

Wisconsin Lawyers Could Soon Earn CLE Credits for Cultural Competency and Bias Reduction Training



New Proposal Aims to Equip Attorneys with Tools for a Changing Legal Landscape

Wisconsin lawyers may soon be able to earn continuing legal education (CLE) credits for courses on “cultural competency” and “bias reduction,” a move that is being debated as a response to the state’s evolving demographic trends. The proposal, which has already sparked strong opinions, is set for public hearing before the Wisconsin Supreme Court this Wednesday. If approved, the change would allow lawyers to claim up to six of their required 30 CLE credits from training sessions on these important topics.

The Push for Cultural Competency and Bias Reduction

The proposal, introduced by the State Bar of Wisconsin, is positioned as a way to help attorneys navigate a diverse and increasingly complex society. Proponents of the initiative argue that by offering CLE credits for courses focused on cultural awareness and reducing bias, lawyers can enhance their ability to serve clients from a wide variety of backgrounds, thereby fostering better relationships and outcomes within the legal system.

The proposal comes at a time when the legal profession, like many others, is grappling with how to address diversity, equity, and inclusion (DEI) concerns. As the state’s population becomes more diverse, advocates believe that such programs can help lawyers keep pace with societal shifts and provide more effective representation.

Growing Debate Over Diversity Training in the Legal Profession

Despite the proposal’s support among many legal professionals, it has faced opposition from conservative groups. Notably, the Wisconsin Institute for Law & Liberty (WILL) has expressed concerns about the effectiveness and quality of DEI-related education. The group argues that equity and inclusion courses have not demonstrated measurable success and have raised questions about the integrity of such programs. WILL has previously challenged similar initiatives, asserting that they may lead to racial discrimination.

This ongoing debate mirrors national trends, particularly following the U.S. Supreme Court’s landmark decision in 2023 that prohibited the consideration of race in college admissions. Since that ruling, several states have reevaluated their diversity-related programs. For instance, the Florida Supreme Court recently halted funding for diversity initiatives within the legal community and removed “bias elimination” from the list of eligible CLE topics.

A Shift in the Wisconsin Supreme Court’s Composition

This latest development in Wisconsin comes after a notable shift in the state’s judicial landscape. The Wisconsin Supreme Court, which previously held a Republican majority, now operates with a Democrat-majority bench. In 2023, the Court rejected a similar proposal for CLE credits on diversity courses, with Justice Rebecca Grassl Bradley vocalizing her opposition by labeling terms such as “diversity” and “equity” as divisive political tools. However, with the Court’s makeup now changed, the outcome of this new petition is uncertain.

Voluntary Credits and National Context

One key aspect of the current proposal is that the new CLE credits would be voluntary, rather than mandatory. This distinction has been emphasized by the State Bar of Wisconsin, which has worked to reassure those who may feel uncomfortable with the idea of mandatory diversity training. Under the proposed framework, attorneys would have the option to choose whether they wish to participate in cultural competency and bias reduction courses.

For context, several other states, including California, New York, Minnesota, and New Jersey, already mandate that lawyers complete CLE credits related to diversity and inclusion, or the elimination of bias. This growing trend reflects the broader movement within the legal profession to address issues of fairness and representation.

Looking Ahead: The Future of CLE Credits in Wisconsin

The Wisconsin Supreme Court’s decision could set a precedent for other states grappling with similar issues. If the proposal is approved, it could pave the way for further integration of diversity and inclusion principles into the legal profession’s ongoing education. However, opposition from groups like WILL suggests that this issue will continue to be a source of contention.

With a shifting political landscape and an evolving public discourse on diversity, it remains to be seen how Wisconsin lawyers will respond to the possibility of earning CLE credits for cultural competency and bias reduction training.