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Important New Data from the 2022 ABA Profile of the Legal Profession

ABA Profile of the Legal Profession 2022: 16 States Have No Federal Judges of Color, 3 States Have No Women Federal Trial Judges

Ketanji Brown Jackson's June 2022 confirmation as the first Black female justice on the U.S. Supreme Court was a major milestone. "But is she representative of judicial diversity, or is she the exception?" asked ABA President Reginald Turner, in a webinar focused on the *ABA Profile of the Legal Profession 2022*, released last week. The profile is an annual publication; this year, it takes a deep dive into the demographics of the judiciary, particularly at the federal level. According to the profile, 16 states have no federal judges of color, and three states—Nebraska, North Dakota, and Idaho, all of which are also on that list of 16—have no women serving as federal trial judges. The profile notes, however, that the federal bench is less homogenous than before because of new appointments of women and people of color in the past two years. Also addressed in the profile are a host of other topics, such as lawyer wages, legal education, pro bono work, and technology. [ABA Journal](#) shares some key findings and a link to the full report.

Texas Attorney General Ken Paxton Bans Staff Attorneys from Speaking at State Bar of Texas Events, Will Not Pay for Them to Attend Any of the Bar's Events

In what some are calling an escalation in state Attorney General Ken Paxton's feud with the State Bar of Texas, a deputy attorney general emailed staff last week to announce that lawyers in the attorney general's office may not speak at events organized by the bar and that the office will not pay for any attorneys to attend bar-sponsored events. The state bar is suing Paxton for professional misconduct over his 2020 lawsuit challenging the presidential election results in four states; Paxton has denounced this lawsuit as political harassment. The internal email, sent by Shawn Cowles, deputy attorney general for civil litigation, reiterates that idea and also says the lawsuit is one indicator of the bar's "ongoing evolution into a partisan advocacy group." The bar declined to comment on these new office policies, which are effective immediately. [The Texas Tribune](#) has more details from the email as well as additional context for the misconduct lawsuit and Paxton's previous reactions against the bar.

Per Court Order, Appointed Counsel in New York City and State Receive 75% Raise, First Since 2004

New York appointed counsel—as well as observers who for many years have expressed concerns about indigent defense—received some good news last week: Manhattan Supreme Court Justice Lisa Headley ordered a 75% pay increase for New York City and state assigned counsel, retroactive to February 2022. As a result of their first pay raise since 2004, those attorneys will now be paid \$158 per hour, up from \$90. The New York County Lawyers Association, joined by several other bars and lawyer organizations, was the lead plaintiff in the lawsuit against both city and state that led to this decision and order. New York State Bar Association President Sherry Levin Wallach called the raise "way overdue" and said she was pleased that the court decided to intervene after years of lobbying by NYBSA to the state Legislature failed to yield results. Learn more at [Spectrum Local News](#)

Rochester.

State Bar of California Announces Big Shift in How It Handles Discipline, Adopts Alternative to Robert's Rules, Considers Changes to Public Comment Procedures

In a new effort to become more proactive in attorney discipline, last week, the State Bar of California announced several changes to the Office of Chief Trial Counsel, including increased staff and increased pay for outside lawyers hired to investigate attorney complaints. The staff increase includes adding a full-time administrator and a forensic auditor. In a move that Executive Director Leah Wilson indicated was a major shift in approach, the bar will seek to identify attorney misconduct risk factors and provide support for lawyers before they get into trouble, rather than simply responding to complaints. [Reuters](#) has additional details. In other news from the State Bar of California, at its July meeting, the Board of Trustees voted to scrap Robert's Rules of Order in favor of Rosenberg's Rules of Order, which the board believes are simpler and will be easier for both policy leaders and the public to understand. The board also discussed guidelines for expanding and standardizing opportunities for public comment; these will be voted on at a later meeting. Board Chair Ruben Duran said both the change in parliamentary rules and the potential changes to the comment process are examples of ways the bar is moving toward expanding public involvement in meaningful ways, which is called for in its recent five-year strategic plan. The [Northern California Record](#) takes an in-depth look at the board's actions at its July meeting and at other examples of how the bar is implementing recommendations from the state auditor's April 2022 report on the lawyer discipline system.

ABA Forms Cornerstones of Democracy Commission, Offers Guide to Help Lead Civil Discourse, Increase Public Understanding

The United States—one of the oldest continuing democracies in human history and a positive example for many others—is now at a critical moment in its national history. We face a country divided over many issues—including voting rights, policing, public health, and climate change, to name a few—and we have experienced decreasing faith in institutions and a growing distrust of one another. In this time of division, the legal profession must lead the way in promoting civics, civility, and collaboration to restore confidence in our democratic institutions and in the judicial system, and to protect the rule of law. The ABA has formed the Cornerstones of Democracy Commission to help lead these efforts. A central part of the work of the Commission is developing conversation guides for state, local, practice specialty, and affinity bar associations, and civic, professional, and government organizations to use in developing programs or adapting existing programs to model civil discourse. Download [the Conversation Guide](#) to learn how to engage your community in civil conversations on critical issues to help rebuild respect and trust in one another while simultaneously increasing understanding of civic institutions and dispelling misinformation.

Bar Leader Weekly will be on hiatus next week. The next issue will be on August 17.



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