



# The State Bar *of California*

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## COUNCIL ON ACCESS AND FAIRNESS 2023 WORK PLAN

**Charge: The Council on Access and Fairness is composed of ten 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	Strategy	Implementation Step	Work Plan	Deadline	To BOT (y/n)/date
Goal 1: Protect the public by strengthening the attorney discipline system	Diversity, Equity, and Inclusion: Continue to address any racial or other disparities in the attorney discipline system.	Implement reforms and recommendations to reduce inequities identified in the 2019 report: <i>Discrepancies by Race and Gender in Attorney Discipline by The State Bar of California: An Empirical Analysis</i> .	Provide input and feedback on the State Bar efforts to ensure an effective and fair attorney discipline system	Ongoing	No
Goal 1: Protect the public by Strengthening the Attorney Discipline System	Diversity, Equity, and Inclusion: Continue to address any racial or other disparities in the attorney discipline system	Identify and implement strategies to address other disparities in discipline rates and outcomes, including those related to solo and small firm practitioners.	Review court appointed counsel program data including attorneys served and outcomes; identify areas for improvements and make recommendations.	12/31/2024	No
Goal 1: Protect the public by strengthening the attorney discipline system	Diversity, Equity, and Inclusion: Continue to address any racial or other disparities in the attorney discipline system.	Identify and implement strategies to address other disparities in discipline rates and outcomes, including those related to solo and small firm practitioners.	Review data annually on violations of Rule 8.4.1, and based on review, make recommendations of potential interventions or actions to BOT.	12/31/23	No

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Goal 1: Protect the public by Strengthening the Attorney Discipline System	Diversity, Equity, and Inclusion: Continue to address any racial or other disparities in the attorney discipline system	Conduct a follow up study of racial disparities in attorney discipline, identify areas for improvement, and implement recommendations.	Provide input on the follow up study of racial disparities in the attorney discipline system, including identifying areas for improvement and potential recommendations.	12/31/2024	No
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Effectiveness: Increase representation through the State Bar's existing regulatory and oversight authority including special admissions and pro bono practice programs.	Revise admissions requirements to be more relevant to the practice of law in alignment with the recommendations of the Blue Ribbon Commission on the Future of the Bar Exam.	Provide input and feedback on the development of new bar exam, including questions, modality, and equitable testing practices.	12/31/2023	No
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Diversity, Equity, and Inclusion: Support the law school to profession pipeline	Publish an annual report card on workforce diversity and retention trends in the legal profession.	Continue to review Attorney Census data.  Review data collected in My State Bar Profile and in the attorney census survey and make	Ongoing  12/31/23	No  No

	to foster a diverse legal profession representative of California's communities, particularly as related to race, ethnicity, and socio-economic status.		recommendations to include collection of data related to tribal communities.		
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Diversity, Equity, and Inclusion: Support the law school to profession pipeline to foster a diverse legal profession representative of California's communities, particularly as related to race, ethnicity, and socio-economic status.	Increase the numbers of diverse attorneys in the legal profession through diversity pipeline programs that support aspiring attorneys in graduating from law school and passing the exam.	Recommend to Office of Admissions ongoing review and comparison of bar examinations to gauge impact of the Guiding Principles in Examination Development to Minimize Potential Bias in Bar Exam Questions; review data, identify any issues, and make recommendations to the Office of Admissions, as appropriate.	12/31/24	No

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Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Diversity, Equity, and Inclusion: Support the law school to profession pipeline to foster a diverse legal profession representative of California's communities, particularly as related to race, ethnicity, and socio-economic status.	Increase the numbers of diverse attorneys in the legal profession through diversity pipeline programs that support aspiring attorneys in graduating from law school and passing the bar exam.	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 pipeline to the profession and make recommendations on how to address pipeline to the profession issues	Ongoing	No
			Support presentations to underrepresented high school, community college, and university students on how to prepare for becoming a lawyer at programs convened by non-profits and other appropriate entities	Ongoing	No
			Discuss partnering with CLA on one-day Pipeline Summit to obtain a status report on the state of diversity in the legal profession.	12/31/23	No

