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Contact: Critical Legal Collective:

Critical Legal Collectives Joins Hundreds of Law Professors and Legal Practitioners Urging Law School Regulator to Resist Trump, Defend Diversity and Inclusion

Read [CLC's Organizational Statement](#) & The [Statement from Law Professors and Legal Practitioners](#)

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CHICAGO — **The Critical Legal Collective (CLC)** joined hundreds of law professors, legal practitioners and legal organizations who **urged the ABA Council, the primary accreditor of U.S. law schools, to deepen its commitment to diversity in law schools and the legal profession and to stand firm against authoritarianism.** The comments followed the ABA Council's controversial proposal to repeal Standard 206, which [requires that accredited law schools](#) take "concrete steps to cultivate diverse and inclusive learning environments, promote equal opportunity, reduce discrimination, and prepare lawyers to competently serve all communities."

The proposal to abandon Standard 206 follows prolonged efforts by the Trump Administration and allied officials to discredit practices that promote equal opportunity in [higher education generally](#) and [law schools specifically](#). The ABA Council will [convene in Chicago](#) on May 15, 2026 for a final vote. **Over 95% of public comments called on the ABA Council to retain and strengthen the regulator's diversity and inclusion requirements.**

Many of the comments connected Standard 206 to the broader fight for basic fairness, multiracial democracy and the rule of law.

Patrice Sulton, Executive Director of the **Center on Race, Inequality & the Law at NYU Law**, commented that: "Repealing ABA Standard 206 risks closing doors to some of the brightest problem solvers we have. When access to the legal profession narrows, democracy suffers." To that end, Professor **Sheldon Lyke** and more than 20 legal scholars [cautioned against traditional diversity arguments](#) that obscure a primary cause of racial exclusion in law schools and the legal profession: **pervasive biases in common admission and hiring criteria that function as a racial preference for white applicants.** The scholars called for a more rigorous equal opportunity requirement that obligates law schools to identify and correct racial biases in admission and hiring. "The question before the Council is not whether law schools may consider race. It is whether they may ignore the role race already plays in the criteria they use."

Professor **Margaret Montoya**, who co-authored a 2009 Report on the "State of Diversity in the Legal Profession," similarly [lamented](#) the ABA Council's potential capitulation to authoritarian attacks: "In the face of such momentous and deleterious challenges to our place among democracies, this . . . decision to repeal Standard 206 is one piece of the authoritarian mosaic being built day by day and bit by bit."

A separate group of **legal scholars studying professional identity and democracy** denounced the **ABA Council's apparent "willing[ness] to sacrifice Standard 206 in the vain hope of appeasing the Trump Administration . . .** Appeasement is a losing strategy against authoritarianism. Democracy and the rule of law can die incrementally when institutions charged with their defense comply by degree, as here."

CLC explained that "Standard 206's commitment to diversity is not about diversity just for diversity's sake. **Rather, a diverse legal profession is crucial to the preservation of the rule of law and democracy, and**

to the protection, representation, and advancement of diverse groups in society. Moreover, it serves the cause of equal justice.”

Professor **Athena Mutua**, the President of CLC’s Board, also noted the modest but necessary requirements in Standard 206:

Lawyers are meant to be stewards of justice, equality and the rule of law. ABA Standard 206 is a modest, but necessary and legal device that signals, aids, and guides legal education and the profession in remedying our profession’s legacy of racial, ethnic and gender-based exclusion. Diversity is central to our national character and remedying this legacy of exclusion and its present manifestations is crucial to our democracy.

Nearly [270 law professors and practitioners](#) echoed similar concerns:

Given the politics of the moment, repealing this standard would enable and lend credence to the racist and misogynistic rhetoric and policies that anchor the Trump administration’s assault on our communities, our institutions and our profession. Should you nonetheless choose to eliminate Standard 206, your decision will communicate that the ABA Council lacks the integrity and courage necessary to serve as our nation’s leading regulator of legal education.

The law professors and practitioners cited a 2024 letter authored by **Professors Jonathan Glater and Russell Robinson**. In response to the ABA Council’s current deliberations, **Professor Glater** commented that “in law school as in the legal profession, we should care about fairness, and standard 206 is about fairness.” **Professor Robinson** applauded the public comment in support of 206: “I’m really encouraged to see lawyers and law professors rising up in resistance after a long period of fear and capitulation.”

CLC closed with a warning that a vote to eliminate Standard 206 would place the ABA Council on the wrong side of the fight between racial dictatorship and multiracial democracy:

ABA Standard 206 is not perfect. We would argue, in fact, that it should be strengthened. But as it stands, Standard 206 is legally secure and affirmatively orients law schools toward values inseparable from any functioning multiracial democracy. If the ABA Council votes to eliminate Standard 206, the ABA Council will be rightly viewed as capitulating to a rightwing movement hostile to civil rights and the rule of law. This is an easy call. Keep Standard 206.

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The [Critical Legal Collective](#) is a group of scholars and activists who have come together to protect and advance critical studies in the wake of continuing attacks on critical knowledge and multiracial democracy. It builds partnerships, projects, and power to advance critical knowledge in education and beyond, in pursuit of the promise of multiracial democracy with equal justice for all.