



## The State Bar *of California*

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### COUNCIL ON ACCESS AND FAIRNESS 2021 WORK PLAN

#### Charge:

**The Council on Access and Fairness is comprised of 10 members appointed by the Board of Trustees. The charge of the council is as follows:**

- Assist and advise the Board of Trustees in defining and advancing the State Bar's diversity and inclusion strategies and goals.
- Study, recommend, and help devise curricula designed to educate California attorneys on diversity and inclusion principles.
- Promote programs and strategies to improve diversity initiatives impacting the pipeline, particularly at California law schools, for the bar exam and within the legal profession.
- Evaluate the state of diversity and inclusion in the profession annually.
- Identify barriers to entry into, and retention and advancement in the legal profession, and propose solutions to address barriers.
- Explore, promote, encourage, and partner in collaborative efforts to increase diversity and inclusion in the profession and in the judiciary.
- Comment and advise, when requested by the Board of Trustees or the executive director, on barriers directly related to access opportunities within the profession for attorneys from diverse backgrounds.
- Facilitate communication and coordination on diversity and inclusion efforts by providing reciprocal liaisons to California Lawyers Association (CLA) Diversity Outreach Committee and California Leadership Access Workforce (LAW), and with a liaison from the Judicial Council of California Advisory Committee on Providing Access and Fairness
- Serve as a representative of the State Bar, as requested by the Board of Trustees, on issues of diversity and inclusion.

STRATEGIC PLAN GOAL & OBJECTIVE	WORK PLAN	DEADLINE	TO BOARD COMMITTEE (Y/N) / DATE
Goal 4, objective h: Identify means of supporting existing law school programs to improve retention by December 31, 2020.	<ul style="list-style-type: none"> <li>Review and analyze law school survey findings.</li> </ul>	6/30/2021	No
	<ul style="list-style-type: none"> <li>Review and identify promising programs. Recommend effective programs for broad implementation. Develop a Best Practices Guide or resource and distribute and promote the guide or resource to the public.</li> </ul>	9/30/2021	No
	<ul style="list-style-type: none"> <li>Participate in the Law School Assembly.</li> </ul>	Ongoing	No
	<ul style="list-style-type: none"> <li>Review data provided by the CALS and registered law schools in Fall 2020 to determine next steps based on attrition data reported.</li> </ul>	3/31/2021	No
	<ul style="list-style-type: none"> <li>Track law school attrition data for California ABA schools to identify trends.</li> </ul>	Ongoing	No

STRATEGIC PLAN GOAL & OBJECTIVE	WORK PLAN	DEADLINE	TO BOARD COMMITTEE (Y/N) / DATE
<p>Goal 4, objective i: No later than March 31, 2020, identify ways that diversity and inclusion principles can be institutionalized in Bar exam development and grading analyses and implement these practices no later than December 31, 2020.</p>	<ul style="list-style-type: none"> <li>Recommend specific rules, terms, or language/develop State Bar rule to codify diversity and inclusion principles in bar exam development, including outreach to and feedback from bar exam preparation network.</li> </ul>	12/31/2021	Yes/2021
	<ul style="list-style-type: none"> <li>Examine previous bar exam questions analyses that had identified differences in performance and develop relevant procedures for exam development, including participating in DIF Working Group that will develop strategies for reducing or eliminating DIF in future bar exam questions.</li> </ul>	12/31/2021	No
	<ul style="list-style-type: none"> <li>Work with the Office of Admissions and develop and implement key performance factors that will ensure State Bar is broadening education and outreach to the legal community, including consideration of broadening geographic restrictions, and targeted outreach to affinity bar associations to widen recruitment of graders and pre-testers.</li> </ul>	Ongoing	No
	<ul style="list-style-type: none"> <li>Recommend the State Bar require and provide implicit bias training during annual onboarding and/or orientation of all proctors, graders, and EDG team”</li> </ul>	Ongoing, to monitor process	No

