

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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**FEDERAL COURT AWARDS DFEH OVER \$400,000 IN ATTORNEY'S FEES IN
CONTEMPT LITIGATION WITH LAW SCHOOL ADMISSION COUNCIL**
Fee Award Follows Contempt Ruling Extending Consent Decree for Two Years

Sacramento - A federal court today awarded the California Department of Fair Employment and Housing (DFEH) \$480,489.05 in attorneys' fees and costs for work resulting in a March 2018 finding of contempt against the Law School Admission Council (LSAC) for violations of court orders requiring LSAC to provide reasonable accommodations to people taking the Law School Admissions Test (LSAT).

LSAC has been under the terms of a consent decree entered on May 29, 2014. That decree resolved a lawsuit brought by DFEH in U.S. District Court for the Northern District of California, in which the U.S. Department of Justice intervened. The lawsuit alleged that LSAC violated the Americans with Disabilities Act and California's Unruh Civil Rights Act by discriminating against individuals with disabilities who sought accommodations to take the LSAT.

Earlier this year, the court ruled that LSAC routinely violated terms of the consent decree in how LSAC considered, responded to, recorded, and reported requests for accommodation. The nationwide settlement that was set to expire on May 29, 2018 was extended to May 29, 2020.

In today's order, the Court held that DFEH is entitled to recover market-based hourly rates for its attorneys' work in investigating the denials of accommodations and obtaining the contempt ruling. The Court awarded fees based on hourly rates of \$850 and \$425 for attorneys, and \$290 for a law fellow. Fees obtained by DFEH go to an Enforcement and Litigation Fund established by Government Code § 12907, which can be used to offset costs of the Department upon appropriation by the Legislature.

"As a public prosecutor, DFEH is entitled to recover attorney's fees for successful civil rights litigation," said DFEH Director Kevin Kish. "Because fees can only be used to offset costs of the Department, seeking fees in appropriate cases directly supports DFEH's mission of protecting all Californians from unlawful discrimination."

DFEH was represented on the contempt motion and the attorneys' fees motion by Associate Chief Counsel Mari Mayeda, Staff Counsel Joni Carrasco, Staff Counsel Irina Trasovan and Law Fellow Kaitlin Toyama.

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The DFEH is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment,

housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's web site at www.dfeh.ca.gov.

