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Lawyer Wins Summary Decision Against New Jersey State Bar Association Over DEI Efforts

Judge Finds New Jersey State Bar Association Breaks Anti-Discrimination Law by Designating Leadership Positions to Increase DEI

Last week, a judge for the New Jersey Superior Court granted summary judgment on liability to a lawyer who says the New Jersey State Bar Association is violating state anti-discrimination law by reserving 13 leadership positions to be filled by members of certain underrepresented groups. The bar had created eight designated seats on its 49-member board of trustees, as well as for five members of two committees on nominations and appointments; these were to be filled by people representing various forms of diversity, such as race and ethnicity, gender, sexual orientation, disability, and age. Judge Joseph L. Rea found that lawyer Rajeh A. Saadeh had been discriminated against because he was excluded from eligibility for any of these 13 positions that were set aside; a damages trial will also be held. NJSBA President Jeralyn L. Lawrence says the bar will appeal. [ABA Journal](#) has more information, including the bar's arguments and the outcome of each.

Critics: State Bar of California Was Suspiciously Slow to Respond to Complaints About Now-Disbarred Thomas Girardi

In the aftermath of lawyer Thomas Girardi's disbarment after approximately 40 years of complaints about stealing from clients, some critics aren't mincing words when they ask why it took the State Bar of California so long to act. For example, Carol M. Langford, an adjunct law professor who also represents lawyers in disciplinary cases, suggested that Girardi bought silence with expensive gifts and favors and that there are likely some bar officials who should be held criminally responsible and be made to pay restitution. Kelli Sager, who represented The Los Angeles Times in a lawsuit against the bar for release of certain details, says the bar's disclosures have been "woefully inadequate." In an open letter, Ruben Duran, chair of the bar's board of trustees, acknowledges that the Girardi matter exposed "serious failures" in the bar's attorney discipline system and that these have eroded public confidence. What could all of this mean for the bar's relationship with the state legislature and the status of next year's fee bill? Find out at [Bloomberg Law](#).

New York State Adds CLE Requirement in Cybersecurity, Privacy, and Data Protection

Two weeks ago, lawyers admitted to practice in New York state were notified that starting on July 1, 2023, one credit hour of CLE in cybersecurity, privacy, and data protection will be part of their biennial learning requirement. New York is the first jurisdiction to include this topic in required CLE, as part of lawyers' duty of technology competence. In an ABA survey last year, a quarter of all respondents said their firms had experienced a data breach at some point; legal analyst Golriz Chrostowski notes that this CLE requirement covers not only those types of attacks, but also incidents caused when lawyers accidentally mishandle information when communicating electronically. Chrostowski's analysis at [Bloomberg Law](#) has more details, including how soon New York lawyers can start earning their credit.

Maine State Bar Association Releases First-Ever Diversity Report, Covering Current Status of DEI in the Profession, Bar's Work in Past Two Years

Late last month, the Maine State Bar Association issued its first-ever diversity report, offering a snapshot of current levels of diversity, equity and inclusion and a summary of ongoing DEI work the bar initiated in 2020. That year, the bar's board of governors created the Diversity Committee, which in turn created the BIPOC Lawyers Section, for members who are Black, indigenous, or persons of color. Overall, among MSBA members surveyed for the report, 82.6% are white, 15.4% preferred not to answer, and the other race and ethnicity categories each garnered less than 1% in response. (Note: In the 2020 U.S. Census, 94.8% of the state's population was white, and no other race or ethnicity was higher than 2%.) The report also contains a list of DEI-related CLE programs the bar produced in 2021, and responses to a survey about racial and ethnic discrimination in Maine's legal community. For example, 72% of respondents said they had experienced or witnessed discrimination, disparate treatment, or problematic comments they believed were made because of race or ethnicity. The report is available for [free download](#).

Fall 2022 Bar Leader: Leadership Academies, Alternative Licensing Pathways, Strategic Discussion Tools and More

A look at how some bars have revamped their leadership academies to attract fresh energy. An overview of how some jurisdictions are considering alternative licensing pathways for lawyers. The launch of a new series to help your board dig into strategic issues and generative discussion. You'll find all of that and more in the fall 2022 issue of Bar Leader. Read it [here](#), and make sure to [subscribe!](#)



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