation, information gathering and feedback, dissemination and reporting.	Template draft HRD-OD, Director, approved by Committee	Complete Template by 9/29, pre-Meeting 1 (10-6), updated by 11-7, between Meeting 1 (10-6) and Meeting 2 (11-17)
c. Identify communication needs for critical stakeholders. Specify the methods and timing to meet those needs.	Director with Board Chair, approved by Committee; HRD-OD reviews for change management effectiveness	Pre-Meeting 2 (11-17), review and approve meetings 2- 3 based on type of communication
d. Identify communication roles and responsibilities.	Director with Board Chair	Meeting 3 (12-14)
e. Implement communication plan.	Director with Board Chair	Following Meeting 2 (11-17), Meeting 3 (12-14) and Meeting 4 (1-11)
VI. IMPLEMENT PLAN	OLPR Management Team; LPRB	FY18-21

ESTIMATED COMMITTEE TIME:

Meeting 1 (10-6): 3 hours (in-person attendance preferred) (II. INFORMING THE PLAN a-e and IV. DRAFT WRITTEN STRATEGIC PLAN REPORT a- b)

Pre- Meeting preparation: 1 hour

Documents: Review prior to Meeting 1

- Agenda
- Strategic Plan process
- OLPR organizational overview
- OLPR historical organizational milestones, successes and known challenges
- Strategic Plan Resource List (preliminary) (include select secondary sources)
- DRAFT Key Informant interview questions, DRAFT stakeholder survey and invitation letters

Meeting 2 (11-17): 2 hours (in-person attendance preferred) (II. INFORMING THE PLAN f-j and IV. DRAFT WRITTEN STRATEGIC PLAN REPORT b- c)

Pre- Meeting preparation: 1 hour

Documents: Review documents prior to Meeting 2

- Agenda
- Revised documents from Meeting 1
- OLPR Drivers of Change
- Stakeholder Interview and Survey Synthesis

Meeting 3 (12-14): 3 hours (phone attendance optional) (III. DEVELOP THE STRATEGIC PLAN GOALS AND OBJECTIVES a-h and IV. DRAFT WRITTEN STRATEGIC PLAN REPORT c-d)

Pre- Meeting preparation: 1 hour

Documents: Review and comment on documents prior to Meeting 3

- Draft Strategic Priorities and Objectives

Meeting 4 (1-11): 1 hour (phone attendance optional) (IV: DRAFT WRITTEN STRATEGIC PLAN REPORT a-d) and IV. DRAFT WRITTEN STRATEGIC PLAN REPORT e)

Pre- Meeting preparation: 1 hour

Documents: Review Documents prior to Meeting 4

- Review DRAFT Strategic Plan report
- Review Communications Plan

PLAN TIMELINE:

PHASE	Sept	Oct	Nov	Dec	Jan	Feb
I. PRE-WORK. Materials due 9-29						
II. INFORMING THE PLAN. Materials due 9-29; 11-7		6 Mtg 1- 9 AM	17 Mtg 2- 9 AM			
III. DEVELOP THE STRATEGIC PLAN GOALS AND OBJECTIVES.				14 Mtg 3- 9 AM		
IV: DRAFT & REVIEW WRITTEN STRATEGIC PLAN REPORT. Materials due 11-7; 12-4					11 Mtg 4- 9 AM	
V. CREATE A COMMUNICATION PLAN: Materials due 1-11						
BOARD AND JUDICIAL LIAISON REVIEW & APPROVAL. Materials due 1-19						
VII. IMPLEMENT PLAN						

Date

Dear _____

The Office of Lawyers Professional Responsibility (OLPR) is in the process of developing a three-year strategic plan.

As a part of our process, we are soliciting information from our stakeholders through surveys and interviews to help understand our strengths and challenges from multiple perspectives and ensure that we have complete information to help inform our plan.

We would like to invite you to participate in a telephone interview about your perceptions, needs and ideas about the OLPR. The interview will take approximately 30 minutes. Your responses will be used cumulatively to develop themes and understand outliers. Individual responses will remain confidential.

Please simply respond to this email and let us know if you would be willing to participate in this process. After we hear from you, we will contact you to schedule a convenient time for your interview.

We look forward to hearing from you!

Sincerely,

Susan M. Humiston, Director
Office of Lawyers Professional Responsibility

Robin Wolpert, Chair
Lawyers Professional Responsibility Board

Optional:

To prepare for the call, the questions we will be exploring are below.

As you know, the OLPR is a consumer protection agency (regulatory body) with the purpose of protecting the public and the legal profession.

