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## **Mandatory Bar Litigation Update**

### **U.S. Supreme Court Declines to Hear Cases Against Mandatory Bars in Michigan, Oklahoma, Texas; District Judge Dismisses Some, Not All Claims Involving Utah State Bar**

Last week, the U.S. Supreme Court declined to hear First Amendment challenges against the mandatory State Bar of Michigan, Oklahoma Bar Association, and State Bar of Texas. The lawsuits against all three bars sought to extend the court's 2018 *Janus* decision to include mandatory bars, thereby overruling the precedent established by *Keller* in 1990. [ABA Journal](#) summarizes all three challenges and shares links to additional coverage. Also last week, U.S. District Judge Tena Campbell dismissed civil rights claims against the Utah State Bar by lawyer Amy Pomeroy, who said mandatory membership and fees infringed on her First and Fourteenth Amendment rights. However, Campbell declined to dismiss some of Pomeroy's claims against some other named defendants on the bar's leadership team. Learn more at [Reuters.com](#).

### **ABA Revises CLE Diversity Policy, Will Seek Reaccreditation by The Florida Bar**

A revision to the ABA's diversity policy for its continuing legal education programs appears to comply with a ban on numerical quotas that was established by the Florida Supreme Court for CLE programs accredited in that state, according to a spokesperson for The Florida Bar. Last week's revision by the ABA Board of Governors to the CLE diversity policy from 2017 eliminates numerical requirements for CLE panels; it still requires organizers to be intentional about the ABA's Goal III objectives to eliminate bias and enhance diversity when selecting moderators and faculty. The ABA plans to ask The Florida Bar to once again accredit its CLE programs. [ABA Journal](#) has more details and a statement by ABA President Reginald Turner.

### **After Coca-Cola Withdraws Bold, Controversial DEI Program for Outside Law Firms, Will Others Follow Suit?**

In 2020 and into 2021, sparked by the killing of George Floyd, many corporations and big law firms made promises and established new policies and programs aimed at increasing diversity, equity, and inclusion in law. Late last month, Coca-Cola confirmed that it has withdrawn what many thought was among the boldest and most controversial of those efforts. The program, announced in January 2021, would require the company's outside counsel to earmark 30 percent of new matters for diverse attorneys and said Black lawyers must handle at least half of the billable time on those new matters. U.S. firms that failed to meet those requirements would have their fees cut by 30 percent. The company was threatened with a shareholder lawsuit, and the program was never implemented. Some observers say that other companies considering similar efforts might be given pause not only by Coca-Cola's example, but also by a current U.S. Supreme Court case against Harvard College (a program within Harvard University) over race-based admission policies. Will Coca-Cola's decision have a chilling effect on diversity, equity, and inclusion in the legal profession? [Bloomberg Law](#) takes a deep dive and offers a wide range of perspectives.

## Redesigning Legal Speaker Series Examines Lack of Access to Law-Related Documents, Data

When it comes to unmet legal needs, most often the problem is framed as a lack of access to lawyers. But another problem is a lack of access to law—meaning it can be difficult for people to access and understand data and documents, such as jury rules, patents, and regulations. That's according to panelists at the most recent installment of the Redesigning Legal Speaker Series, sponsored by three ABA entities, IAALS (the Institute for the Advancement of the American Legal System), and Legal Hackers. One panelist said more law students should be trained in technology, and that more technology, engineering, and data science students should learn about legal institutions, law, and policy. Another panelist noted that having the information accessible online or via an app only goes so far: The information must also be simple and clear. What else could help increase access to law? [Law360](#) recaps this program.

## DC Bar Foundation, Louisiana Bar Foundation Receive ABE Opportunity Grants for Critical Legal Needs, Access to Justice

Last month, the American Bar Endowment announced that the DC Bar Foundation and the Louisiana Bar Foundation were among the 12 recipients of its Opportunity Grants for 2022. The DCBF received a grant of \$25,000 to develop and implement a user-friendly, secure, accessible coordinated intake and referral system for civil legal needs. The LBF's grant of \$22,000 will help it launch Good Repair, a web-based app for tenants to communicate with landlords and government housing authorities about repairs needed for habitability, including after a disaster. The ABE sponsors group insurance products for ABA lawyer members; most ABE members choose to donate their portion of any available insurance dividends toward the ABE's charitable giving. ABE Opportunity Grants support new, boots-on-the-ground, innovative programs and projects that serve the immediate and critical legal needs of the public and that are of importance to the legal profession and its concerns for access to justice. To see the full list of recipients for 2022 and to learn what types of organizations are eligible and how to apply for the 2023 grant cycle, [visit the ABE](#).



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