

SUPREME COURT OF WISCONSIN

No. 22-01

**In the Matter of Diversity, Equity,
Inclusion, and Access Training for
Continuing Legal Education**

FILED

JUL 13, 2023

Samuel A. Christensen
Clerk of Supreme Court
Madison, WI

On March 22, 2022, the State Bar of Wisconsin, by Cheryl Furstace Daniels, then-President, and on behalf of the State Bar's Board of Governors, filed a rule petition asking the court to amend Supreme Court Rule 31.02(5) & (6) to create a new specialty continuing legal education (CLE) credit that would be called the "Diversity, Equity, Inclusion, and Access" (DEIA) credit. DEIA courses would address "the subject of diversity, equity, inclusion, access, or recognition of bias, which includes topics addressing diversity and inclusion in the legal system of all persons regardless of age, race, ethnicity, religion, national origin, gender, sexual orientation, gender identity, or disabilities and topics designed to educate attorneys on the recognition and reduction of bias." Under the proposal, lawyers could use DEIA CLE credit-hours to fulfill their 30 hours of required CLE credits under Supreme Court Rule 31.02 (1).

At a closed administrative conference on May 19, 2022, the court voted to solicit written comments. The court sent letters to interested

persons on July 11, 2022. It also requested that the Board of Bar Examiners (BBE) comment on the rule petition.

On August 5, 2022, BBE Director Jacquelynn B. Rothstein filed a letter with the court, stating that the BBE reviewed the rule petition at its regularly scheduled meeting on July 29, 2022. The BBE recommended an alternative proposal to the court, which limited DEIA credits to courses related to subjects within the legal system and limited the number of DEIA credit hours attorneys could use to satisfy their CLE requirements to six credits per reporting cycle.

Legal Action of Wisconsin, by Jennifer L. Johnson, Director of Diversity & Inclusion, and Monica Cail, Director of Racial Justice Advocacy & Litigation, filed a comment in support of the petition on August 9, 2022. Legal Action requested that the court mandate that all attorneys in Wisconsin take at least one DEIA credit each reporting cycle.

The State Bar, by Margaret W. Hickey, President, Dean R. Dietrich, President-Elect, and Cheryl Furstace Daniels, Past President, filed a response to the comments on August 17, 2022. The BBE filed an additional comment with an amended alternative proposal on November 2, 2022. The State Bar responded to the BBE's additional comment on December 8, 2022. Attorney Kevin M. Connelly filed a comment in opposition to the petition on December 12, 2022.

The court discussed the petition at a closed administrative conference on February 21, 2023, and voted to deny the petition. Therefore,

IT IS ORDERED that the petition is denied.

Dated at Madison, Wisconsin, this 13th day of July, 2023.

BY THE COURT:

Samuel A. Christensen
Clerk of Supreme Court

¶1 REBECCA GRASSL BRADLEY, J. (concurring).¹

Many feel that our society is fragmenting as strident voices seek to divide us along racial, ethnic, cultural, religious, and gender lines. . . . Courts should conserve and preserve what has been bequeathed and entrusted to us; they should not bow to every fad or whim of the moment.

In re Rev. of the Code of Jud. Ethics, SCR Chapter 60, 169 Wis. 2d xv, xxvi (1992) (Day, J., concurring, joined by a majority).

¶2 The State Bar petitions this court to allow lawyers to attend courses for continuing legal education credit (CLE) "on the subject of diversity, equity, inclusion, access, or recognition of bias[.]" Because lawyers already are receiving credit for such courses (see Appendix 1) the petition is unnecessary and the court rightly rejects it without holding a public hearing. I therefore respectfully concur but write separately to highlight how DEIA courses

¹ Proving well that many proponents of DEIA orthodoxy demonize its critics, the dissenting justices "choose not to respond" to this concurrence, instead dismissing it with a headline-grabbing caricature as "hostile, divisive, and disrespectful" "political rhetoric[.]" Dissent, ¶46 n.4. This concurrence cites more than a dozen United States Supreme Court decisions, multiple state supreme court decisions, Frederick Douglass, Martin Luther King Jr., Thurgood Marshall, Clarence Thomas, James Madison, Montesquieu, and at least an additional dozen legal scholars, authors, and professors. Of course, the real reason for the dissenters' refusal to engage with the substance of an opinion spanning more than 30 pages is the imminent change in court membership. The new majority will reverse this court's order at its first opportunity.

The dissenters borrow a rhetorical tactic from the modern political sphere increasingly employed by justices of this court in lieu of legal argument. See, e.g., Jane Doe 4 v. Madison Metro. Sch. Dist., Nos. 2022AP2042, 2023AP305 & 2023AP306, unpublished order, at 3 n.1 (Wis. May 19 2023, amended June 14, 2023) (Hagedorn, J., concurring) ("I also do not respond to this supplemental writing because of its abandonment of basic judicial decorum."). When lawyers decline to respond to legal arguments advanced in a case, the court considers the point conceded.

damage human dignity, undermine equality, and violate the law:

1. Collectively, the buzzwords "diversity, equity, inclusion, and access" (DEIA) represent a smoke screen for a divisive political agenda that perniciously reduces people to racial categories and strips them of their unique individuality;
2. This petition originated in partisan controversy and is a well-documented step toward mandatory DEIA CLE;
3. The Bar's one-and-a-half page memorandum in support of its petition presents a pretextual and underdeveloped argument for attorney freedom of choice but all along the Bar has planned to seek compulsory DEIA CLE; and
4. The proposed rule raises serious moral and constitutional concerns.

¶3 If the Bar's end game were simply CLE credit, the petition would be easily dismissed as virtue signaling given the liberality with which the Board of Bar Examiners (BBE) already awards credit for such courses. But the Bar ultimately seeks to mandate DEIA training, impose group think on attorneys, and condition bar admission and continuing licensure on subscribing to an illiberal political ideology. Real diversity means welcoming dissenting voices, not coercing them into an echo chamber using the force of the State:

Ultimate futility of such attempts to compel coherence is the lesson of every such effort from the Roman drive to stamp out Christianity as a disturber of its pagan unity, the Inquisition, as a means to religious and dynastic unity, the Siberian exiles as a means to Russian unity, down to the fast failing efforts of our present totalitarian enemies. Those who begin coercive elimination of dissent soon find themselves exterminating dissenters. Compulsory unification of opinion achieves only the unanimity of the graveyard.

. . . [T]he First Amendment to our Constitution was designed to avoid these ends by avoiding these beginnings. There is no mysticism in the American concept of the State or of the nature or origin of its authority. We set up government by

consent of the governed, and the Bill of Rights denies those in power any legal opportunity to coerce that consent. Authority here is to be controlled by public opinion, not public opinion by authority.

W. Va. State Bd. of Educ. v. Barnette, 319 U.S. 624, 641 (1943).

I. DEIA IS A DISGUISE FOR DANGEROUS IDENTITY POLITICS.

¶4 Regrettably, our society is in the midst of "revert[ing] to being tribal and genetically determined." See Charles Love, Race Crazy: BLM, 1619, and the Progressive Racism Movement XII (2021). We live in an increasingly "race-obsessed" society—and one ever more obsessed with other immutable characteristics. See id. Various institutions promote a lie designed to divide:

human beings are defined by their skin color, sex, and sexual preferences; that discrimination based on those characteristics has been the driving force in Western civilization; and that America remains a profoundly bigoted place, where heterosexual white males continue to deny opportunity to everyone else.

Heather Mac Donald, The Diversity Delusion: How Race and Gender Pandering Corrupt the University and Undermine Our Culture 2 (2018). Under this distorted viewpoint, Black Americans "are all inexorably trapped in a fundamentally racist society, with the original sin of slavery and the historical subjugation of black Americans still determining our lives today." Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll., 600 U. S. __, __ S. Ct. __, Nos. 20-1199 & 21-707, slip op. at 49 (June 29, 2023) (Thomas, J., concurring).

¶5 Facially benign verbiage under the umbrella of DEIA shrouds this regression toward a freshly fractured society. Nice-sounding euphemisms aside, DEIA initiatives often presuppose the existence of

certain "universal values," which are not actually universally shared, in an effort to stifle debate. See Ben Shapiro, *How to Debate Leftists and Destroy Them: 11 Rules for Winning the Argument* 22 (2014). The vast majority of Americans value diversity, inclusion, and access in their fullest senses, but DEIA discriminates against and excludes categories of people it deems "privileged." "Equity" sounds benevolent but insidiously "calls for institutions to treat people unequally purportedly to achieve an equal outcome." See *Unequal Protection: The Push to Replace "Equality" with "Equity" is Unconstitutional*, Heritage Foundation, at 1:30 (Sept. 23, 2021).²

[E]quity . . . is far from equality. In fact, equity is equality's demonstrable opposite. Rather than providing all individuals with equal opportunities to succeed, equity segregates individuals by race or sex while simultaneously driving the narrative of oppressor and victim. . . . Its fixation on individual identity serves to deepen longstanding American philosophical divides. Equity recklessly embraces the consideration of legally prohibited classifications as a way to eliminate perceived bias or differences in outcome, but in so doing, it violates both equal protection and federal law.

See id. at 1:09. "The solution to our Nation's racial problems thus cannot come from policies grounded in affirmative action or some other conception of equity. Racialism simply cannot be undone by different or more racialism. Instead, the solution announced in the second founding is incorporated in our Constitution: that we are all equal, and should be treated equally before the law without regard to our race. Only that promise can allow us to look past our differing skin colors and identities and see each other for what we truly are: individuals with unique thoughts, perspectives, and goals, but with

² <https://www.youtube.com/watch?v=YLTiMullzz8>.

equal dignity and equal rights under the law." Students for Fair Admissions, Inc., slip op. at 48-49.

