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# Connelly Legal Services, Inc.

201 S. Main Street, Westby, WI 54667

ATTORNEY KEVIN M. CONNELLY  
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July 15, 2023

Justice Rebecca Grassl Bradley  
Wisconsin Supreme Court  
16 East State Capital  
PO Box 1688  
Madison, WI 53701-1688

**RECEIVED**

JUL 19, 2023

CLERK OF SUPREME COURT  
OF WISCONSIN

Re: DEI CLE petition follow up

Dear Justice Bradley:

Your comment in your concurring opinion is correct that the dearth of critical commentary of mandatory DEI training is not evidence of widespread support by lawyers in Wisconsin. Quite the opposite. For example, the Bar did a survey a year or so ago which they refuse to disclose to me and I learned secondhand (see below) that survey shows there is strong opposition.

I have again requested the survey results and I enclose a copy of my letter to Joe Forward, Communications Director at the State Bar of Wisconsin.

As you will read:

1. Mr. Forward's response to me a year ago was that the survey results were not "presently available" and not given to the DEIA task force.
2. The survey results were indeed already given to the task force as revealed in Felicia Owens' email, copy enclosed.
3. Copy of my letter to Dean Dietrich requesting a copy of the survey. He did give me the survey results.

This is consistent with your thorough explanation that the Bar objective has always been to pursue mandatory DEI.

Respectfully,

  
Kevin Connelly

July 14, 2023

Joe Forward  
Communications Director  
State Bar of Wisconsin  
(via email)

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Dear Joe:

I hope your summer is going well.

I'm following up on a matter I inquired about last year.

1. I request (again) the results of the online survey the Bar had done in 2021 or 2022 with Wisconsin lawyers regarding their views on diversity training.

Recall, I had requested the survey results a year ago and you denied my request in an email dated July 22, 2022. That same month I learned the survey results were given to a lawyer in the Wisconsin Hispanic Lawyers Association who was also on the DEIA Task Force. She sent an email dated July 12, 2022 to WHLA members stating she had the survey results and encouraged members to submit comments on the two pending petitions at the Wisconsin Supreme Court, the DEI petition for voluntary CLE credit and the petition on harassment and discrimination language.

"I would encourage anyone with the time to submit a comment. We recently got the survey results on where state bar membership stands and out of those that took the survey, only 55% stated they support credit for voluntary DEIA CLE's, and about 48% strongly disagree with making DEIA CLE's mandatory.

As the co-chair for the task force on mandatory DEIA CLE's, we are waiting to hear back on this petition to make them creditworthy before we submit a petition to make them mandatory. Hopefully a strong show of support for creditworthiness will help with the petition for making them mandatory."

Felicia L. Own email dated July 12, 2022

The so-called "task force" for mandatory DEIA CLE's had only just begun to do its work but her email suggests they already had decided they will indeed be

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recommending mandatory DEI training to BOG once the first petition for voluntary credit is approved. Recall, you had told me in an email that same week (email July 15, 2022) that the task force had met only once and "that no recommendations will be made until the issue is fully understood and all perspectives are considered. I don't think that will be anytime soon."

The duties of the mandatory DEIA task force were, as stated the summer before by President Cheryl Furstace Daniels in an email to me dated June 25, 2021, the following:

"The work of the task force will include:

1. Data gathering,
2. Initial drafting and editing,
3. Task force discussion as to the advisability of the petition,
4. Review by members and member groups, who will weigh in on the petition's merits and language,
5. Task force addressing the concerns of members and groups on the petition's language and supporting memorandum, and
6. Reviewing whether and how the Wisconsin Supreme Court approves the first petition, as the Court always has the authority to modify an proposed language.

She goes on to state "there is nothing predetermined..."

Ms. Owen's email suggests the Task Force was only concerned with item #6, getting approval from the Court on voluntary DEI CLE's.

2. Did the DEI task force complete all these tasks in the summer of 2022? Have they completed their tasks now?
3. What was your basis for denying to give me the survey results?
4. If you refuse to give me the survey results now please explain your reasons? The Bar Association should not be hiding the truth from its members.

Cordially,

  
Kevin Connelly



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**FW: Survey results**

2 messages

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**connellylaw@mwt.net** <connellylaw@mwt.net>

Fri, Jul 22, 2022 at 8:00 AM

To: western-wisconsin@fairforall.org

**From:** Joe Forward <jforward@wisbar.org>  
**Sent:** Wednesday, July 13, 2022 9:35 AM  
**To:** 'connellylaw@mwt.net' <connellylaw@mwt.net>  
**Subject:** RE: Survey results

Hey Kevin,

Great meeting you at the AMC. The survey results have not been delivered to or reviewed by the task DEIA Task Force assigned to this work and is not presently available. Upon review, the task force and sponsoring director determine how/if research projects are disseminated.