STRATEGIC PLAN GOAL & OBJECTIVE	WORK PLAN	DEADLINE	TO BOARD COMMITTEE (Y/N) / DATE
Goal 4, objective j: Assuming positive results from the California Bar Exam Strategies and Stories Program (formerly called Productive Mindset Intervention,) expand implementation by February 2020.	<ul style="list-style-type: none"> <li>Review researcher's summary of findings from July 2018, July 2019, and October 2020 intervention and study.</li> </ul>	5/21/2021	No
	<ul style="list-style-type: none"> <li>Invite researchers to present to COAF findings from 2018, 2019, and 2020 studies to better understand research.</li> </ul>	5/21/2021	No
	<ul style="list-style-type: none"> <li>Develop communications strategy to outreach to law students and bar applicants to participate in intervention.</li> </ul>	12/31/2021	No
Goal 4, objective l: No later than December 31, 2019, analyze available data to identify the particular obstacles to diverse attorneys' entry into, retention, and advancement in the legal profession.	<ul style="list-style-type: none"> <li>Identify diversity and inclusion programs at law firms, in-house legal departments, nonprofits and government agencies; develop, create, and disseminate best practices resources.</li> </ul>	12/31/2021	Yes
	<ul style="list-style-type: none"> <li>Plan and participate in Diversity Summits.</li> </ul>	12/31/2021	No
	<ul style="list-style-type: none"> <li>Provide input and feedback on the State Bar efforts to ensure an effective and fair attorney discipline system</li> </ul>	Ongoing	No
	<ul style="list-style-type: none"> <li>Provide input and feedback on recruitment and retention, including loan forgiveness and loan repayment assistance programs.</li> <li>Invite researchers or other experts to make presentations to COAF, at minimal cost to the State Bar, to assist COAF in identifying issues in the development of the pipeline to the profession starting at the high school level, and make recommendations on how to address pipeline to the profession issues.</li> </ul>	12/31/2021  Ongoing	No

STRATEGIC PLAN GOAL & OBJECTIVE	WORK PLAN	DEADLINE	TO BOARD COMMITTEE (Y/N) / DATE
	<ul style="list-style-type: none"> <li>• Support presentations to underrepresented high school, community college, and university students on how to prepare for becoming a lawyer at programs convened by nonprofits and other appropriate entities presentations</li> <li>• Convene a one-day Pipeline Summit to obtain a status report on the state of diversity in the legal profession.</li> <li>• Continue to partner with diverse General Counsels for professional sports team (e.g., the Golden State Warriors), the entertainment industry, or similar groups, to jointly produce YouTube videos, at minimal cost to the State Bar, reflecting diverse lawyers in nontraditional legal roles, with a view toward posting links to those videos on the State Bar website, and report back to the State Bar on any recommended next steps.</li> <li>• Distribute and publicize via social media and other outlets the State Bar's "<i>Be a Lawyer-Make a Difference</i>" brochure.</li> </ul>	<p>Ongoing</p> <p>12/31/2021</p> <p>12/31/2021</p> <p>Ongoing</p>	

STRATEGIC PLAN GOAL & OBJECTIVE	WORK PLAN	DEADLINE	TO BOARD COMMITTEE (Y/N) / DATE
Goal 4, objective m: By December 31, 2020, modify the Elimination of Bias curriculum contained in the Minimum Continuing Legal Education requirements to consider the creation of subtopics and expanding the number of required hours.	<ul style="list-style-type: none"> <li>• Research and invite experts on bias to propose a curriculum for the one-hour online training for delivery on the State Bar e-Learning portal; assist in the development of the training Complete online implicit bias MCLE module.</li> </ul>	3/31/2021	No
	<ul style="list-style-type: none"> <li>• Formulate and recommend some learning outcomes for the online implicit bias course.</li> </ul>	3/31/2021	No
	<ul style="list-style-type: none"> <li>• Consider additional EOB subtopics (e.g. discuss the possibility of incorporating antiracism component into EOB curriculum).</li> </ul>	12/31/2021	No
Goal 4, objective n: Develop and publish an annual report card on the state of the profession by January 31, 2020, and annually thereafter.	<ul style="list-style-type: none"> <li>• Review the First Annual Diversity Report Card calls to action to develop sector specific calls to action.</li> <li>• Review findings from attorney survey focusing on impact of pandemic and make recommendations for actions the State Bar can take to address issues identified in the findings.</li> </ul>	6/30/2021	No
		6/30/2021	

STRATEGIC PLAN GOAL & OBJECTIVE	WORK PLAN	DEADLINE	TO BOARD COMMITTEE (Y/N) / DATE
Goal 4, objective o: Partner with the Judicial Council to complete the Judicial Diversity Toolkit.	<ul style="list-style-type: none"> <li>• Provide assistance and support to the Judicial Council in implementing judicial diversity efforts.</li> <li>• Support Judicial Council in conducting regional workshops summits/meetings for attorneys interested in exploring judicial positions and assist the Judicial Council in delivering such programs.</li> <li>• If requested by the Judicial Council, provide consultation and assistance to the Judicial Council for the 2021 Judicial Diversity Summit being held with the California Lawyers Association and the California Judges Association.</li> </ul>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>No</p> <p>No</p> <p>No</p>