¶6 At times, the soothing oratory is unmasked and the quiet part said out loud. Ibram X. Kendi's 2019 book, How to Be an Antiracist, has become DEIA canon. He rejects Martin Luther King Jr.'s wisdom, declaring, "[t]he language of color-blindness . . . is a mask to hide racism. . . . The only remedy to past discrimination is present discrimination. The only remedy to present discrimination is future discrimination." Ibram X. Kendi, How to Be an Antiracist 10, 19 (2019). This philosophy perpetuates an ugly cycle of race-based retribution. If it becomes universally accepted, contemporary victims of discrimination will seek the "only remedy" of "future discrimination" against their oppressors. "This vision of meeting social racism with government-imposed racism is thus self-defeating, resulting in a never-ending cycle of victimization. There is no reason to continue down that path. In the wake of the Civil War, the Framers of the Fourteenth Amendment charted a way out: a colorblind Constitution that re-quires the government to, at long last, put aside its citizens' skin color and focus on their individual achievements." Students for Fair Admissions, Inc., slip op. at 55. "[T]he Constitution continues to embody a simple truth: Two discriminatory wrongs cannot make a right." Id. at 2.

¶7 Many Americans have begun to see the "smooth-sounding siren of racial classification" for what it is: a tool for discrimination. See Johnson v. WEC, 2022 WI 19, ¶148, 401 Wis. 2d 198, 972 N.W.2d 559 (Rebecca Grassl Bradley, J., concurring); see also Janie Har,

Politically Liberal California Rejects Affirmative Action, AP (Nov. 4, 2020) ("The campaign to reinstate affirmative action in overwhelmingly Democratic California had money, momentum and big-name backers, including Black celebrities . . . , but voters in the most populated state rejected the measure.").³ Illiberal elites see the issue differently. They craft student bodies, corporate boards, and even voting districts to have just the "right" racial makeup. See Johnson, 401 Wis. 2d 198, ¶74. While decrying discrimination, they unabashedly discriminate on the basis of race, sex, and other immutable characteristics. They silence dissenters with the threat of being shunned as "bigots."

¶8 The United States Supreme Court recently ended race-based discrimination in higher education, restoring the original meaning of the Equal Protection Clause and reinforcing the founding principle pronounced in our Declaration of Independence "that all men are created equal[.]" See The Declaration of Independence para. 2 (U.S. 1776). The Court ruled that "[e]liminating racial discrimination means eliminating all of it. And the Equal Protection Clause, we have accordingly held, applies 'without regard to any differences of race, of color, or of nationality'—it is 'universal in [its] application.' For '[t]he guarantee of equal protection cannot mean one thing when applied to one individual and something else when applied to a person of another color.' 'If both are not accorded the same protection, then it is not equal.'" Students for Fair Admissions, Inc., slip op.

³ <https://apnews.com/article/race-and-ethnicity-campaigns-san-francisco-college-admissions-california-4c56c600c86f37289e435be85695872a>.

at 15 (majority opinion) (quoted sources omitted) (modifications in the original).

¶9 In tension with the principles embodied in the Equal Protection Clause, illiberal elites have long pushed DEIA ideology on the legal profession using now-familiar tactics. In 2016, the American Bar Association (ABA) adopted a formal "Diversity and Inclusion CLE Policy[.]" ABA Diversity & Inclusion CLE Policy (2016).⁴

It stated:

The ABA expects all CLE programs sponsored or co-sponsored by the ABA to meet the aspirations of Goal III by having the faculty include members of diverse groups as defined by Goal III (race, ethnicity, gender, sexual orientation, gender identity, and disability). This policy applies to individual CLE programs whose faculty consists of three or more panel participants, including the moderator. Individual programs with faculty of three or four panel participants, including the moderator, will require at least 1 diverse member; individual programs with faculty of five to eight panel participants, including the moderator, will require at least 2 diverse members; and individual programs with faculty of nine or more panel participants, including the moderator, will require at least 3 diverse members. The ABA will not sponsor, co-sponsor, or seek CLE accreditation for any program failing to comply with this policy unless an exception or appeal is granted. . . .

Id. The policy continued:

If for some rare or extraordinary reason a panel does not comply and [can]not be granted an exception for one time only on behalf of that panel the entity can opt to pay a fine of \$2500 to the diversity center rather than lose CLE credit for that panel. This exception can only be granted one time.

Id.

¶10 The Business Law Section of the Florida Bar adopted a policy

⁴ https://www.americanbar.org/content/dam/aba/administrative/diversity-portal/cle_policy_adopted_by_bog_june10_16.pdf.

modeled on the ABA's. See In re Amendment to Rule Regulating the Florida Bar 6-10:3 (Amendment I), 315 So. 3d 637, 637 (2021) (per curiam); In re Amendment to Rule Regulating the Florida Bar 6-10:3 (Amendment II), 335 So. 3d 77, 79 (2021) (per curiam). The Florida Supreme Court, on its own motion, amended a rule regulating the Florida Bar to prohibit quotas. Amendment I, 315 So. 3d at 637. The rule currently reads, in relevant part: "The board of legal specialization and education may not approve any course with a sponsor, including a section of The Florida Bar, that uses quotas based on race, ethnicity, gender, religion, national origin, disability, or sexual orientation in the selection of course faculty or participants." Fla. State Bar Rule 6-10.3(d).

¶11 In responding to the Business Law Section's policy, the Florida Supreme Court highlighted its unlawfulness: "[q]uotas based on characteristics like the ones in this policy are antithetical to basic American principles of nondiscrimination." Amendment I, 315 So. 3d at 637 (citing Grutter v. Bollinger, 539 U.S. 306, 334 (2003)). The policy "treats people differently (i.e., discriminates) based on their membership in groups defined by 'race, ethnicity, gender identity, disability and multiculturalism.' Our laws consider it presumptively wrong to discriminate on these grounds—especially when government does the discriminating, but also in many contexts involving discrimination by private entities." Amendment II, 335 So. 3d at 80. "Quotas depart from the American ideal of treating individual people as unique individuals, rather than as members of groups." Id.

¶12 Recently, the ABA amended its policy to read, in relevant part, as follows: "Program organizers will invite and include prospective moderators and faculty members to create CLE panels that meet the objectives of Goal III. This includes, among others, moderators and faculty members from historically underrepresented communities e.g., racial and ethnic demographic groups/people of color, women, persons with disabilities, and LGBTQ+ individuals." ABA Diversity Equity and Inclusion CLE Policy (2022).⁵

¶13 Although the amended policy eliminates quotas, it retains the dehumanizing notion that an individual's immutable characteristics define his value: a person with the right characteristics must be invited, regardless of what he has to say. See Amendment II, 335 So. 3d at 81 ("The ABA's submission to the [c]ourt indicates that it administers its diversity requirement this way: 'Program planners ask potential speakers to voluntarily answer the following question: Do you identify yourself as diverse?' A person's answer to this question is then used to determine how to categorize a person (nondiverse or diverse) for purposes of compliance with the diversity policy. This approach smacks of stereotyping or naked balancing; it does not invite a 'holistic' assessment of whatever unique perspective an individual might bring to a panel."). Such policies are morally wrong because each individual possesses inherent dignity; we are much more than our immutable characteristics. Johnson, 401 Wis. 2d 198, ¶125. Exclusion and inclusion based on such categories harm human dignity and impede the enduring American goal of "achieving a more

⁵ <https://www.americanbar.org/content/dam/aba/administrative/news/2022/04/diversity-equity-and-inclusion-cle-policy.pdf>.

pluralistic society." Id., ¶82. "Ultimately, identity politics should be rejected . . . because it poses a threat to republican self-government by corroding patriotic ties, fostering hatred, promoting cultural separatism, and demanding special treatment rather than equality under the law." David Azerrad, The Promises and Perils of Identity Politics, First Principles, Jan. 23, 2019, at 1.⁶

¶14 The United States Supreme Court recently invalidated initiatives based on "'stereotypes that treat individuals as the product of their race, evaluating their thoughts and efforts—their very worth as citizens—according to a criterion barred to the Government by history and the Constitution.' Such stereotyping can only 'cause[] continued hurt and injury,' contrary as it is to the 'core purpose' of the Equal Protection Clause." Students for Fair Admissions, Inc., slip op. at 30 (quoted sources omitted) (modification in the original). Although that decision considered affirmative action programs in higher education, the principles apply with equal force to the legal profession. Given its ultimate responsibility for the CLE approval process overseen by the BBE, the Wisconsin Supreme Court cannot condone programming that violates equal protection.

¶15 The ideology underlying the ABA's quota system is already preached at approved CLE courses in Wisconsin. As just one example, the Bar sells a CLE course titled "Allyship - The Power of Diversity & Inclusion in Your Practice AMC 2022."⁷ The course was not taught

⁶ https://www.heritage.org/sites/default/files/2019-03/FP-72_0.pdf.

⁷ <https://marketplace.wisbar.org/store/products/cle-seminars/ca3359d->

by an attorney—let alone one who has run a legal practice—but rather a corporate consultant. No handouts or other materials were provided except for one briefly overviewing the consultant's credentials. The consultant titled his presentation "Creating Spaces Where Everyone Feels They Belong"—a different title than the Bar advertised. The BBE has extended the Bar "General Program Approval"; consequently, the BBE never reviewed any course material—not even a syllabus—before approving this course.

¶16 Nothing about the presentation may be characterized as "legal education." Attendees are told that "23andMe" and "ancestry.com"—websites that help people learn about their ancestry—are "a white people thing." According to the consultant, conversations about the websites make Black people uncomfortable, fostering an "unsafe" environment. In the consultant's words:

In zip code 48213 [Detroit], ain't no way we voluntarily mailing our DNA into a for[-profit] company. I don't want to know that bad. But here's the thing. That conversation starts coming up. . . . Now if it's safe, I'll say to you, "I have no idea." If it's not safe, I'm gonna to say to you, "listen, I have no idea, I'm not doing 23andMe, so the best I can assume is somebody who owned somebody's last name was Kelly." My last name is Kelly. Of course, there's black people everywhere, but I don't automatically assume I'm Irish either. You with me? Sometimes, we do have to pay attention to the conversations we're having, you do have to make it safe for everyone around you to participate.

The consultant conveys the point of diversity is not to ensure the sharing of various viewpoints but rather to suppress the spaces in which ordinary conversation can occur—all in the name of "safety."

allyship-diversity-inclusion-in-practice-amc2022-ondemand/c-25/c-78/p-28505#28505.

