

Conservative Legal Advocacy Group Challenges State Bar's Diversity Fellowship Program



The Wisconsin Institute for Law & Liberty, a conservative legal advocacy group, has initiated legal action against the State Bar of Wisconsin. The lawsuit, filed on behalf of Wisconsin attorney Daniel Suhr, alleges that the State Bar's diversity fellowship program for law students infringes upon the free speech rights of bar members whose dues contribute to its funding.

Legal Challenge Amidst Shifting Landscape

This legal maneuver comes after a series of challenges to diversity programs, gaining momentum after a June ruling by the U.S. Supreme Court that prohibited colleges and universities from considering race in admissions. The Wisconsin Institute for Law & Liberty's lawsuit positions itself within this broader context.

Plaintiff's Assertion of Unconstitutionality

Daniel Suhr, the plaintiff in this case, contends that he should not be compelled to contribute to the state bar's fellowship program. Suhr argues that the program is unconstitutional and unrelated to the core functions of the bar. The lawsuit posits that utilizing Suhr's mandatory dues for what he deems an illegal initiative violates his First Amendment rights under the U.S. Constitution.

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State Bar's Diversity Fellowship Program

As outlined on its website, the State Bar of Wisconsin's diversity fellowship program caters to first-year students at Marquette University Law School and the University of Wisconsin Law School. Eligibility criteria include a demonstrated commitment to diversity and a proven record of academic achievement. Successful applicants are awarded 10-week paid summer positions at law firms, corporate legal departments, and government agencies.

Changes in Program Criteria and Allegations of Intent to Discriminate

The complaint highlights that the State Bar modified the program criteria in the fall, introducing race-neutral language that encourages applications from individuals with backgrounds historically excluded from the legal field. Despite this change, the lawsuit contends that the program remains legally questionable. According to the filing, the program's founding intent to discriminate based on race persists, which is evident from the composition of its enrollees.

Legal Remedies Sought by Suhr

In response to these allegations, Suhr seeks an injunction from the court, preventing the state bar from implementing the program in a manner that violates the rights of law students. Additionally, Suhr requests that his dues not be used for the program and seeks damages.

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Broader Context: Affirmative Action Challenges

This legal action is not isolated, as it echoes similar challenges initiated earlier by Edward Blum, an anti-affirmative action activist. Blum filed lawsuits against law firms Winston & Strawn, Perkins Coie, and Morrison & Foerster over their diversity fellowship programs. However, these suits were dropped after the firms altered their application criteria.

Don't be a silent ninja! Let us know your thoughts in the comment section below.