

Wills  
Trusts  
Real Estate

## Connelly Legal Services, Inc.

201 S. Main Street, Westby, WI 54667

ATTORNEY KEVIN M. CONNELLY  
Carol L. Duhr, Office Coordinator  
Phone: (608) 634-3956  
E-mail: [connellylaw@mwt.net](mailto:connellylaw@mwt.net)  
Website: [irrevocabletrustlawyer.com](http://irrevocabletrustlawyer.com)

August 20, 2024

Clerk of the Supreme Court  
P.O. Box 1688  
Madison, WI 53701

Chief Justice Annette Kingsland Ziegler  
Justice Ann Walsh Bradley  
Justice Rebecca Grassl Bradley  
Justice Rebecca Frank Dallet  
Justice Brian Hagedorn  
Justice Jill. J. Karofsky  
Justice Janet C. Protasiewicz

**RECEIVED**

AUG 22 2024

CLERK OF SUPREME COURT  
OF WISCONSIN

**Re: Pending rule Petition 24-04, In the Petition of the State Bar of Wisconsin Regarding Cultural Competency and Reduction of Bias Training for Continuing Legal Education Under Chapter 31 of the Supreme Court Rules**

Dear Chief Justice and Justices:

I am a licensed Wisconsin attorney in good standing. I generally support the petition but two specific threshold matters that should have been addressed in the Bar's petition are absent.

1. What qualifications will be required for a trainer of cultural competency?
2. What qualifications will be required for a trainer of reduction of bias? As a complex cognitive psychology topic shouldn't they have treatment or research credentials? The following was emailed to me a couple years ago from William T. L. Cox, PhD of the Stereotyping and Bias Research (SABR) Lab at University of Wisconsin:

I don't know what specific training your bar association is considering, but research shows consistently that when laypeople make "bias trainings", they aren't evidence-based and they don't get rigorously scientifically tested. When researchers try to come in and evaluate such trainings, evidence consistently shows that at best, they do nothing (and thus are a waste of time and money), and very often, they actually make bias and diversity-related problems worse. If the training your group is considering specifically advertises itself as an "implicit bias training", I'd wager it falls into the latter category, of making things worse.

This skeptical view was also expressed by the creators of the famous Implicit Bias Test (the "Harvard Implicit Bias Test" touted by the State Bar of Wisconsin at its website) Anthony Greenwald and Mahzarin Banaji:

*Anthony Greenwald's opinion of DEI training in 2020:*

"Do the diversity or implicit bias training programs used by companies and institutions like Starbucks and the Oakland Police Department help reduce bias?"

I'm at the moment very skeptical about most of what's offered under the label of implicit bias training, because the methods being used have not been tested scientifically to indicate that they are effective. And they're using it without trying to assess whether the training they do is achieving the desired results.

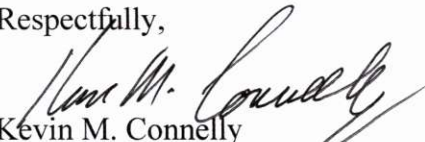
I see most implicit bias training as window dressing that looks good both internally to an organization and externally, as if you're concerned and trying to do something. But it can be deployed without actually achieving anything, which makes it in fact counterproductive. After 10 years of doing this stuff and nobody reporting data, I think the logical conclusion is that if it was working, we would have heard about it." PBS Newshour 2020 online republished with permission from Knowable Magazine.

*Mahzarin Banaji opinion of DEI training in 2020:*

"The teaching [of implicit bias concepts] has been in the hands of people called 'diversity trainers,' and they're like politicians- they don't have to have any expertise." She believes there are still years of research ahead before we can say we know how to deal effectively with implicit bias. NPR interview September 10, 2020.

I incorporate by reference my filings regarding the previous petition 22-01 to the extent they assist you on these questions.

Respectfully,



Kevin M. Connelly

Former Chapter Leader, FAIR (Foundation Against Intolerance and Racism)

CC: by email and mail to: Larry Martin, Executive Director State Bar of Wisconsin

---