¶17 Next, lawyers learned the definition of "nigrescence": "to return to the state of black." The consultant held up a clear cup of water and told the audience to imagine someone put "pure black paint" in it. He then asked the audience to imagine someone walked by the cup and put white paint in it. He asked the audience to accept that the cup no longer contained "pure black" paint. He then stated:

So in a chemistry lab, I would seal this and put it in one of those machines, and it would spin it super fast. . . . The process of pulling the white out is called nigresing. I would be returning this to the state of black. . . . Can people do that? I'm going to ask you, can I nigrese?

The consultant explained his childhood made him "no longer pure black." He "present[s]" as a "Black male born in Detroit, MI and raised in Rural Wisconsin" by mostly white foster families. He explained how various experiences in his life were like adding white paint to the cup. "I've got about 16 cups of white in here," he stated as he again held up the cup. While his personal background was compelling, his rhetoric promotes an "us verse them" mindset pervading DEIA. The chemistry metaphor paints a stark line between Black and White—hardly a "safe" lecture for an individual who is both. DEIA upends the founding principle of e pluribus unum, dividing the American people into racial categories and silencing defenders of pluralism. "An individual has value because he has value to God. Whenever this is recognized, 'whiteness' and 'blackness' pass away as determinants in a relationship and 'son' and 'brother' are substituted." Martin Luther King, Jr., Where Do We Go from Here: Chaos or Community? 102-03 (Beacon Press 1968).

¶18 At no point did the consultant discuss how to run a legal

practice or relate his lessons to law. The lecture parroted standard woke corporate nonsense forced upon many in-house counsel by their employers. According to one Bar publication, the proposed rule is necessary because "many attorneys are required to take this type of training as part of their work, . . . [but the BBE] does not recognize most of the programs for CLE credit." Jill M. Kastner, Starlyn Rose Tourtillott Miller & Alexander M. Lodge, Creating a More Diverse and Equitable Legal System, Wis. Law. (June 9, 2022).⁸ Not so; see Appendix 1.

¶19 Publicly available information shows the prevalence of similar courses nationwide. In some states with mandatory DEIA CLE, attorneys can purchase a course titled "The Rittenhouse Trial: Implicit Bias in Plain View."⁹ The course description reads:

The Rittenhouse case, was . . . more than just politics. Hidden in plain view was an example of the implicit bias that plagues much of the criminal justice system. This panel will take an in-depth look at how implicit bias played a role in the outcome of the case, as well as how implicit bias is present in many aspects of routine courtroom process. Attendees will be challenged to take a critical view of their own courtroom practices in an effort to overcome their own implicit biases.

One wonders if attendees learn that after a lengthy trial, a jury of Kyle Rittenhouse's peers unanimously found him not guilty. In Minnesota, attorneys can take a class on avoiding

⁸ <https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?Volume=95&Issue=6&ArticleID=29154>.

⁹ <https://www.clecenter.com/online-course-catalog/the-rittenhouse-trial--implicit-bias-in-plain-view-6450/>.

"microaggressions"¹⁰—i.e., how to be so boring no one can possibly take offense. Perhaps attorneys should have the freedom to take courses like these for credit, but mandating them would only force attorneys to subject themselves to political indoctrination.

¶20 Consider whether the proponents of mandatory DEIA CLE would agree courses presenting a conservative perspective qualify. In May 2018, the Minnesota Lavender Bar Association (MLBA)—a voluntary professional association of lesbian, gay, bisexual, transgender, gender queer, and allies—objected to an accredited "elimination of bias" CLE presentation titled "Understanding and Responding to the Transgender Moment/St. Paul."¹¹ A Roman Catholic law school co-sponsored the CLE, which addressed transgender issues from a Roman Catholic perspective. The speaker discussed, among other things, a medical expert deposition given in a federal case about the "North Carolina bathroom bill." The speaker also discussed a lawsuit challenging an "Obamacare mandate that would have required every health care plan in the United States to cover sex reassignment therapies and every relevant physician to perform them." He explained the mandate lacked an exemption for religious liberty. An MLBA board member claimed the content was "transphobic" and asserted the speaker "never named a case or referred to the law[.]" Evidently, she did not actually watch the presentation. Among other arguments, MLBA maintained:

¹⁰ <https://www.minncle.org/seminar/1732592001>.

¹¹ The program can be viewed at: <https://www.youtube.com/watch?v=LbGZnnSIjbA&t=1s>.

[S]uch programming failed to (i) meet CLE general standards; (ii) meet criteria that would qualify such programming for any of the special categories, including elimination of bias, that may qualify for CLE credit; and (iii) support both MBCLE and Minnesota State Bar Association's efforts to advance diversity and inclusion.

As a result of MLBA's objection, the CLE accrediting body revoked CLE credit for the presentation—retroactively—reportedly for the first time in Minnesota's history. Barbara L. Jones, CLE Credit Revoked, Minn. Law. (May 28, 2018).¹²

¶21 Unquestionably, that program addressed DEIA subject matter but not from the politically correct vantage point. Contrary to MLBA's claims, the program did not contain "discriminatory and transphobic rhetoric"; rather, the program's obvious goal was to teach viewers about gender dysphoria so they could better serve people suffering from it. This sort of extreme reaction to diverse viewpoints creates legitimate fear that mandatory DEIA CLE will become "a means to harass and drive from the profession all dissenters, by requiring many participants to sit through what they will undoubtedly consider hostile propaganda. Petty harassment and timewasting can serve effectively as an ideological screen." David Randall, Wokeness Is Creeping into Continuing Legal Education, James G. Martin Ctr. Academic Renewal (Feb. 17, 2023).¹³ Adding insult to injury, attorneys will be forced to pay for their indoctrination. Id. ("This indoctrination program is partly a gift: Providers of diversity CLE will now get a guaranteed revenue stream.").

¹² <https://minnlawyer.com/2018/05/28/in-a-first-cle-credit-revoked/>.

¹³ <https://www.jamesgmartin.center/2023/02/wokeness-is-creeping-into-continuing-legal-education/>.

¶22 As illustrated by these course offerings, the very language of DEIA is at odds with our "national ethos." Johnson, 401 Wis. 2d 198, ¶125. The great abolitionist Fredrick Douglass observed that "[t]he Constitution makes no distinction on account of race or color[.]" Frederick Douglass, Blessings of Liberty and Education (Sept. 3, 1894). By modern notions of political correctness, his famous speech advocating colorblindness would be deemed racist:

I have a word now upon another subject, and what I have to say may be more useful than palatable. That subject is the talk now so generally prevailing about races and race lines. . . . I do now and always have attached more importance to manhood than to mere kinship or identity with any variety of the human family. . . . Man is broad enough and high enough as a platform for you and me and all of us. . . .

. . . . In all this talk of race, the motive may be good, but the method is bad. It is an effort to cast out Satan by Beelzebub. The evils which are now crushing the negro to earth have their root and sap, their force and mainspring, in this narrow spirit of race and color, and the negro has no more right to excuse and foster it than have men of any other race. . . . I would place myself . . . upon grounds vastly higher and broader than any founded upon race or color. Neither law, learning, nor religion, is addressed to any man's color or race. Science, education, the Word of God, and all the virtues known among men, are recommended to us, not as races, but as men. We are not recommended to love or hate any particular variety of the human family more than any other. . . . God and nature speak to our manhood, and to our manhood alone. Here all ideas of duty and moral obligation are predicated. We are accountable only as men. . . . That great battle was won, not because the victim of slavery was a negro, mulatto, or an Afro-American, but because the victim of slavery was a man and a brother to all other men, a child of God, and could claim with all mankind a common Father, and therefore should be recognized as an accountable being, a subject of government, and entitled to justice, liberty and equality before the law, and every where else. Man saw that he had a right to liberty, to education, and to an equal chance

with all other men in the common race of life and in the pursuit of happiness.

Id. Many Americans throughout history have endorsed this transcendent truth. Justice John Marshall Harlan wrote, "[o]ur Constitution is color-blind," in his famous dissent opposing the codification of racial segregation. See Plessy v. Ferguson, 163 U.S. 537, 559 (1896) (Harlan, J., dissenting), overruled by Brown v. Bd. of Ed., 347 U.S. 483 (1954). More recently, Chief Justice John Roberts, writing for the United States Supreme Court, suggested that "[t]he way to stop discrimination on the basis of race is to stop discriminating on the basis of race." Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1, 551 U.S. 701, 748 (2007); see also Brief for Appellants, Brown v. Bd. of Ed., 347 U.S. 483 (1954), 1952 WL 82041, *6-7 (No. 1) (authored in part by Thurgood Marshall) ("When the distinctions imposed are based upon race and color alone, the state's action is patently the epitome of that arbitrariness and capriciousness constitutionally impermissible under our system of government." (citations omitted)). DEIA proponents not only reject these enduring principles but seek to eradicate them from America.

¶23 This court's "proper role"—whatever else it may be—is not to "[f]oster[] division[.]" In re Rev. of the Code of Jud. Ethics, SCR Chapter 60, 169 Wis. 2d at xxvi. Judges swear an oath to administer justice without respect to persons; we are to treat people equally. DEIA sorts people into arbitrary boxes and then treats them differently on the basis of race, sex, sexual identity, or disability. That alone justifies rejecting this petition. "Eschewing the complexity that comes with individuality may make for an uncomplicated

narrative, but lumping people together and judging them based on assumed inherited or ancestral traits is nothing but stereotyping." Students for Fair Admissions, Inc., slip op. at 53 (Thomas, J., concurring).

II. THIS PETITION ORIGINATED IN PARTISAN CONTROVERSY AND IS A WELL-DOCUMENTED STEP TOWARD MANDATORY DEIA CLE.

¶24 An overview of this petition's origins illustrates both DEIA's troubling ideology and the Bar's strategic plan to make DEIA CLE mandatory. In late May 2020, a police officer in Minneapolis, Minnesota killed a Black man. Tim Arango et al., Derek Chauvin Is Found Guilty of Murdering George Floyd, N.Y. Times (Apr. 4, 2021).¹⁴ The officer was later convicted of second-degree murder among other crimes. Id.

