



STATE OF FLORIDA

JAMES UTHMEIER
ATTORNEY GENERAL

November 6, 2025

Daniel R. Thies
Chairman
Council of the Section of Legal Education
and Admissions to the Bar
321 North Clark Street
Chicago, Illinois 60654

Dear Chairman Thies and members of the Council:

The American Bar Association (ABA) is discriminating against certain law schools that purportedly fail to comply with the ABA's criteria for accreditation. In Florida, St. Thomas University College of Law (STU Law), a private Christian law school, was recently deemed noncompliant with ABA standards.¹ After two separate site visits by the Council of the Section of Legal Education, the ABA determined STU Law was not in compliance with Standard 205(c)—suggesting that the school's (religious) values raised questions about whether student organizations with different views would be treated appropriately. STU Law's policies are compliant with Standard 205(c) while remaining faithful to its Catholic affiliation. And STU Law appears to be performing well academically and on other core metrics that the ABA should rightfully care about. The noncompliance finding did reveal one thing, however: the ABA's animus toward religiously affiliated schools. This must stop.

The specific rule at issue here is Standard 205(c), which provides that a law school is not prohibited from having “a religious affiliation or purpose,” including related to policies of admissions and employment of faculty, provided there is notice given to “applicants, students, faculty, and staff before their affiliation with the law school” and “the religious affiliation, purpose, or policies do not contravene any other Standard.”² Standard 205(c) also provides that the policies may not be applied to “preclude admission of applicants or retention of students on the basis of race, color, ethnicity, religion, national origin, gender, gender identity or expression, sexual orientation, age, disability, or military status,” consistent with the U.S. Constitution and the Standard is “administered as

¹ ABA, *Council Decision Notice of Finding of Noncompliance with Standard 205*, americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/PublicNoticeAnnouncements/2025/2025-august-st-thomas-florida-11a4-public-notice.pdf (last visited November 5, 2025).

² ABA, *Standards for Approval of Law Schools*, americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2015_2016_chapter_2.authcheckdam.pdf (last visited November 5, 2025).

though the First Amendment of the United States Constitution governs its application.”³

STU Law has the requisite religious affiliation policies in place,⁴ but the ABA refuses to believe that STU Law abides by its own policies. The ABA doesn’t provide any evidence to support its suspicion; instead, it offers mere conjecture that it can’t ascertain how the Dean may interpret and apply the school’s policies. Vague assertions of this variety—fueled by ideological presuppositions intrinsically hostile to the religious purposes of the school—further confirm that the ABA is unfit to administer the “criteria that law schools must meet to obtain and retain approval.”⁵ Indeed, given that the Council—the sole entity⁶ that accredits American law schools—has already attempted to force American law schools to engage in unlawful race- and sex-based discrimination under the guise of its “diversity” mandates, this sort of behavior is unfortunately unsurprising.⁷

Unlike STU Law, it is *the ABA* that has failed to comply with its own policies and standards. It claims it doesn’t choose sides, and even trumpets its inclusivity and “non-partisan” policies.⁸ This is a lie. The ABA has long officially advocated and lobbied for leftist causes. From advocating for pro-abortion measures, to promoting unconstitutional DEI practices, to pressing for open borders, and even erroneously affirming President Biden’s mistaken claim that the Equal Rights Amendment was, indeed, law, the ABA retains no shred of value-neutral credibility.⁹ Never mind that organizations which accredit educational institutions, both public and private, *must* be neutral. Accreditors should be focused on, among other things, graduation rates, bar passage rates, and post-graduation employment statistics to determine whether a law school is performing adequately. But instead of sticking with these real-world standards, the ABA has used its accreditation power to horsewhip legal education to the left, demanding that schools choose between abandoning their religious values and illegally discriminating or risk losing student funding and bar admission access.

Admittedly, you currently have considerable power. But reform is in the air. It is encouraging that the Florida Supreme Court is reconsidering your role in our bar admission process. Hopefully that trend spreads to other states. While the current situation holds, however, you may not use your accreditation authority to coerce Florida law schools—public or private—into adopting your woke,

³ *Id.*

⁴ St. Thomas University College of Law, *Catalog and Student Handbook 2025-2026*, stu.edu/wp-content/uploads/2025/09/Catalog-and-Student-Handbook-2025-2026.pdf (last visited November 5, 2025).

⁵ ABA, *Section of Legal Education & Admissions to the Bar*, americanbar.org/groups/legal_education/accreditation/standards/ (last visited November 5, 2025).

⁶ Until recently. See Sup. Ct. of Tex., Misc. Docket No. 25-9070, *Preliminary Approval of Amendments to Rule 1 of the Rules Governing Admission to the Bar of Texas* (Sept. 26, 2025) (order) available at txcourts.gov/media/1461357/259070.pdf (proposed rule to jettison ABA accreditation as a prerequisite for admission); see also *In re Workgroup on the Role of the American Bar Association in Bar Admission Requirements*, Fla. Admin. Order No. AOSC25-15 (Mar. 12, 2025) (Florida Supreme Court’s order initiating review of the same question).

⁷ ABA, *Diversity, Equity, and Inclusion Center*, americanbar.org/groups/diversity/ (last visited November 5, 2025).

⁸ABA, *About Us*, americanbar.org/advocacy/governmental_legislative_work/about/#:~:text=The%20ABA%20is%20a%20non,or%20endorses%20and-dates%20for%20office (last visited November 5, 2025) (emphasizing that the ABA “is a non-partisan, voluntary membership organization” that does not make “political contributions, or endorse[] candidates for office”).

⁹ ABA, *Legislative Policies of the American Bar Association*, americanbar.org/content/dam/aba/administrative/government_affairs_office/leg-issues-list-aug-2019.pdf?logActivity=true (last visited November 5, 2025).

regressive policy preferences. Requiring religiously affiliated schools to do so violates both your own policy and the First Amendment, which you claim governs. Your treatment of STU Law looks like religious discrimination under Florida civil rights law.¹⁰ It also deprives STU Law of its fundamental rights—rights my office is empowered to enforce.¹¹ Forcing STU Law to change its policies in such a way that further diminishes its right to practice its Catholic faith is intolerable and an unjustifiable burden on STU Law’s sincerely held beliefs. Your policy pays lip service to the First Amendment. It’s time to start honoring it.

Leave STU Law alone. It is a religious institution seeking to nurture and advance its religious values. The ABA may hate those values, but it cannot use its accreditation monopoly to put law schools to the tortuous choice of accepting the ABA’s discriminatory, repugnant standards or suffering the fallout of withheld accreditation. I won’t let you hold Florida’s law schools between the hammer and anvil like that.

Sincerely,



James Uthmeier
Attorney General

¹⁰ § 760.021, Fla. Stat.; see also ABA, *Standards for Approval of Law Schools*, americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2015_2016_chapter_2.authcheckdam.pdf (last visited November 5, 2025).

¹¹ § 760.51, Fla. Stat.