Interview Questions:

1. When we asked you to participate in this interview, what were the most important issues you thought about that you wanted to be sure to include?
2. What do you believe to be the OLPR's purpose?
3. If you were to rate the OLPR's reputation from 1-5, where 1 is very weak, 3 is neutral and 5 is very strong, what rating would you give the OLPR? What are its strengths and weaknesses?
4. If the OLPR could do two to three things (to start or stop doing) to increase effectiveness, what would you recommend?
5. How can the OLPR increase its outreach? Are there groups or organizations that are critical for outreach that you think are not very familiar with the OLPR?
6. What challenges do you see before the legal profession that the OLPR may have or should be considering for the future?
7. What does a "very successful" OLPR look like to you?
8. Let's go back to the issues you identified at the beginning of the interview (list them here). Tell me more about what you are thinking about them that we have not yet discussed.
9. What other comments or observations would you like to add before we close?

OLPR STRATEGIC PLANNING SURVEY

Survey Overview

Thank you for taking time to take this survey! As the Office of Lawyers Professional Responsibility (OLPR) and Lawyers Professional Responsibility Board (LPRB) develop a strategic plan for the next three years, your feedback will help us develop a plan that is comprehensive and reflective of the needs of our stakeholders.

Cumulative feedback will help us identify themes and the issues we will address in the years ahead. All individual responses will be confidential. Thank you in advance for your time and your perspective!

Survey Questions:

1. What is your primary relationship to the OLPR:
 - a. Judge
 - b. Respondent's Counsel
 - c. LPRB Current or Past Board Member
☐ Lawyer ☐ Public Member
 - d. Current or Past District Ethics Committee Volunteer
☐ Lawyer ☐ Public Member
 - e. OLPR Current or Past Staff
 - f. Director/Chair/Member of other legally focused organization/association
 - g. An attorney not identified in a-f
 - h. Other (identify)

The OLPR is a regulatory agency with the purpose of protecting the public and the legal profession.

2. How successful is the OPLR in achieving the purpose of "protecting the public?"
 - a. Not successful
 - b. Partially successful
 - c. Adequately successful
 - d. Usually successful
 - e. Extremely successful

Comment:

3. How successful is the OLPR in achieving the purpose of "protecting the legal profession?"
- a. Not successful
 - b. Partially successful
 - c. Adequately successful
 - d. Usually successful
 - e. Extremely successful

Comment:

4. How would you rate OLPR's reputation?
- a. Very weak
 - b. Weak
 - c. Average
 - d. Strong
 - e. Very Strong
5. What do you see as the OLPR's strengths?

Comment:

6. What do you see as the OLPR's weaknesses?

Comment:

7. What challenges do you see before the legal profession that the OLPR should be considering for the future?

Comment:

8. What additional observations would you like the OLPR to consider during its strategic planning process?

Comment:

Thank you for taking the time to provide your perspective and help us inform the OLPR/LPRB strategic plan.

Strategic Planning

Tagline: Protecting the Public, Strengthening the Profession.

Mission: Protecting the public and serving the legal profession through the fair and efficient enforcement of the Minnesota Rules of Professional Conduct, and effective educational resources.

Vision: Through effective, efficient and accountable regulation, the Office of Lawyers Professional Responsibility promotes the public interest and inspires confidence in the legal profession.

Regulatory Objectives:

1. Enhance client protection and promote public confidence;
2. Ensure compliance with the rules of professional conduct in a manner that is fair, efficient, transparent, effective, targeted and proportionate;
3. Proactively assist lawyers in maintaining competence, well-being and professionalism;
4. Promote access to justice and public choice in the availability and affordability of competent legal services;
5. Safeguard the rule of law and ensure judicial and attorney independence sufficient to allow for a robust system of justice;
6. Promote diversity, inclusion, equality and freedom from discrimination in the delivery of legal services and the administration of justice; and
7. Protect confidential client and other legally-protected information.

OLPR Strategic Priorities

Partner with the Board and legal community to provide proactive, educational resources designed to promote competence, ethical practices, professionalism, and well-being in the legal profession.

Strategies include:

- a. Collaborate with the Court and other stakeholders to study and implement recommendations from *The Path to Lawyer Well-Being* task force report, including but not limited to the advisability of a diversion program;
- b. Expand on-line resources to provide guidance on most frequently violated rules such as retainer agreements, ethical withdrawal and return of client files, as well as transition of practice upon death, disability or retirement;
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- d. Amend Rule 2 to ensure core responsibility of office includes proactive outreach, adoption of regulatory objectives, and address resource limitations (staffing) relating to same.