¶25 That summer, protests and riots broke out across the nation. In Kenosha, Wisconsin, a police officer shot an armed Black man who was resisting arrest. The officer was not charged. See Lindsay Kornick, Flashback: Media Pushed False Jacob Blake Narrative that He Was 'Unarmed,' Fox News (Oct. 13, 2021).¹⁵ During the ensuing riots, much of Kenosha was razed. Brendan McDermid & Stephen Maturen, Wisconsin Unrest Flares for Third Night over Police Shooting of Black Man, Reuters (Aug. 25, 2020).¹⁶ The governor declared a state of

¹⁴ <https://www.nytimes.com/2021/04/20/us/chauvin-guilty-murder-george-floyd.html?action=click&module=RelatedLinks&pgtype=Article>.

¹⁵ <https://www.foxnews.com/media/flashback-media-pushed-false-jacob-blake-narrative-unarmed>.

¹⁶ <https://www.reuters.com/article/us-global-race-usa-wisconsin/wisconsin-unrest-flares-for-third-night-over-police-shooting-of-black-man-idUSKBN25L0Q9>.

emergency and activated the National Guard. Briana Reilly, Gov. Tony Evers Declares State of emergency in Wake of Unrest after Kenosha Police Shooting, Cap Times (Aug. 25, 2020).¹⁷

¶26 A political movement known as Black Lives Matter began about a decade earlier but acquired prominence following the Minneapolis murder. See Love, Race Crazy, at 3. The movement advocates a radical political agenda and is proudly anti-law enforcement. It makes outrageous and unsupported claims on its official website, including "[t]he police were born out of slave patrols." BLM Demands, Black Lives Matter.¹⁸ See generally Jonah Goldberg, Op. Ed., The Problem with Claiming that Policing Evolved from Slave Patrols, AEI (June 19, 2020) ("Policing—enforcing the law, preventing crime, apprehending criminals—has a very long tradition of existence. I don't know where it started, but for our purposes we can note that Augustus Caesar, born in 27 B.C., created the cohortes urbanae near the end of his reign, to police Ancient Rome.").¹⁹ Currently, the website lists several "demands," many of which are wholly unrelated to racial justice. BLM Demands, Black Lives Matter. The list states, in full:

- "Convict and ban Trump from future political office";
- "Expel Republican members of Congress who attempted to overturn the election and incited a white supremacist attack";

¹⁷ https://captimes.com/news/local/govt-and-politics/gov-tony-evers-declares-state-of-emergency-in-wake-of-unrest-after-kenosha-police-shooting/article_08603b16-47e6-5375-a711-fb3b0ddc6faa.html#:~:text=Following%20two%20straight%20days%20of,for%20another%20night%20of%20protest.

¹⁸ <https://blacklivesmatter.com/blm-demands/>.

¹⁹ <https://www.aei.org/op-eds/the-problem-with-claiming-that-policing-evolved-from-slave-patrols/>.

- "Launch a full investigation into the ties between white supremacy and the Capitol Police, law enforcement, and the military";
- "Permanently ban Trump from all digital media platforms";
- "Defund the police";
- "Don't let the coup be used as an excuse to crack down on our movement";
- "Pass the BREATHE Act[, which is closely related to defunding the police.]"

Id.

¶27 Understandably, the Black Lives Matter movement is the subject of much criticism. As one scholar explained:

[T]he Black Lives Matter movement holds that racist police officers are the greatest threat facing young black men today. This belief has triggered riots, "die-ins," the murder and attempted murder of police officers, a campaign to eliminate traditional grand jury proceedings when police use lethal force, and a presidential task force on policing.

Heather Mac Donald, The Danger of the "Black Lives Matter" Movement, 45 *Imprimis*, Apr. 2016.²⁰ Another notes the movement has both greatly exaggerated "the issue of police brutality," thereby contributing to a "racist cop" narrative, and fostered a bias of "cop bad, suspect good[.]" Love, Race Crazy, at XV-XVII. According to one recent poll, more people oppose the movement than support it. Do You Support or Oppose the Black Lives Matter Movement?, civiqs (June 1, 2023).²¹

¶28 In June 2020, the Bar issued an official statement endorsing the Black Lives Matter movement and repeating the slander that our

²⁰ <https://imprimis.hillside.edu/the-danger-of-the-black-lives-matter-movement/>.

²¹ https://civiqs.com/results/black_lives_matter?annotations=true&uncertainty=true&zoomIn=true.

justice system is irredeemably racist. Jill M. Kastner et al., Racial Equity of Black Americans: It's Time to Step Up | A Statement, State Bar Wis. (June 17, 2020).²² It reads:

Systemic racism and discrimination is an inescapable reality for Black Americans and other marginalized people in our communities—despite Congress passing the Civil Rights Act nearly 60 years ago. In recent weeks, millions of people across our communities have come together in a historic movement calling for fundamental change.

Black Americans suffer from police brutality and crippling fear caused by systemic racism and implicit bias that is ingrained in our legal system, law enforcement institutions, and countless other facets of American life. This is unacceptable. Black Lives Matter.

Many of us cannot fathom the pain that the Black community experiences daily. Many of us don't know the agony of losing a father, a mother, a sister or brother, a son, or daughter to police violence. Many of us don't know what it's like to live in fear for our lives due to the color of our skin.

We Have a Responsibility to Act

Whether we realize it or not, all of us are negatively impacted by the long history and sustained legacy of oppression of Black Americans. As lawyers, we have a duty to act. We have a responsibility to our communities.

As lawyers, we take an oath to support the U.S. and Wisconsin constitutions. These documents speak of individual freedom and equal protection of the laws.

The State Bar of Wisconsin, with more than 25,000 attorneys, must play a stronger role in this national awakening. Lawyers are an important part of the justice system, stewards of the rule of law, and must take collective action to help right wrongs. We cannot be silent.

"Equal Justice Under Law" is engraved on the U.S. Supreme

²² <https://www.wisbar.org/NewsPublications/InsideTrack/Pages/Article.aspx?Volume=12&Issue=11&ArticleID=27820>.

Court building. We hear "equal justice" but continue to see unequal justice, justice denied. Aspirational pronouncements mean nothing without collective efforts to achieve them.

As members of the legal profession and as citizens striving to create a more just society, we stand with Black Lives Matter protesters demanding change in our justice system and in the other institutions inflicted by systemic racism and implicit bias.

You will hear from us shortly about what the State Bar of Wisconsin will do to step up its efforts to combat racial injustice and disparities, advance equal justice, and promote diversity and Inclusion.

We know this is not easy work. It will be uncomfortable. We must insist on real change. And, we need your help. Don't sit on the sidelines.

It is time for real change.

Id. (first and second emphasis added). Under a link to this statement on the Bar's website appears a list of actions the Bar is taking to "step[] up[.]" Racial Equity: It's Time to Step Up, State Bar Wis.²³ The list includes "advancing a proposal that requires Wisconsin lawyers receive elimination of bias/diversity and inclusion training[.]" Id. (emphasis added).

¶29 As her first official act, the President of the Bar formed the Racial Justice Task Force in June 2020. Racial Justice Task Force Report and Recommendations: Creating a More Diverse and Equitable Legal System 2 (2021).²⁴ The Task Force's report opens by explaining, it "was formed following the high profile officer involved murder" in

²³ <https://www.wisbar.org/aboutus/diversity/Pages/Racial-Equity.aspx>.

²⁴ <https://www.wisbar.org/SiteCollectionDocuments/News/Racial%20Justice%20Task%20Force%20Report-Approved.pdf>.

Minneapolis. Id. The Task Force was charged with "examining how the strategic planning process can be used to ensure that the . . . Bar . . . can work toward the goal of racial justice and/or increasing diversity, equity and inclusion in Wisconsin's legal profession." Id. A stated goal was to "advanc[e] a proposal that allows . . . Bar members to earn CLE credit for attending programs or training related to bias and DEIA and [to] encourag[e] all members to take such training, including by advancing a petition to make such CLE mandatory[.]" Id. at 4. Two recommendations included:

- "Petition the Wisconsin Supreme Court to make DEIA/Elimination of Bias training eligible for CLE Credit";
- "Petition the Wisconsin Supreme Court to make DEIA/Elimination of Bias mandatory CLE for all attorneys."

Id. at 7 (emphasis added).

¶30 The Bar's Board of Governors acted on the Task Force's recommendations at its June 2021 meeting. The minutes document the following:

Past President Kastner moved to amend the agenda to add as a discussion item the topic of mandatory diversity, equity and inclusion (DEI) CLE and place it on the agenda

She said she added this discussion item to the agenda to give leadership an opportunity to discuss the various things that the Bar plans to do to make sure that we garner support for a proposal for mandatory DEI CLE as well as explain the strategy behind the decisions being made.

. . . .

Mandatory CLE on Diversity, Inclusion and Bias Discussion. Past President Kastner prefaced the discussion by saying the State Bar leadership was committed to figuring out the best way to make sure that all diversity, equity and inclusion (DEI) training was approved for CLE first and then figure out the best way to make it mandatory. She asked

governors to consider the importance of laying sufficient groundwork before submitting a proposal for mandatory DEI CLE, because without doing the groundwork, the petition would fail. She felt there was sufficient groundwork and support for DEI to be included as CLE and with that victory, work could continue toward mandatory DEI CLE. She indicated that while it was important to keep this issue moving forward, it was also important that the State Bar be united on this issue and create a proposal that would be accepted by the Supreme Court.

President-elect Daniels stated that she made the motion at the Executive Committee meeting to move forward with a petition requesting that members attending DEI courses receive credits that would be counted as credits towards their CLE requirement because she believed this needed to be the first step in the process of making DEI mandatory CLE and could be accomplished rather quickly. She stated she felt the Bar was split on the issue of mandatory DEI CLE and would appoint a task force that would include a diverse range of opinions to collect information and further study whether diversity, equity, inclusion and accessibility should be mandatory CLE.

. . . .

Atty. Yang . . . said . . . he was asking that a governor consider making an amendment to the main motion that would ensure that a vote on DEI CLE was only a strategic step toward the main goal of mandatory DEI CLE and that there would be a report related to this issue at every Board meeting.

President-elect Daniels moved to amend the main motion to add that the president-elect be directed to form a task force that will study and collect data and information in support and draft language for diversity, equity and inclusion credits to be mandatory for all members of the . . . Bar . . . and the task force shall report quarterly to the Board. Governor Tourtillott Miller seconded the motion. The motion to amend the main motion passed unanimously.

