January [\_\_], 2023

*Via Portal and Staff Email*

Ruben Duran

Chair

Brandon N. Stallings

Vice-Chair

Mark Broughton

Hailyn Chen

José Cisneros

Juan De La Cruz

Gregory E. Knoll

Melanie M. Shelby

Arnold Sowell Jr.

Mark W. Toney, Ph.D.

Trustees

Board of Trustees

State Bar of California

180 Howard Street

San Francisco, CA 94105

CC: Louisa Ayrapetyan

Board of Trustees Staff Contact

Louisa.Ayrapetyan@calbar.ca.gov

Devan McFarland

Committee of Bar Examiners Staff Contact

Devan.McFarland@calbar.ca.gov

RE: Proposed Amendments to the Rules of the State Bar, With “High-Level Framework,” Pertaining to Testing Accommodations on the State Bar– **OPPOSE**

Dear Chair Duran, Vice-Chair Stallings, and Trustees Broughton, Chen, Cisneros, De La Cruz, Knoll, Shelby, Sowell, and Toney:

I am writing on behalf of [ORGANIZATION. DESCRIPTION OF ORGANIZATION. INCLUDE WHY YOUR ORGANIZATION CARES ABOUT LAWYERS WITH DISABILITIES].

We **OPPOSE** the proposed amendments to the rules of the State Bar, with the “high level framework.” We urge the Board of Trustees to adopt an alternative proposal that includes the principles stated herein.

[ORGANIZATION] is committed to promoting diversity in the legal profession, and to eliminating unnecessary bias and barriers that exclude qualified individuals with disabilities. Only a very few California lawyers identify as disabled – and even fewer California judges.

A diverse bar and bench with lawyers of all backgrounds and statuses facilitates access to justice, improves legal services, offers role models, and promotes public confidence. A legal profession that includes, welcomes, and licenses qualified lawyers with disabilities including disabled people of color is better equipped to serve the varied people and communities who live and work in California, including indigent people.

Testing accommodations are a necessary and accepted means for including people with disabilities in the legal profession. Right now, the State Bar regularly denies requests for testing accommodations on the bar exam, and the current proposal is a step backward.

The State Bar rules should automatically grant candidates the same testing accommodations that candidates previously received on standardized tests or in college or law school – without unfair restrictions.

The rules should require that the State Bar give deference or more weight to the documentation of a qualified professional who has individually assessed the applicant compared to the opinion of a consultant employed by the State Bar.

The proposal should commit the State Bar to more diverse consultants because existing longtime consultants approach testing accommodations requests with unfair skepticism and bias.

Finally, the proposal should include an assessment and review of leadership, as a fair system requires leaders who embrace testing accommodations as a core component of equal opportunity.

For the reasons stated in this letter, [ORGANIZATION] **OPPOSES** the rules changes and associated “high-level framework.” The Board of Trustees should adopt an alternative proposal that moves the State Bar forward into prevailing standards for disability access and inclusion. If adopted, the proposal would mark a substantial step backwards.

Sincerely,

[Your Name

Job Title

Organization]