Maintain operational excellence to ensure ability to execute mission of the Office.

Strategies include:

- a. Remain focused on active case management strategies to ensure timely processing of complaints in accordance with Board-established targets.
- b. Support employee engagement by offering continuous learning opportunities, quality training, advancement opportunities and active mentoring; and
- c. Promote employee well-being by facilitating a healthy, collegial, and productive work environment.

Strengthen awareness of and confidence in the attorney regulation system.

Strategies include:

- a. Promotion of advisory opinion service and potential rebranding as hotline, as well as communicating tagline, mission and vision for Office;

- b. Educate the public regarding the role of the Office, processes and limits of same, including clearer communication around what the Office cannot do, case stages and timelines;
- c. Promote legal community visibility of staff attorneys' qualifications, processes and accessibility; and
- d. Promote and maintain case processing standards, ensuring the Office meets Board-established standards on case management.

Strengthen organizational competence and efficiency by ensuring OLPR staff and DEC volunteers have the skills and support necessary to tackle forthcoming challenges within the legal profession.

Strategies include:

- a. Ensure OLPR hirers and Board appointments reflect a diversity of perspectives, backgrounds and skill sets;
- b. Expand training of OLPR attorneys to broaden subject matter knowledge of specific areas of law, and, in partnership with LCL, strengthen skill sets in addressing how stress and other issues impact ability to effectively participate in the process;
- c. Expand training for DEC volunteers on frequent rule violations and investigation process, and improve Board member on-boarding and training;
- d. Elevate OLPR knowledge of technology challenges facing legal profession around privacy, data security and the unauthorized practice of law by non-lawyers; and
- e. Maximize the use of technology in case processing and communication including implementation of a new file management database (in process), a paperless case management process (step two), and updated website.

ACTION PLAN (DRAFT)

1. Partner with the Board and legal community to provide proactive, educational resources designed to promote competence, ethical practices, professionalism, and well-being in the legal profession.

<p>a. Work with the Court and other stakeholders to study and implement, as appropriate, recommendations from <i>The Path to Lawyer Well-Being</i> task force report, including the advisability of a diversion program.</p> <p>Owner: CBH</p> <p>Also interested, NSF, JSB</p> <p>Actions include: Supporting Justice Lillehaug's 2019 Year of Lawyer Well-Being Programming; studying centralized intake systems from other systems and diversionary programs from other jurisdictions; revise Rule 20, RLPR, to facilitate one-way sharing of information with LCL (TMB/LPRB Rules Committee); Identify proactive programs with well-being components.</p>	<p>b. Expand online resources to provide guidance on most frequently violated rules such as retainer agreements, ethical withdrawal and return of client files, as well as transition of practice upon death, disability or retirement.</p> <p>Owner: JHB</p> <p>Also interested, AMM, CBH.</p> <p>Retainer Agreement FAQs (almost finalized);</p> <p>Remaining order of priority: Succession planning resources; Ethical Withdrawals. Explore proactive practice management resources being implemented in Illinois and Colorado. With probation department, expand resources and training for probation supervisors.</p>	<p>c. Expand touch points with attorneys through the creation of an online newsletter or other avenues of communication.</p> <p>Owner: SMH & MJC Comms Dept.;</p> <p>Action items: adding press releases to website, coordinate enhanced lawyer look up information with BLE, collect emails and develop format for practice pointers newsletter to be issued periodically, create a social media plan for Office.</p>	<p>d. Amend Rule 2 to ensure core responsibility of Office includes proactive outreach, adoption of regulatory objectives, and address resource limitations (staffing) relating to same.</p> <p>Owner: SMH/TMB (for rule change). Work with Court for adoption of Plan and Regulatory Objectives. Include funding proposals in next biennium budget for proactive programs. Evaluate staffing needs over course of plan.</p>
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ACTION PLAN (DRAFT)