The main motion as amended read as follows: Direct the State Bar CLE Committee to prepare a petition to the Supreme Court to come back to the Board of Governors for approval that will allow DEI CLE to be approved for credit and that such definition for credit will include age. Further, the

president-elect be directed to form a task force that will study and collect data and information in support and draft language for diversity, equity and inclusion credits to be mandatory for all members of the . . . Bar . . . and the task force shall report quarterly to the Board.

The main motion as amended passed unanimously.

Minutes: Board of Governors Virtual Meeting (Minutes), at 2, 6-7 (June 9, 2021) (second and third emphasis added). The Bar's President-elect was not directed to merely form a task force to consider the pros and cons of mandatory DEIA CLE. The main motion as amended states the task force shall "study and collect data and information in support [but apparently not in opposition] and draft language for diversity, equity and inclusion credits to be mandatory for all members of the . . . Bar[.]" Id. at 7. The purpose of the amendment, as documented in the minutes, was to "ensure" voluntary DEIA CLE is merely "a strategic step toward the main goal of mandatory DEI CLE[.]" Id. at 6.

III. THE BAR'S ARGUMENTS ARE PRETEXTUAL AND UNPERSUASIVE AGAINST THIS BACKDROP.

¶31 The Bar omitted its end goal of mandatory DEIA CLE from the petition presently before this court, presenting an incompatible argument about giving attorneys freedom: if attorneys want to take DEIA courses, they should be allowed to do so for credit. As an alternative to the proposed rule, the BBE suggests capping the hours of DEIA CLE an attorney could receive during a reporting period. In arguing against this alternative, the Bar advances the astonishing recommendation that this court should allow attorneys to satisfy all or nearly all 30 credits of CLE by attending DEIA courses even if those courses have no content about the law. See generally Randall

T. Shepard, The "L" in "CLE" Stands for "Legal", 40 Val. U. L. Rev. 311 (2006). After all, the Bar maintains, attorneys are in the best position to decide what CLE will aid them in their practice. On the other hand, the Bar plans to use the proposed rule as a "strategic step" toward mandatory DEIA CLE. Minutes, at 6. So much for trusting attorneys to make their own choices.

¶32 Attorneys already enjoy considerable freedom to choose from a wide range of CLE incorporating DEIA concepts. As the adage goes, "if it ain't broke, don't fix it." Because this court acts as a rulemaking body, we should be mindful that "[n]o alteration should be made in a law without sufficient reason." See Montesquieu, The Spirit of the Laws ch. XVI (1748). If nothing else, "useless laws debilitate such as are necessary[.]" Id.

¶33 DEIA is a rather vague category, but apparently the BBE has approved hundreds of courses on DEIA topics during the current reporting period. A large swath of approved courses seem to border on pure DEIA training and bear only a tenuous connection to law. Approved courses include "Right the (Ally)Ship: How to Empower and Utilize Male Allies" and "POWER UP: Flip the Script on Gender Bias." Another course, approved for seven credits, was titled "Diversity, Equity and Inclusion Summit."

¶34 Appendix 1 supplies a table of approved courses that likely covered DEIA topics during the current reporting period.²⁵ Its sheer length (nearly 90 pages) demonstrates attorneys already have a wide

²⁵ A database of approved CLE courses is available at: <https://www.wicourts.gov/services/attorney/edu.htm>.

range of such courses from which to choose and for which they can receive credit. The table is probably both over-inclusive and under-inclusive—a reflection of a problematic absence of objective criteria by which to define DEIA's contours. United States Supreme Court Justice Clarence Thomas observed, "I've heard the word 'diversity' quite a few times, and I don't have a clue what it means. It seems to mean everything for everyone." Transcript of Oral Argument at 71, Students for Fair Admissions, Inc. v. Univ. of N.C., 600 U.S. ___, ___ S. Ct. ___ (2023) (No. 21-707).²⁶ Under the BBE's alternative, the classification of courses would matter a great deal. Would the "Diversity, Equity and Inclusion Summit" qualify as a DEIA course subject to a cap, or not? Perhaps the BBE is comfortable deciding whether a course contains too much discussion of race to be eligible for general CLE credit, but the exercise raises serious constitutional concerns.

¶35 Only exacerbating the petition's deficiencies, the Bar presents "facts" with no evidence. For example, the petition states, without support, "[r]ecent and repeated events have shined a spotlight on the systemic injustices and inequities that are present in our institutions, including the legal system." The Bar does not explain what these problems are or how they are connected to bias. Instead, the Bar simply assumes bigotry is at hand. As one commenter responds, the Bar "fails to offer any empirical research or evidence one would expect to see, if it existed, such as survey results, observational studies, increased discrimination lawsuits or . . . [Office of Lawyer

²⁶ https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/21-707_m64n.pdf.

Regulation] complaints, that would expose some statewide racial injustice being caused by Wisconsin lawyers." The conclusory nature of the Bar's argument is problematic in and of itself, but it also illustrates a broader issue: DEIA CLE is not so much about seriously studying the causes of injustices as it is about simplistically presuming the cause is inescapable bias.

¶36 Even if the Bar supplied some support for its premise, it has not submitted evidence about the effectiveness of DEIA CLE in remedying deficient behavior. Existing evidence suggests DEIA training can have negative consequences, at least when the training is mandated. See generally Frank Dobbin & Alexandra Kalev, Why Diversity Programs Fail, Harv. Bus. Rev. (July-Aug. 2016) ("As social scientists have found, people often rebel against rules to assert their autonomy. Try to coerce me to do X, Y, or Z, and I'll do the opposite just to prove that I'm my own person. In analyzing three decades' worth of data from more than 800 U.S. firms and interviewing hundreds of line managers and executives at length, we've seen that companies get better results when they ease up on the control tactics.").²⁷ The dissent notes, "twenty-one states . . . either require DEIA training or allow those trainings to count toward CLE requirements." Dissent, ¶1. As a preliminary matter, Wisconsin already readily "allow[s] those trainings to count." With so many laboratories of democracy experimenting, the absence of data documenting the results is especially troubling. In an era of evidence-based decision making, the petitioner urges us to make this

²⁷ <https://hbr.org/2016/07/why-diversity-programs-fail>.

decision in a vacuum.

¶37 Against this backdrop, the Bar effectively seeks a virtue signal from this court, asking us to demonstrate "awareness of and attentiveness to" preferred "political issues, matters of social and racial justice, etc." without "taking effective action." virtue signaling, Merriam-Webster (last updated Mar. 30, 2023).²⁸ The Bar explains it "sees this [proposed rule] as necessary to acknowledge DEIA as a real and important . . . [CLE] topic for study." The Bar, however, failed to provide evidence of any problem solvable by DEIA CLE. Instead, the Bar presumes the propriety of a controversial worldview, perhaps confident that any dissent would be squelched by the predictable and petty slanders of the cancel culture crowd. Adopting the proposed rule might make its proponents feel like they made a difference, but sowing racial division is "real change" the court rightly rejects.

IV. THE PROPOSED RULE WOULD VIOLATE THE CONSTITUTION.

¶38 At stake here is the interest of the individual lawyers of Wisconsin in having full freedom to think their own thoughts, speak their own minds, support their own causes and wholeheartedly fight whatever they are against, as well as the interest of the people of Wisconsin and, to a lesser extent, the people of the entire country in maintaining the political independence of Wisconsin lawyers.

Lathrop v. Donohue, 367 U.S. 820, 874 (1961) (Black, J., dissenting).

¶39 The First Amendment protects the freedom of association; this amendment is incorporated against the states by the Fourteenth Amendment. As the United States Supreme Court has explained,

²⁸ <https://www.merriam-webster.com/dictionary/virtue%20signaling>.

"[f]reedom of association . . . plainly presupposes a freedom not to associate[.]" Janus v. American Fed. of State, Cnty., and Mun. Emps., Council 11, 585 U.S. ___, 138 S. Ct. 2448, 2463 (2018) (quoting Roberts v. United States Jaycees, 468 U.S. 609, 623 (1984)) (ellipsis in the original). The First Amendment also prohibits viewpoint discrimination. The United States Supreme Court said, "[i]f there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein." Id. (quoting Barnette, 319 U.S. at 642).

¶40 The very point of mandating DEIA CLE would be to create a "goose-stepping brigade[]" of attorneys, but "the First Amendment applies strictures designed to keep our society from becoming moulded into patterns of conformity[.]" Lathrop, 367 U.S. at 884-85 (Douglas, J., dissenting). On its face, the proposed rule might seem viewpoint neutral, but anyone with even nominal exposure to its underlying illiberal political ideology knows the intent is to force a particular view on an entire profession. The DEIA movement's contempt for the First Amendment erodes the freedom of attorneys to advocate in their clients' best interests lest they run afoul of prevailing sensitivities:

The legal profession, with responsibilities as great as those placed upon any group in our society, must have that independence. If it is denied them, they are likely to become nothing more than parrots of the views of whatever group weilds [sic] governmental power at the moment. Wherever that has happened in the world, the lawyer, as properly so called and respected, has ceased to perform the

highest duty of his calling and has lost the affection and even the respect of the people.

Lathrop, 367 U.S. at 876-77 (Black, J., dissenting) (quoting Cohen v. Hurley, 366 U.S. 117, 138-39 (Black, J., dissenting)). Simply put, "America will not remain free if the only remaining lawyers are DEI advocates, as well as those mild dissenters who would rather accommodate themselves to injustice than forthrightly oppose it. Law will not continue to support liberty if lawyers must take required diversity CLE." Randall, Wokeness Is Creeping into Continuing Legal Education.

¶41 On this record, mandatory DEIA CLE would also violate Article I, Section 1 of the Wisconsin Constitution by infringing economic liberty without cause. See Porter v. State, 2018 WI 79, ¶¶61-75, 382 Wis. 2d 697, 913 N.W.2d 842 (Rebecca Grassl Bradley & Kelly, JJ., dissenting). Excluding attorneys from the profession because they refuse to embrace a political ideology would infect the entire legal system with injustice the constitution does not permit: "[t]hat is not a just government, nor is property secure under it, where arbitrary restrictions, exemptions, and monopolies deny to part of its citizens . . . free choice of their occupation[.]" James Madison, Property, Nat'l Gazette, Mar. 29, 1792, reprinted in The Founders' Constitution 598 (Philip B. Kurland & Ralph Lerner eds., 1987). This court lacks any authority to condition a license to practice law on the attorney's professed allegiance to a particular orthodoxy. "I do not believe that the practice of law is a 'privilege' which empowers Government to deny lawyers their constitutional rights." Lathrop, 367 U.S. at 876.

