



BAR ASSOCIATION OF ERIE COUNTY

Dear Members of the BAEC,

The Board of the BAEC unanimously passed the following resolution on February 11, 2025 to address Presidential Executive Order #14173, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity."

Resolution of the Bar Association of Erie County February 11, 2025

Whereas: The Bar Association of Erie County's 2023-2027 Strategic Plan contains four Promise Pillars:

- Professional Empowerment;
- Trusted Voice & Partnership;
- Lawyer Well-Being; and
- Advocacy for Diversity, Equity, Inclusion & Belonging.

Whereas: Lawyers in the State of New York must take continuing legal education courses ("CLE") in Diversity, Inclusion, and Elimination of Bias to maintain their license to practice law. Such courses are offered by the Bar Association of Erie County and the Erie Institute of Law.

Whereas: The Rules of Professional Conduct in the State of New York, Rule 8.4, prohibit lawyers from engaging in unlawful discrimination.

Whereas: The January 21, 2025 Presidential Executive Order #14173, "Ending Illegal Discrimination And Restoring Merit-Based Opportunity," ("EO") Section 1 provides:

Purpose, "[h]ard working Americans who deserve a shot at the American Dream should not be stigmatized, demeaned, or shut out of opportunities because of their race or sex." <https://public-inspection.federalregister.gov/2025-02097.pdf>

Whereas: Section 4 of the EO "Encouraging the Private Sector to End Illegal DEI Discrimination and Preferences" directs the Attorney General to consult with the heads of relevant federal agencies and to coordinate with the Director of OMB in submitting a report within 120 days to the Assistant to the President for Domestic Policy with recommendations "for enforcing Federal civil-rights law (sic) and taking other appropriate measures to encourage the private sector to end illegal discrimination and preferences, including DEI." The EO states that the Attorney General's report shall contain a proposed strategic enforcement plan with steps to deter illegal DEI programs or principles and includes state and local bar associations on the list of entities that federal agencies "shall identify" for "potential civil compliance investigations."

Resolved:

- The BAEC Board of Directors agrees that no person should be "stigmatized, demeaned, or shut out of opportunities because of their race or sex" and is proud

that the BAEC's DEIB efforts are precisely aimed to prevent this and to align with the licensing and ethical obligations of lawyers in New York State.

- The 2023-2027 Strategic Plan's DEIB Promise Pillar, legal education and practices and programs are legal in all respects and are firmly grounded in the Constitutions of the United States and New York State.
 - The BAEC Board of Directors affirms its commitment to the rule of law and diversity, equity, inclusion and belonging for the entire Erie County legal community without regard to person's age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence.
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We understand that the current climate has created trauma and uncertainty in our community. We also recognize that some of our members might be experiencing job instability. The Erie County Bar Foundation is here to help with temporary financial assistance, and the Bar Association of Erie County also offers a variety of well-being resources. We encourage you to reach out and explore these options if you're in need of support.

[Erie County Bar Foundation](#)

[BAEC Lawyer Well-Being
Resources](#)