Ms. Linda Klein  
President  
American Bar Association  
321 N. Clark 21st Floor  
Chicago, IL 60654

Dear President Klein:

We write to express our concern regarding the American Bar Association (ABA) Council of the Section of Legal Education Committee’s Proposed Standard 316. We firmly believe that the proposed standard would undermine current efforts to increase diversity within the legal profession. Moreover, we are concerned that the proposed standard will limit meaningful access to justice, especially for the constituencies represented by Members of the Congressional Black Caucus. Our concerns are consistent with a comment letter submitted to the ABA on June 29, 2016, by a number of Historically Black College and University (HBCU) law school deans.

The proposed standard includes a “one size fits all” requirement that 75% of a law school’s bar examinees pass within two years. We are particularly concerned about the potential impact of these standards on HBCUs, and believe that a complete impact analysis should accompany the proposal.

Under the current proposal, a significant number of law schools accredited for decades by the ABA could be compelled to continuously provide justification for their accreditation. The nature of this process would pose challenges to law schools as they seek to attract and retain students, faculty, and staff. Furthermore, the uncertainty associated with this process would erode alumni and donor support.

HBCU law schools play an outsized role in supporting equal access to legal education. In states where an ABA approved HBCU law school is present, those HBCUs graduate the largest number of black lawyers compared to their counterparts.

We request that the American Bar Association forego adoption or implementation of the proposed standard pending a more inclusive dialogue and assessment on the standard’s impact on diversity in the legal profession. We eagerly await your response.

Sincerely,

[Signatures]

Gregory W. Meeks  
Member of Congress

G. K. Butterfield  
Member of Congress
John Conyers Jr.
Member of Congress

Eleanor Holmes Norton
Member of Congress

Alcee L. Hastings
Member of Congress

Danny K. Davis
Member of Congress

Barbara Lee
Member of Congress

Al Green
Member of Congress

Yvette D. Clarke
Member of Congress

Hank Johnson
Member of Congress

Cedric Richmond
Member of Congress

Joyce Beatty
Member of Congress

Hakeem Jeffries
Member of Congress

Cc: Managing Director Barry Currier, American Bar Association
Chair Gregory G. Murphy, ABA Council on Legal Education
Chair Susan D. Phillips, National Advisory Committee on Institutional Quality and Integrity