¶42 With an imminent change in supreme court personnel, the Bar will likely resubmit this petition, or more likely a version requesting mandatory DEIA CLE (hence the brevity of the dissent). Sworn to support our constitutions, the court must carefully consider the First Amendment implications of mandating DEIA CLE lest the court suffer another summary reversal by a federal court. Wis. Legislature v. WEC, 595 U.S. ___, 142 S. Ct. 1245 (2022) (per curiam) (reversing summarily the court's racial gerrymander of the state's legislative districts).

V. CONCLUSION

¶43 Tellingly, not a single member of the Bar's Board of Governors (a large body) opposed the petition; additionally, only one attorney wrote to this court in opposition to it. Although some may interpret the dearth of critical commentary as evidence of the petition's widespread support, "the absence of such voices" represents "a symptom of grave illness in our society." See Sweezy v. New Hampshire, 354 U.S. 234, 251 (1957) (plurality). For our society to heal, DEIA proponents must stop demonizing dissenters. In writing to this court, that courageous attorney summarized concerns shared by many others too fearful of repercussions to speak out:

Though ineffective, implicit bias courses remain popular because the concept offers a simplified worldview of complex social problems and relieves its adherents from investigating all possible causes of disparities. Embracing a single politically appealing variable animates activism and moral righteousness ('There's the enemy!') whereas tedious multivariate investigation might reveal other causes that would dilute the call to action.

. . . .

This is the thin edge of the wedge for DEIA trainers to expand beyond bias issues to spread the tenets of the popular identity-group ideology that grew out of writings by legal scholars (No cognitive scientists among them.) Their cynical worldview sees culture and history through a dehumanizing lens that judges everyone based on the color of their skin, and other immutable characteristics, and divides us into a privileged oppressor group or a marginalized group, all engaged in a zero-sum power struggle (tribalism)—a complete rejection of Martin Luther King's dream of a colorblind society (pluralism).

The principles reinforcing rejection of prescribing orthodoxy predate contemporary political fads. "If there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought—not free thought for those who agree with us but freedom for the thought that we hate." United States v. Schwimmer, 279 U.S. 644, 654-55 (1929) (Homes, J., dissenting), overruled by Girouard v. United States, 328 U.S. 61 (1946). Although moral principles support our rejection of the Bar's petition, our constitutions command it. I respectfully concur with the court's order denying the petition.

¶44 I am authorized to state that Chief Justice ANNETTE KINGSLAND ZIEGLER joins ¶¶31-34 of this concurrence.

¶45 I am further authorized to state that Justice PATIENCE DRAKE ROGGENSACK joins this concurrence in full.

Appendix 1: DEIA-Related CLE Classes Approved During the 2022-23 Reporting Period as of April 26, 2023

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
American Bankers Association	Diversity Leads - DEI in Hiring, Recruiting [sic], and Retention - Best Practices and Legal Rules of the Road	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-03-30-2022-03-30
American Bankruptcy Institute	Be In the Room Where it Happens: Diversity, Inclusion and Belonging (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.5	2022-01-01-2022-12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
American Bankruptcy Institute	Diversity in Insolvency: Putting Inclusive Ideas into Practice (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 01-01- 2022- 12-31
American Bankruptcy Institute	VFTB21: Ethics: The Game-Changing Benefits of Diversity & Elimination of Bias	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 01-01- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
American Bar Association	Diversity, Equity and Inclusion: A Matter of Professional Ethics	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 04-17- 2023- 04-17
American Law Institute CLE	Diversity, Equity, and Inclusion: What Attorneys Need to Know and Tips to Improve Their Practice	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 12-12- 2022- 12-12

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Chicago-Kent College of Law	Chicago Kent: Closing Plenary: Diversity, Equity, and Inclusion in the Public Sector	Live Webcast, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 12-02- 2022- 12-02
Chicago-Kent College of Law	Chicago Kent: Closing Plenary: Diversity, Equity, and Inclusion in the Public Sector (On Demand)	On Demand Internet, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 12-03- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Chicago-Kent College of Law	Chicago Kent: Closing Plenary: Diversity, Equity, and Inclusion in the Public Sector (On Demand)	On Demand Internet, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
Clifford Law Office	15th Annual Continuing Education: Wellness Program/Diversity and Inclusion Program	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0 / 1.0	2022- 02-17- 2022- 02-17

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Davis Wright Tremaine LLP	Diversity, Equity and Inclusion Roadmap for In- House Legal Departments	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2023- 01-17- 2023- 01-17
Defense Research Institute	2022 Diversity for Success Seminar	Denver, CO	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 3.5	2022- 05-11- 2022- 05-13

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Defense Research Institute	Invisible or Mixed-Visible Diversity - Combatting Bias	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2023- 01-30- 2023- 01-30
Defense Research Institute	Invisible or Mixed-Visible Diversity - Combatting Bias (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2023- 01-31- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
District of Columbia Bar Association	Beyond Diversity: Putting Inclusion into Action	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-10- 2022- 06-10
District of Columbia Bar Association	Beyond Diversity: Putting Inclusion into Action (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 07-10- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
District of Columbia Bar Association	Beyond Diversity: Putting Inclusion into Action (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
District of Columbia Bar Association	Ethics of Diversity and Inclusion	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-10- 2022- 06-10

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
District of Columbia Bar Association	Ethics of Diversity and Inclusion (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 07-10- 2022- 12-31
District of Columbia Bar Association	Ethics of Diversity and Inclusion (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Eversheds LLP	Diversity, Equity and Inclusion in Financial Services: Perspectives on Driving Change	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-02-24- 2022-02-24
Federal Bar Association	Diversity and Inclusion in the Legal Profession: What attorneys should know	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-11-23- 2022-11-23

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Federal Bar Association	Diversity and Inclusion in the Legal Profession: What attorneys should know (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 11-24- 2022- 12-31
Federal Bar Association	Diversity and Inclusion in the Legal Profession: What attorneys should know (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Federal Bar Association	Navigating diversity certifications for women, minority, disabled, veteran, and LGBTQ+ -owned business clients, what attorneys should know (On Demand)	On Demand Internet, --, --	2.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 01-01- 2022- 12-31
Husch, Blackwell, Sanders LLP	Affirmative Action in Employment: Legal Considerations and Best Practices for Diversity Hiring Initiatives in Higher Education	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 03-22- 2022- 03-22

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Husch, Blackwell, Sanders LLP	WAICU Compliance Summit - Legal Considerations and Best Practices for Diversity Hiring Initiatives in Higher Education	Waukesha, WI	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 07-26- 2022- 07-26
In-House Connect	Diversity and inclusion for in house counsel Achieving enduring social change and legal perspectives on inclusion	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.5	2022- 11-01- 2022- 11-01

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
In-House Connect	Diversity and inclusion for in house counsel Achieving enduring social change and legal perspectives on inclusion (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.5	2022-11-02-2022-12-31
In-House Connect	Diversity and inclusion for in house counsel Achieving enduring social change and legal perspectives on inclusion (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.5	2023-01-01-2023-12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
In-House Connect	How to Measure Outside Counsel Diversity, Equity and Inclusion for In-House Counsel	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 12-20- 2022- 12-20
In-House Connect	How to Measure Outside Counsel Diversity, Equity and Inclusion for In-House Counsel (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 12-21- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
In-House Connect	How to Measure Outside Counsel Diversity, Equity and Inclusion for In-House Counsel (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2023- 01-01- 2023- 12-31
Jackson Lewis P.C.	Diversity, Equity and Inclusion Summit	Indianapolis, IN	7.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 10-04- 2022- 10-04

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Jenner & Block	CLE Relay: Balancing Diversity (DEI) Imperatives and Legal Risks	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-17- 2022- 06-17
Jenner & Block	CLE Relay: Balancing Diversity (DEI) Imperatives and Legal Risks (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-18- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Jenner & Block	CLE Relay: Balancing Diversity (DEI) Imperatives and Legal Risks (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
Kelly IP, LLP	Beyond Diversity: Putting Inclusion into Action	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-10- 2022- 06-10

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Kelly IP, LLP	Beyond Diversity: Putting Inclusion into Action (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 07-10- 2022- 12-31
Kelly IP, LLP	Beyond Diversity: Putting Inclusion into Action (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Kelly IP, LLP	Ethics of Diversity and Inclusion	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-10- 2022- 06-10
Kelly IP, LLP	Ethics of Diversity and Inclusion (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 07-10- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Kelly IP, LLP	Ethics of Diversity and Inclusion (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
Law Pay	Raising the BAR on Diversity, Equity, and Inclusion	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 11-17- 2022- 11-17

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Law Pay	Raising the BAR on Diversity, Equity, and Inclusion (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-11-18-2022-12-31
Law Pay	Raising the BAR on Diversity, Equity, and Inclusion (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023-01-01-2023-12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Liebler Gonzalez & Portuondo	Diversity and Inclusion: What Does Inclusive Leadership in the Legal Profession Look Like	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 11-30- 2022- 11-30
Lorman Business Center, LLC	Fundamentals of Diversity and Inclusion and Elimination of Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 10-04- 2022- 10-04

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Lorman Business Center, LLC	Fundamentals of Diversity and Inclusion and Elimination of Bias in the Legal Profession	National Teleconference, - -, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 10-04- 2022- 10-04
Milwaukee Bar Association	Reverse Discrimination Issues in the Era of Diversity and Inclusion	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-27- 2022- 04-27

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Milwaukee Bar Association	Reverse Discrimination Issues in the Era of Diversity and Inclusion (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-28- 2022- 12-31
Milwaukee Bar Association	Reverse Discrimination Issues in the Era of Diversity and Inclusion (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Minority Corporate Counsel Association	2022 Creating Pathways to Diversity Conference	New York, NY	6.0 / 1.5 / 0.0 / 0.0 / 0.0 / 14.5 / 0.0	2022- 10-17- 2022- 10-19
Morgan Lewis	How to Talk About Diversity	New York, NY	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 10-27- 2022- 10-27