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			<p>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 engaging content, 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</p> <p>Distribute and publicize via social media and other outlets the State Bar's "Be a Lawyer: Make a Difference" brochure.</p>	<p>12/31/23</p> <p>Ongoing</p>	<p>No</p> <p>No</p>
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Diversity, Equity, and Inclusion: Support the law school to profession pipeline to foster a diverse legal profession	Identify data-supported practices that promote retention and advancement of a diverse and inclusive legal profession and share those practices	<p>Participate in the Law School Assembly</p> <p>Review demographic data provided by the CALS and registered law schools to determine next steps based on attrition data reported.</p>	<p>Ongoing</p> <p>Ongoing</p>	<p>No</p> <p>No</p>

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	representative of California's communities, particularly as related to race, ethnicity, and socio-economic status.	through toolkits and other resources.	Track law school attrition data for California ABA schools to identify trends	Ongoing	No
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Diversity, Equity, and Inclusion: Support the law school to profession pipeline to foster a diverse legal profession representative of California's communities, particularly as related to race, ethnicity, and socio-economic status.	<ul style="list-style-type: none"> <li>o Identify data-supported practices that promote retention and advancement of a diverse and inclusive legal profession and share those practices through toolkits and other resources.</li> <li>o Engage DEI leaders and other stakeholders to encourage legal employers to set and publicly commit to measurable diversity, equity, and inclusion goals through the</li> </ul>	<p>Monitor Leadership Seal program participation. Identify and suggest adjustments to action items for future program iterations.</p> <p>Identify and study innovative DEI practices in other industries that may be adaptable to the legal profession.</p> <p>Plan and participate in Diversity Summits</p>	<p>12/31/23</p> <p>Ongoing</p> <p>12/31/23</p>	<p>No</p> <p>No</p> <p>No</p>

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		State Bar Diversity Leadership Seal Program.			
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Diversity, Equity, and Inclusion: Support the law school to profession pipeline to foster a diverse legal profession representative of California's communities, particularly as related to race, ethnicity, and socio-economic status.	Continue the Mindsets in Legal Education Initiative and evaluate the merits of expanding the program.	Continue to monitor Mindsets in Legal Education Initiative and review findings.	12/31/23	No
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Diversity, Equity, and Inclusion: Support the law school to profession pipeline to foster a diverse legal profession representative of California's communities, particularly as	Provide implicit bias trainings for bar exam proctors and graders to reduce any potential bias.	Recommend the State Bar require and provide implicit bias training during annual onboarding and/or orientation of all proctors, graders and EDG team.	Ongoing, to monitor progress	No



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	related to race, ethnicity, and socio-economic status.				
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Diversity, Equity, and Inclusion: Support the law school to profession pipeline to foster a diverse legal profession representative of California's communities, particularly as related to race, ethnicity, and socio-economic status.	Continue to diversify the exam development and grading pool.	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.	Ongoing	No
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Policy and Systems Change: Identify and advocate for innovative policy and regulatory reforms needed to increase access to legal services, particularly by disenfranchised,	Collaborate with legislative and other stakeholders to establish a law school student loan forgiveness program to make legal aid an attractive and sustainable career goal.	Provide input and feedback on recruitment and retention, including loan forgiveness and loan repayment assistance programs	12/31/23	No

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	underserved, and rural communities.				
Goal 2: Protect the public by enhancing access to and inclusion in the legal system	Policy and Systems Change: Identify and advocate for innovative policy and regulatory reforms needed to increase access to legal services, particularly by disenfranchised, underserved, and rural communities.	Collaborate with stakeholders and law schools to improve the law school accreditation process.	Work with the Office of Admissions to provide feedback on the law school accreditation process.	12/31/2023	No

Goal 3: Protect the public by regulating the legal profession	Diversity, Equity, and Inclusion: Support retention, development, and advancement of a diverse legal profession, with a focus on preventative measures to address disproportionate complaint and discipline rates.	<ul style="list-style-type: none"> <li>o Provide effective support for attorneys experiencing practice management and other challenges that affect competency.</li> <li>o Create a licensee resource page on the State Bar website to provide information and tools on emerging topics and issues including mental health, financial literacy, and navigating imposter syndrome in the workplace.</li> <li>o Support attorneys from disenfranchised and underserved communities who may experience unique practice management and other challenges.</li> </ul>	Explore imposter syndrome and its impact on diversity, equity, and inclusion in the legal profession, including potentially developing a resource page on the State Bar website or link to other resources.	12/31/23	No
			Review feedback on the <i>Disrupting Implicit Bias</i> online module and consider additional online EOB training modules to develop (e.g. discuss the possibility of incorporating anti-racism component into EOB curriculum, microaggressions, objective performance evaluation, imposter syndrome, moving beyond EOB training)	12/31/24	No