Joe

**From:** connellylaw@mwt.net [mailto:connellylaw@mwt.net]  
**Sent:** Tuesday, July 12, 2022 2:55 PM  
**To:** Joe Forward <jforward@wisbar.org>  
**Subject:** Survey results

*Can you furnish me and all bar members with the survey results on diversity, equity, and inclusion continuing education? I believe we have a right to know since we paid for it.*

*Attorney Kevin M. Connelly*

608-634-3956

201 S. Main Street, Westby, WI 54667

----- Forwarded message -----

From: Felicia Owen, Posted to <[whla@elists.wisbar.org](mailto:whla@elists.wisbar.org)>

Date: Tue, Jul 12, 2022 at 1:14 PM

Subject: [whla] FW: Rule Petitions 22-01 & 22-02; Opportunity for public comment

To: Wisconsin Hispanic Lawyers Association <[whla@elists.wisbar.org](mailto:whla@elists.wisbar.org)>

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To respond to the entire e-list, click your "Reply" option.

To respond to the author only, click here on the following name for a new message: [Felicia Owen](#)

Hey everyone,

I was forwarded this email by Director Samuelson.

The Supreme Court is soliciting public comment on two petitions in front of them. One of them is the petition to make Diversity, Equity, Inclusion and Access CLE's credit worthy for State Bar Membership. The second petition is for the Supreme Court to adopt the ABA's language on harassment and discrimination. The new language would require attorneys to not engage in conduct that they should 'reasonably know' is discriminatory versus the current language

that just says they should not engage in harassment based on the standard protected classes. It also adds ethnicity, gender identity, and socioeconomic status as protected classes.

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I would encourage anyone with the time to submit a comment. We recently got the survey results on where state bar membership stands and out of those that took the survey, only 55% stated they support credit for voluntary DEIA CLE's, and about 48% strongly disagree with making DEIA CLE's mandatory.

As the co-chair for the task force on mandatory DEIA CLE's, we are waiting to hear back on this petition to make them credit worthy before we submit a petition to make them mandatory. Hopefully a strong show of support for credit worthiness will help with the petition for making them mandatory.

**Felicia L. Owen**

Staff Attorney, Guardian ad Litem Division

Legal Aid Society of Milwaukee, Inc.

728 N. James Lovell Street

3<sup>rd</sup> Floor, North Suite

Milwaukee, WI 53233

414-712-0022

*We rise by lifting others.*

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**From:** Timothy Samuelson

**Sent:** Tuesday, July 12, 2022 8:20 AM

Felicia Owen

Subject: Rule Petitions 22-01 & 22-02; Opportunity for public comment

COPY

Felicia,

I hope this email finds you well. Earlier this week, I received two letters from the Supreme Court presenting the opportunity for public comment on two Rule Petitions: 22-01 (in the matter of diversity, equity, inclusion and access training for continuing legal education credits) and 22-02 (in the matter of the amendment of Supreme Court Rule 20:8.4(i)). Both generally relate to DEI issues and I thought you or your colleagues in WHLA may be interested in making public comments or at least being aware of the petitions. I'd be happy to discuss either if helpful. Thanks for your consideration.

Best,

Tim

**Timothy C. Samuelson** | Director



Wisconsin Office of Lawyer Regulation

110 East Main Street, Suite 315, P.O. Box 1648

Madison, Wisconsin 53701-1648

[timothy.samuelson@wicourts.gov](mailto:timothy.samuelson@wicourts.gov)

Phone: 608.267.7274

List hosted by the State Bar of Wisconsin, 5302 Eastpark Blvd., Madison, WI 53718-2101. For questions: [service@wisbar.org](mailto:service@wisbar.org). (800) 728-7788.

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October 10, 2022

Mr. Dean Dietrich  
Weld Riley SC  
500 Third Street Suite 800  
PO Box 479  
Wausau, WI 54403-4873

Via email

COPY

Re: DEI Survey results

Dear Mr. Dietrich:

I know you are very busy, but I have just one last request for you to consider:

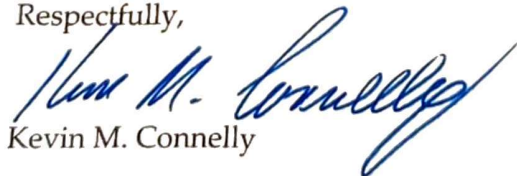
**I request a copy of the State Bar of Wisconsin member survey results asking members about their opinions of potential voluntary and mandatory diversity, equity, inclusion training. (This is the survey done earlier this year 2022.)**

In July I asked for the results but was denied. Ms. Owen was furnished with these results as she mentions them in her July 2022 email, a copy of which I sent you.

In preparing a position paper to the Wisconsin Supreme Court in the future, it should be facts, evidence, and empirical data that illuminate the issues for the court with full ethical candor. To that end, the beliefs and opinions of our 25,000 or so members would be pertinent for the court's consideration. Obviously if the bar refuses to divulge such information that fact, along with Owen's email, would be relevant facts to show the court.

Thank you for your consideration of my requests.

Respectfully,

  
Kevin M. Connelly