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
MyCase	Raising the BAR on Diversity, Equity, and Inclusion	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 11-17- 2022- 11-17
MyCase	Raising the BAR on Diversity, Equity, and Inclusion (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 11-18- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
MyCase	Raising the BAR on Diversity, Equity, and Inclusion (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023-01-01-2023-12-31
myLawCLE	Diversity and Inclusion in the Legal Profession: What attorneys should know	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-11-23-2022-11-23

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
myLawCLE	Diversity and Inclusion in the Legal Profession: What attorneys should know (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 11-24- 2022- 12-31
myLawCLE	Diversity and Inclusion in the Legal Profession: What attorneys should know (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
myLawCLE	Navigating diversity certifications for women, minority, disabled, veteran, and LGBTQ+ -owned business clients, what attorneys should know (On Demand)	On Demand Internet, --, --	2.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-01-01-2022-12-31
NAMWOLF	2023 Driving Diversity & Leadership Conference	San Diego, CA	4.0 / 2.0 / 0.0 / 0.0 / 0.0 / 1.0 / 0.0	2023-03-11-2023-03-14

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
National Academy of Continuing Legal Education	Changing the Landscape of Diversity, Inclusion & the Elimination of Bias in the Legal Profession (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 01-01- 2022- 12-31
National Academy of Continuing Legal Education	Understanding Diversity, Equity and Inclusion: How the Law Created Inequity	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2023- 04-12- 2023- 04-12

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
National Academy of Continuing Legal Education	Understanding Diversity, Equity and Inclusion: How the Law Created Inequity (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2023- 04-13- 2023- 12-31
National Association of Administrative Law Judges	NAALJ Annual Conference: Improving Diversity, Equity, and Inclusion in Administrative Law	Albuquerque, NM	4.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 3.0	2022- 10-23- 2022- 10-26

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
National Association of Estate Planners & Councils	Estate Planning for Modern families: Planning for Diversity and Flexibility	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 12-08- 2022- 12-08
National Association of Minority & Women Owned Law Firm	2022 Driving Diversity & Leadership Conference	San Antonio, TX	3.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 03-07- 2022- 03-07

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
National Association of Minority & Women Owned Law Firm	Diversity in the Legal Profession: A Moral Imperative and Professional	Live Webcast, --, --	1.5 / 1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 11-08- 2022- 11-08
National Association of Minority & Women Owned Law Firm	Diversity in the Legal Profession: A Moral Imperative and Professional	Live Webcast, --, --	1.5 / 1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 02-09- 2023- 02-09

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
National Association of Minority & Women Owned Law Firm	Diversity in the Legal Profession: A Moral Imperative and Professional Obligation 2022	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 10-03- 2022- 10-03
National Association of Minority & Women Owned Law Firms	Diversity in the Legal Profession: A Moral Imperative and Professional Obligation	Live Webcast, --, --	1.5 / 1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 02-24- 2022- 02-24

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
National Association of Minority & Women Owned Law Firms	Diversity in the Legal Profession: A Moral Imperative and Professional Obligation	Live Webcast, --, --	1.5 / 1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-15- 2022- 06-15
National Business Institute (Division of NBI, Inc.)	Autism and Neurodiversity in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 04-11- 2023- 04-11

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
National Business Institute (Division of NBI, Inc.)	Diversity, Inclusion, and Elimination of Bias in the Legal Profession: New Rules and Trends	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 11-07- 2022- 11-07
National Business Institute (Division of NBI, Inc.)	Diversity, Inclusion, and Elimination of Bias: What Attorneys Need to Know	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 05-11- 2022- 05-11

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
National Business Institute (Division of NBI, Inc.)	Strategies for Strengthening Diversity, Equity, and Inclusion in Legal Settings	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 03-02- 2023- 03-02
National Employment Law Institute	Diversity, Inclusion and Implicit Bias (on demand)	On Demand Internet, --, --	2.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 01-01- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Perkins Coie LLP	Diversity, Inclusion and Interrupting Implicit Bias	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 06-13- 2022- 06-13
Quarles & Brady	Neurodiversity in the Legal Industry	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0 / 0.0	2022- 10-20- 2022- 10-20

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Quarles & Brady	Neurodiversity in the Legal Industry (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0 / 0.0	2022- 10-21- 2022- 12-31
Quarles & Brady	Neurodiversity in the Legal Industry (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0 / 0.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Quarles & Brady	Pathways to Success: Corporate Counsel Partner with Milwaukee Law Firms on Law Diversity (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.5	2022- 01-01- 2022- 12-31
Seyfarth Shaw	NRF Retail Law Summit: 2023 Shopping the New DEI: Diversity, Employment & Immigration	Live Webcast, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 03-07- 2023- 03-07

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
State Bar of Wisconsin - CLE Seminars/PINNACLE	Allyship - The Power of Diversity & Inclusion in Your Practice AMC 2022	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 07-14- 2022- 07-14
State Bar of Wisconsin - CLE Seminars/PINNACLE	Allyship - The Power of Diversity & Inclusion in Your Practice AMC 2022	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 08-25- 2022- 08-25

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
State Bar of Wisconsin - CLE Seminars/PINNACLE	Allyship - The Power of Diversity & Inclusion in Your Practice AMC 2022	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 09-22- 2022- 09-22
State Bar of Wisconsin - CLE Seminars/PINNACLE	Allyship - The Power of Diversity & Inclusion in Your Practice AMC 2022	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 11-24- 2022- 11-24

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	Diversity, Inclusion, and Implicit Bias in the Legal Setting (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 01-01- 2022- 12-31
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 02-04- 2022- 02-04

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 02-18- 2022- 02-18
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 03-04- 2022- 03-04

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 03-18- 2022- 03-18
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 04-08- 2022- 04-08

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 04-22- 2022- 04-22
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 05-06- 2022- 05-06

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 05-20- 2022- 05-20
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 06-17- 2022- 06-17

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 06-24- 2022- 06-24
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 06-30- 2022- 06-30

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 07-08- 2022- 07-08
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 07-16- 2022- 07-16

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 07-22- 2022- 07-22
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 09-16- 2022- 09-16

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 09-30- 2022- 09-30
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 10-14- 2022- 10-14

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 10-28- 2022- 10-28
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 11-11- 2022- 11-11

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 11-25- 2022- 11-25
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 12-09- 2022- 12-09

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 12-23- 2022- 12-23
TRTCLE, Corporation	The Inclusive Lawyer: Diversity, Equity, and Inclusion	National Teleconference, - -, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 12-30- 2022- 12-30

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
U.S. Environmental Protection Agency	Legal Terrain for Advancing Environmental Justice (EJ) and Promoting Diversity in the Federal Workforce	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 02-17- 2022- 02-17
Wilson, Elser, Moskowitz, Edelman & Dicker LLP	Diversity Day: Building Psychological Safety & Belonging	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.5	2022- 11-16- 2022- 11-16

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Wilson, Elser, Moskowitz, Edelman & Dicker LLP	Diversity Day: Building Psychological Safety & Belonging (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.5	2022- 11-17- 2022- 12-31
Wilson, Elser, Moskowitz, Edelman & Dicker LLP	Diversity Day: Building Psychological Safety & Belonging (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.5	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Wisconsin Association for Justice	Implicit Bias and Diversity in Dispute Resolution: What to Know to Protect Your Clients Interest (On Demand)	On Demand Internet, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 01-01- 2022- 12-31
Wisconsin Association of Independent Colleges and Universities	WAICU Compliance Summit - Legal Considerations and Best Practices for Diversity Hiring Initiatives in Higher Education	Waukesha, WI	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 07-26- 2022- 07-2

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Cozen O'Connor	Righting the (Ally)Ship: How to Empower and Utilize Male Allies	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 02-17- 2022- 02-17
Hinshaw & Culbertson	Hinshaw University: "Weakest Link" - It Takes We. Exploring Inclusion and Allyship in a Diversifying World	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 02-17- 2022- 02-17

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Hinshaw & Culbertson	Hinshaw University: "Weakest Link" - It Takes We. Exploring Inclusion and Allyship in a Diversifying World (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 02-18- 2022- 12-31
Hinshaw & Culbertson	Hinshaw University: "Weakest Link" - It Takes We. Exploring Inclusion and Allyship in a Diversifying World (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
District of Columbia Bar Association	Equity and Inclusion in the Courtroom	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-10- 2022- 06-10
District of Columbia Bar Association	Equity and Inclusion in the Courtroom (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 07-10- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
District of Columbia Bar Association	Equity and Inclusion in the Courtroom (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
Equal Employment Opportunity Commission	Inclusion and Accommodations: EEOC Priorities 2022, LGBTQTI+ Inclusion and Pandemic Accommodations [sic]	Live Webcast, --, --	2.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 08-16- 2022- 08-16

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Kelly IP, LLP	Equity and Inclusion in the Courtroom	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-10- 2022- 06-10
Kelly IP, LLP	Equity and Inclusion in the Courtroom (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 07-10- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Kelly IP, LLP	Equity and Inclusion in the Courtroom (on- demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
Lorman Business Center, LLC	Disability Inclusion	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 12-13- 2022- 12-13

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Lorman Business Center, LLC	Disability Inclusion	National Teleconference, - -, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 12-13- 2022- 12-13
American Society of Law, Medicine & Ethics	Collecting and Disseminating Public Health Data Disaggregated by Race and Ethnicity to Advance Health Equity: Navigating the Legal Issues	Live Webcast, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-19- 2023- 01-19

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Association of Corporate Counsel	Pulse on Pay Equity: Top Issues for U.S. and Global Employers	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-22- 2022- 06-22
CEU Institute	Show Me the Money! What Pay Equity Should Mean to You	Live Webcast, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-27- 2022- 04-27

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Chicago Bar Association	Gender Equity in Litigation	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-06- 2022- 04-06
Dorsey & Whitney LLP	Bank Counsel Roundtable: Employment Hot Topics: Pay Equity Laws and Earned Wage Access Products	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 10-25- 2022- 10-25

