

HB 2086 -- PRACTICE OF LAW

SPONSOR: Keathley

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 7 to 6.

This bill specifies that no person admitted and licensed to practice law in this state will be required, as part of his or her continuing legal education, to obtain credit devoted exclusively to explicit or implicit bias, diversity, inclusion, or cultural competency. These provisions amend Missouri Supreme Court Rule 15.05, relating to continuing legal education requirements for attorneys, and these provisions will govern in the event of a conflict between the statute and the rule as the rule relates to these specific credits.

PROponents: Supporters say that this would eliminate the requirement that CLEs related to bias and diversity, equity, and inclusion (DEI) be included. It is amending the Missouri Supreme Court rule. It does not get rid of the offerings of the CLE topics but it would be optional. The intent is to allow more of the hours to be spent on topics that are relevant to the attorneys' individual practice of law. They are largely a distraction from more substantial legal issues and these are more politically motivated. A lot of these have become outright political, rather than hinting at politics, and that is a problem. It does not eliminate the extra hour; they would still need to do 15 hours. CLEs are not an effective way to move cultural discussions. This is not the framework to make cultural changes. CLEs are meant for lawyers to stay up to date on their topic areas. Attorneys should treat clients like every other human being, and it should not matter what the client looks like or believes, and attorneys should be given options rather than a mandate. The choice should be left to the attorney to determine his or her destiny to make the attorney the most well-rounded attorney.

Testifying in person for the bill were Representative Keathley; Arnie Dienoff.

OPponents: Those who oppose the bill say that it is important to keep these as a requirement and it allows people to be more creative with offerings. It is not always about an individual person's implicit biases and more about how the system works against people.

Testifying in person against the bill was Missouri NAACP State Conference.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.