2. Maintain operational excellence to ensure ability to execute mission of the Office.

<p>a. Support employee engagement by offering continuous learning opportunities, quality training, advancement opportunities and active mentoring.</p> <p>Owner: JSB/SCB, also interested Office Manager; Paralegal Supervisor.</p> <p>JSB: Establish attorney mentoring program for new hires and support same; coordinate substantive and skills training program with SCB.</p> <p>SMH: Support Attorney/Paralegal Classification Review to ensure opportunities for advancement for personnel.</p> <p>Office Manager/Paralegal Supervisor: Create continuous learning program for paralegals (additive to joint attorney learning opportunities) and staff; Ensure employees feel able to take time needed to engage in learning while balancing work responsibilities.</p>	<p>b. Promote employee well-being by facilitating a healthy, collegial, and productive work environment.</p> <p>Owner: SMH/Office Administrator, also interested, NSF/KMR.</p> <p>Establish well-being committee; explore areas of needed improvement in Office; suggest proactive initiatives for improvement.</p>	<p>c. Remain focused on active case management strategies to ensure timely processing of complaints in accordance with Board-established targets.</p> <p>Owner: SMH/TMB/CBH</p> <p>Initial improvements enacted include additional attorney managers.</p> <p>Priority: Continue to teach direct reports active case management skills and project management techniques; continue to improve management skills of supervisors.</p>
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ACTION PLAN (DRAFT)

3. Strengthen awareness of and confidence in the attorney regulation system.

<p>a. Promotion of advisory opinion service and potential rebranding as hotline, as well as tagline, mission and vision for Office.</p> <p>Owner: SMH/MJC Comm Staff/Board; ADS/KMR</p> <p>Secure approval of strategic plan from Court; Develop communications plan for office, and ways to highlight hotline, mission, vision and regulatory objectives; Create branded materials for Office with use of tag line.</p>	<p>b. Educate the public regarding the role of the Office, processes and limits of same, including clearer communication around what the Office cannot do, case stages and timelines.</p> <p>Owner: BTT/RLH/ADS/KMR Also interested, PJ, JS.</p> <p>Research best practices from other jurisdictions, update materials such as brochures, complaint forms; create additional collateral materials; provide design input into public section of the website; identify resource centers and connect with law libraries to distribute information for public more widely; include and update CSB materials in process.</p>	<p>c. Promote legal community visibility of staff attorneys' qualifications, processes and accessibility.</p> <p>Owner: JSB/KMR</p> <p>Add information and qualifications to website; ensure contact information readily available; update materials describing processes; create materials helpful for attorney's responding to complaints.</p>	<p>d. Promote and maintain case processing standards, ensuring the Office meets Board-established standards on case management.</p> <p>Owner: SMH/TMB/CBH</p> <p>Continue monthly case management meetings by direct supervisors; continue quarterly case management meetings with Director; implement monthly process to review as a group cases approaching one year old (or generally challenging cases) to brainstorm past roadblocks and ensure forward movement and guidance.</p>
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ACTION PLAN (DRAFT)

4. Strengthen organizational competence and efficiency by ensuring OLPR staff and DEC volunteers have the skills and support necessary to tackle forthcoming challenges within the legal profession.

<p>a. Ensure OLPR hirers and Board appointments reflect a diversity of perspectives, backgrounds and skill sets.</p> <p>Owner: SMH/Board Chair (ongoing)</p> <p>Significant successes already accomplished by adding criminal prosecution and defense experience to Board, adding criminal prosecution and defense attorneys to OLPR staff; expanding new lawyer representation in Office with public sector and small firm experience, as well as adding big firm experience to staff. Focus needed on increasing diversity of public members.</p>	<p>b. Expand training of OLPR attorneys to broaden subject matter knowledge of specific areas of law, and, in partnership with LCL, strengthen skill sets in addressing how stress and other issues impact ability to effectively participate in the process.</p> <p>Owner: SCB, also interested, JSB.</p> <p>Develop training plan to expand on training already conducted, which has included immigration law training and LCL training. Additional topics include technology, probate law, real estate, oral argument and trial skills.</p>	<p>c. Expand training for DEC volunteers on frequent rule violations and investigation process, and improve Board member on-boarding and training.</p> <p>Owner: JHB</p> <p>Also interested, CBH, TMB, NSF, ADS, CB.</p> <p>Improvements to Board training in-process (TMB) including addition of Panel Chair training; Rewrite Panel Manual (TMB); Create DEC training video library on private YouTube channel (CBH/NSF/ADS); Update DEC training materials (CBH/NSF/ADS/CB).</p>	<p>d. Elevate OLPR knowledge of technology challenges facing legal profession around privacy, data security and the unauthorized practice of law by non-lawyers.</p> <p>Owner: SCB (to be included in attorney training program). Also interested, NSF.</p>	<p>e. Maximize the use of technology in case processing and communication including implementation of a new file management database (in process), a paperless case management process (step two), and updated websites.</p> <p>Owner: SMH/TMB, also interested, JSB/KMR.</p> <p>Paperless process: SMH/TMB/BTT.</p> <p>Website redos: SMH, JSB, RLH; BTT; AMM</p>
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