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Faegre Drinker Biddle & Reath LLP	Employment, Equity and ESG: The Benefits and Challenges of Driving Change	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 04-04- 2022- 04-04
Faegre Drinker Biddle & Reath LLP	Show Me the Money! What Pay Equity Should Mean to You	Live Webcast, --, --	1.5 / 1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-27- 2022- 04-27

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Federal Bar Association	The New Wage Transparency Laws, from California to Connecticut, Colorado to New York City: Legislative responses to persistent pay inequity and practical considerations	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-03-14- 2022-03-14
Federal Bar Association	The New Wage Transparency Laws, from California to Connecticut, Colorado to New York City: Legislative responses to persistent pay inequity and practical considerations (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-03-15- 2022-12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Federal Bar Association	The New Wage Transparency Laws, from California to Connecticut, Colorado to New York City: Legislative responses to persistent pay inequity and practical considerations (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
Federation of State Medical Board	Health Equity and Medical Regulation: How Disparities are Impacting U.S. Health Care Quality and Delivery - And Why It Matters (On Demand)	On Demand Internet, --, --	2.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 01-01- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Fisher & Phillips	Pay Equity Virtual Summit Series 2022	Live Webcast, --, --	4.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 10-25- 2022- 11-01
Freedom Network USA	T Visas from a Race Equity Lens (2/4)	Live Webcast, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 03-15- 2022- 03-15

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Freedom Network USA	T Visas from a Race Equity Lens (2/4)	National Teleconference, - -, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 03-15- 2022- 03-15
Husch Blackwell LLP	Title IX Athletics Equity	Live Webcast, --, --	6.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 04-12- 2023- 04-13

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
International Cannabis Bar Association	Social Equity: Social Equity and Justice for the Indigenous Community (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 01-01- 2022- 12-31
myLawCLE	The New Wage Transparency Laws, from California to Connecticut, Colorado to New York City: Legislative responses to persistent pay inequity and practical considerations	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 03-14- 2022- 03-14

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
myLawCLE	The New Wage Transparency Laws, from California to Connecticut, Colorado to New York City: Legislative responses to persistent pay inequity and practical considerations (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 03-15- 2022- 12-31
myLawCLE	The New Wage Transparency Laws, from California to Connecticut, Colorado to New York City: Legislative responses to persistent pay inequity and practical considerations (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Ogletree Deakins	Equal Pay Day Series: Part 2-A Deeper Dive Into Pay Equity	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 03-01- 2023- 03-01
American Bar Association	Ethics Requirements Surrounding Implicit Bias and Language Access	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 04-07- 2023- 04-07

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Association for Women Lawyers	POWER UP: Flip the Script on Gender Bias	Live Webcast, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-14- 2022- 06-14
Ballard Spahr Andrews & Ingersoll, LLP	Creating Inclusivity: Working Through Unconscious Bias	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.5	2022- 10-17- 2022- 10-17

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Colorado Women's Bar Association	Interrupting Bias: Feedback, Due Diligence, and Reference Checks	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 02-09- 2022- 02-09
Cooley, LLP	Implicit Bias in the Legal Profession and De-biasing Strategies That Work	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2023- 01-10- 2023- 01-10

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Downey Law Group LLC	Addressing Bias in the Legal System: Cognitive Bias	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 01-27- 2022- 01-27
Downey Law Group LLC	Addressing Bias in the Legal System: Cognitive Bias	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 05-04- 2022- 05-04

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Downey Law Group LLC	Addressing Bias in the Legal System: Cultural Competency	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 12-07- 2022- 12-07
Eversheds- Sutherland US LLP	AI Insurance Part Two: Bias and Algorithmic Decision Making	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 05-11- 2022- 05-11

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Faegre Drinker Biddle & Reath LLP	AI, Algorithms & Unintended Bias: Understanding and Responding to Emerging Regulations on Automated Decision-Making	Live Webcast, --, --	1.5 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-27- 2022- 04-27
Federal Bar Association	Bias and Discrimination in the Workplace and Beyond: A lawyers visual guide to ethical practice	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-28- 2022- 04-28

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Federal Bar Association	Bias and Discrimination in the Workplace and Beyond: A lawyers visual guide to ethical practice (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-29- 2022- 12-31
Federal Bar Association	Bias and Discrimination in the Workplace and Beyond: A lawyers visual guide to ethical practice (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Federal Bar Association	Cannabis Ruling Guides Pennsylvania Employers On Bias Claims (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
Federal Bar Association	Elimination of Bias and Discrimination in the Legal Profession: Current state of the law and practice, ABA model rule 8.4(g) and beyond	Live Webcast, --, --	2.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 09-16- 2022- 09-16

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Federal Bar Association	Elimination of Bias and Discrimination in the Legal Profession: Current state of the law and practice, ABA model rule 8.4(g) and beyond (On Demand)	On Demand Internet, --, --	2.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 09-17- 2022- 12-31
Federal Bar Association	Elimination of Bias and Discrimination in the Legal Profession: Current state of the law and practice, ABA model rule 8.4(g) and beyond (On Demand)	On Demand Internet, --, --	2.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Federal Bar Association	Implicit Bias and the Brain	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 10-11- 2022- 10-11
Federal Bar Association	Implicit Bias and the Brain (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 10-12- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Federal Bar Association	Implicit Bias and the Brain (On Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
LawPractice CLE	Elimination of Bias: Learn Mindfulness to Curtail Implicit Bias and Make Ethical Decisions (On Demand)	On Demand Internet, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0 / 0.0	2022- 01-01- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
LawPractice CLE	Elimination of Bias: Learn Mindfulness to Curtail Implicit Bias and Make Ethical Decisions (On-Demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-01-01-2022-12-31
Lexis-Nexis	Eliminating Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022-02-22-2022-02-22

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Lexis-Nexis	Eliminating Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 05-10- 2022- 05-10
Lexis-Nexis	Eliminating Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 07-14- 2022- 07-14

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Lexis-Nexis	Eliminating Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 12-08- 2022- 12-08
Lexis-Nexis	Eliminating Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 12-15- 2022- 12-15

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Lexis-Nexis	Eliminating Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 12-19- 2022- 12-19
Lexis-Nexis	Eliminating Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 03-03- 2023- 03-03

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Lexis-Nexis	Eliminating Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 03-08- 2023- 03-08
Lexis-Nexis	Eliminating Bias in the Legal Profession	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 03-31- 2023- 03-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Lorman Business Center, LLC	Avoiding Bias in a Workplace Investigation	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-11- 2022- 04-11
Lorman Business Center, LLC	Avoiding Bias in a Workplace Investigation	National Teleconference, - -, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-11- 2022- 04-11

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Lorman Business Center, LLC	Eliminating Gender Bias and Stereotypes in the Legal Workplace	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 06-28- 2022- 06-28
Madison College (Madison Area Technical College)	Unconscious Bias - Knowing What You Don't Know: A Primer for Legal Professionals	Live Webcast, --, --	0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 1.0	2022- 03-11- 2022- 03-11

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Marquette University Law School	You Can't Change What You Can't See: Can the Rules of Professional Conduct Help Us Overcome Implicit Bias	Live Webcast, --, --	1.0 / 1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 01-13- 2022- 01-13
Minnesota Attorney General's Office	Surviving & Thriving in Challenging Times: Bias & Trauma, and Interacting with Clients and Other Individuals with Mental Illnes [sic]	Live Webcast, --, --	2.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 05-11- 2022- 05-11

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Minnesota State Law Library	Interrupting Bias While Surviving & Thriving in Challenging Times	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 05-27- 2022- 05-27
Minnesota State Law Library	Interrupting Bias While Surviving & Thriving in Challenging Times (on demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 05-28- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Minnesota State Law Library	Interrupting Bias While Surviving & Thriving in Challenging Times (on demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2023- 01-01- 2023- 12-31
Minnesota State Law Library	Interrupting Bias While Surviving & Thriving in Challenging Times 2021 (on demand)	On Demand Internet, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 01-01- 2022- 12-31

Sponsor / Co-sponsor	Course Title	Location	CLE / EPR / GALm / GALa / GALf / LAU / LPM Hours	Course Dates
Missouri-Kansas City, University of	Elimination of Bias: Crossing the Great Divide - Gender Bias and the Practice of Law	Live Webcast, --, --	1.0 / 0.0 / 0.0 / 0.0 / 0.0 / 0.0	2022- 04-25- 2022- 04-25

¶46 REBECCA FRANK DALLET, J. (*dissenting*). The Court dismisses this rule petition without so much as a hearing, implying that it lacks even "arguable merit." See IOP.IV.A. (stating that the court should hold a public hearing on a rule petition when it has "arguable merit."). But twenty-one states, including our neighboring states,¹ either require DEIA training or allow those trainings to count toward CLE requirements.² And the American Bar Association (ABA) similarly recommends that states require one credit hour of such training every three years.³ Collectively, these states and the ABA, like our State Bar, recognize that DEIA training "is vital for attorneys to gain knowledge of individual and cultural differences and turn this knowledge into usable skills for serving a diverse community, thereby improving the quality of legal services." In short, the arguable merit of this rule petition is obvious and I would follow our internal operating

¹ Illinois and Minnesota require attorneys to obtain DEIA training and Iowa has made it optional. Michigan has no CLE requirements.

² Eleven states require attorneys to obtain training in DEIA. These states include California, Colorado, Illinois, Maine, Minnesota, Missouri, New York, New Jersey, Oregon, Vermont, and Washington.

Ten states give attorneys the option to earn CLE credit for DEIA courses. These states include Florida, Indiana, Iowa, Louisiana, Nebraska, Nevada, Ohio, Virginia, West Virginia, and Wyoming.

³ See American Bar Association Model Rule for Minimum Continuing Legal Education (February 2017).

procedures and hold a hearing.⁴ Accordingly, I respectfully dissent.

¶47 I am authorized to state that Justices ANN WALSH BRADLEY and JILL J. KAROFKY join this dissent.

⁴ I choose not to respond to the substance of the concurrence, which is hostile, divisive, and disrespectful. This political rhetoric has no place in an order of the court. We should instead engage earnestly with opposing perspectives by granting a hearing on the petition, which is what our ordinary process requires.