

# *SHIFTING THE Gatekeeping, Acc*



# *THE PARADIGM: Access, and Inclusion*

By Karen DeMeola

**T**HERE ARE MANY GATEKEEPERS to our profession. Family members familiar and unfamiliar with higher education, high school and college counselors, and law school admissions committees all play a role in whether or who is fortunate enough to attend law school. There should be checks and balances along the way to ensure that everyone who is admitted can succeed. The system however, assumes a meritocracy, assumes that all applicants are equal, and that there are no biases, overt or unconscious, at play. Professional gatekeepers have learned over the years, that systems of oppression, implicit and explicit bias, and unquestioned traditions, prevent people from gaining access. Recent changes by the Connecticut Bar Examining Committee are a great example of the importance of the role gatekeepers have in creating access and inclusion in our profession. This was not always the case.

I still vividly recall the fear of seeking help while in law school for what I would later learn was chronic depression, anxiety, and post-traumatic stress disorder. I was told by my confidants and friends that it was a mistake because it would prevent me from practicing law. I listened for a while, but life has a way of unravelling, and unravel it did. I couldn't wait until graduation to find a therapist. Again, every step of the way, I felt I should turn around, cancel the appointment, tell the doctor that it was all a big mistake and I was fine. I am glad I didn't. Though I was lucky that my application was not held up, the fear was real, informed my perception of the bar examining committee, and shaped the way I do my work when I entered higher education.

We are all storytellers, passers of tradition, lore, and fantasy. Like playing a game of telephone through the generations, each new class of law students throughout the country knows someone, who knew someone, who was denied bar admission because of a mental health condition. That history is real and for so very long has prompted law students to not seek treatment for mental health conditions and/or addictions. Across the country, students lucky enough were able to maintain status quo mentally. Others could not maintain their mental health and academics and were forced to withdraw so that they could manage, or were forced out by the institution for academic or other reasons. This was not sustainable.

Law school admissions gatekeepers encouraged students to be authentic during the application process. Students entered law schools with a narrative valued by the admission offices and faculty alike. Faculty and administrators began local and national campaigns to support students with mental health conditions and addictions. Deans of students pushed for student health insurance to cover psychological and psychiatric appointments, as well as Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) chapters locally or on campus and the relationship between law schools and lawyer assistance programs blossomed. Mental health counsellors were either hired by the schools or easily accessible as the push for law student wellness (before it became *de rigueur*) grew. And still there was fear.

So many Connecticut heroes fought a long battle to eliminate the mental health questions on the Connecticut Bar Exam. Even after changes in 2014, and with increased focus on balance in law schools and the profession, the fear remained.

Gatekeepers instill anxiety and fear. Will they like, love, and admit or judge, loath, and deny us? We model our behavior, ask forgiveness, and beg to be let into the club despite who we are; constantly proving that we belong. When the gatekeepers continue to follow rules steeped in bias, organizations and professions cannot and do not change. In 2019, the Connecticut Bar Examining Committee removed all questions related to mental health conditions and addiction. Law school graduates seeking to sit for the Connecticut Bar no longer have to fear seeking treatment for a mental health condition. This paradigm shift will have a significant impact on the number of people who have mental health conditions or addictions considering or enrolled in law schools. A gatekeeper's role should be framed around access and inclusion, recognizing that they have the power to impact the trajectory of another's future. The Bar Examining Committee's step created a new narrative; one that will hopefully quickly replace the challenges of the past. ■



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